PARLIAMENTARY DEBATES

(HANSARD)

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HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1997–98

COMPRISING PERIOD
26 January—6 February 1998

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26 January 1998

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SIXTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 305**

TWELFTH VOLUME OF SESSION 1997–98

House of Commons

Monday 26 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

State Pension

1. **Mr. Keith Simpson:** What plans she has to link state pensions to whichever of prices or earnings is rising faster. [23052]

The Parliamentary Under-Secretary of State for Social Security (Mr. John Denham): The future uprating of the basic pension is being considered by the pensions review. In the meantime, we have met our manifesto commitment to uprate it at least in line with prices.

Mr. Simpson: Many of my hon. Friends will recall that during the general election campaign, we often sat with Labour candidates who made all kinds of promises on pensions. Does not the Minister feel humbled in the face of the fact that the Government have been unable to live up to the promises made on many platforms? Once again, pensioners and future pensioners realise that their pensions are not safe with a Labour Government.

Mr. Denham: The hon. Gentleman is wrong. I am immensely proud of the Government's unprecedented action to deliver £200 million of winter fuel payments to all pensioner households.

Mr. Hutton: Does my hon. Friend accept that the Government need to prioritise the case of the 1 million pensioners who are entitled to receive income support but who, for one reason or another, do not claim? What measures will the Government take to provide additional assistance to that vulnerable and important group?

Mr. Denham: My hon. Friend raises an important issue. The Government have made it clear that the poorest pensioners, including those who do not receive the income support to which they are entitled, will be our priority. That is why we have already initiated research into why pensioners do not claim that support. From April, we shall initiate a series of pilots to determine the best ways in which to get help to those pensioners.

Mr. Quentin Davies: Is the Minister aware that there is unprecedented anxiety among millions of old-age pensioners and those who are looking forward to receiving their pensions in a few years' time on the basis of their many years of national insurance contributions? Will he address that great concern and give us an unqualified assurance that the Government will not means-test the basic old-age pension and will continue to index it?

Mr. Denham: There is no question of the Government's not honouring our manifesto commitment to uprate the basic state pension at least in line with prices. We have already met that commitment.

Pensions Review

2. **Mr. Rammell:** If she will make a statement on the progress of the review of pensions. [23053]

15. **Mr. Don Foster:** When she expects to announce the outcome of the pensions review. [23066]

The Secretary of State for Social Security and Minister for Women (Ms Harriet Harman): On 1 July, I announced the pensions review that we promised in our manifesto. We have already received more than 2,000 submissions. The next stage will be the publication of our proposals, which will be in the first half of this year, and consultations will follow.

Mr. Rammell: I thank my right hon. Friend for that reply. Does she agree that the biggest challenge facing the Government on pensions is the need to provide decent second-tier pensions for the 12 million people who are in work yet not in a company pension scheme? Does she further agree that we face that challenge because of the lamentable record of 18 years of Conservative Governments who, unbelievably, chose to try to encourage people to opt out of good company pension schemes in favour of fundamentally flawed private pension plans?

Ms Harman: My hon. Friend is absolutely right. We face two challenges relating to pensions: one is the situation of today's pensioners, and we have said that the poorest of them must be our priority; but we are also determined—this is why we have our pensions review—to ensure that today's people at work, the next generation of pensioners, retire not on the basic state pension and means-tested benefits, but on the basic state pension and a good second pension. For many people who do not have access to occupational schemes, the only alternative has been private pensions, which have eaten up too much of their savings in administrative costs. That is why we issued our consultation document on stakeholder pensions.

Mr. Foster: Is the Secretary of State aware that, as a result of a change in the computer system, many new pensioners have their pensions incorrectly assessed and often get less than the full allowance to which they are entitled? Will she take urgent action to resolve that situation and publicise her plans for the future? As part of the review, will she take action to ensure that such things do not happen again?

Ms Harman: Of course, we are concerned that pensions are paid accurately and promptly. We are always concerned that the system delivers that. I shall look further into the matter and perhaps write to the hon. Gentleman or find some other way of reporting on it to the House. There are a number of problems with the administration and delivery of pensions. The system needs to be modernised so that it gets it right first time, and all pensioners receive the income to which they are entitled.

Mr. Hope: Is my right hon. Friend aware that pension inequality has widened dramatically over the past 18 years and that if things carry on as they did under the previous Administration's policies, inequalities will continue to widen, with the poorest pensioners suffering the most? With the cut in VAT on fuel, the zero rating of the gas levy and the winter fuel payments, have not the Labour Government done more for pensioners in the past six months than the Tories did in the past 18 years?

Ms Harman: My hon. Friend is right. Overall, the average income of pensioners has increased, but that masks the fact that the incomes of pensioners at the bottom of the income scale have increased by less than half as much as the incomes of those at the top. There is a widening divide in pensioner income inequality. We are determined to address that, which is why we have said that our priority will be the poorest pensioners. We have already taken steps to address that inequality, and we shall look further at those issues in the pensions review.

Mr. Butterfill: Have not the right hon. Lady and the Government done all that they can to create a shambles on pensions? The Chancellor of the Exchequer plundered pensions through his changes in advance corporation tax, much to the dismay of the Minister for Welfare Reform. Everyone has had to switch back into the state earnings-related pension scheme, which the Minister for Welfare Reform has said that he wants to abolish in the long term. What is the Government's policy? Are they going to sustain SERPS, encourage private pension provision or carry on with the present muddle?

Ms Harman: We have said that, in addition to the basic state pension, we want to improve second-tier pensions and make them accessible to all. The hon. Gentleman is wrong on all counts in his allegations against the Government. The shambles on pensions came not from us but from the previous Government, who presided over growing inequality in which the poorest pensioners were left behind. They instigated the policy of mis-selling personal pensions and left hundreds of thousands of people uncompensated. We are acting on that. They left many working people with no opportunity to pay into a good-value second-tier pension. We are addressing all those issues. What is more, instead of doing it on the back of an envelope like the previous Government, we are having a proper consultation through our pensions review to build a consensus for the long term. That is the way to do it.

Mr. Wigley: Does the Secretary of State accept that among the poorest pensioners are those who lost their health working in industries such as coal mining and slate quarrying and their widows? Will she join me in welcoming last week's court announcement that compensation will be paid to coal miners and their widows for emphysema and chronic bronchitis? Will she give an assurance that this time, the needs of slate quarrymen and their widows will be taken into account?

Ms Harman: Everyone in the House will welcome the fact that, at long last, justice will be done to those whose health suffered through working in coal mining. Many people will wonder how it was that so many people ignored for so long the warnings about how working in coal mines can seriously damage health. It is a timely warning to us to ensure that workplaces are safe from

accident and disease. I shall draw the attention of my ministerial colleagues to the right hon. Gentleman's point about slate quarry employees.

Mr. Duncan Smith: In answer to an earlier question, the right hon. Lady said that she was a great supporter of occupational pensions and accepted her party's manifesto pledge to support them. Last week, however, the Government did a U-turn on pensions because they announced that they had increased the national insurance rebate after having said that it had no effect. They did so because people were having to opt back into SERPS as a result of the chaos caused by the Budget and the announcement of the abolition of ACT dividend credit.

Will the right hon. Lady therefore now accept that the Government have done a U-turn, and will she apologise to pensioners who have been messed around? Most of all, will she now say why, when the Government made that change, they did not include occupational pensions? Will she explain why those with occupational pensions will have to pay out extra money for the next five years, so that they stay in line with the pensions that they wish to receive? Why were occupational pensions ruled out?

Ms Harman: We have done no U-turn. No pensioner has been mistreated by the Government. We sought and considered the advice of the Government Actuary, who, as the hon. Gentleman will know, is there to advise on such matters. We took his advice, which was—as reported in a written answer from the Under-Secretary of State for Social Security, my hon. Friend the Member for Southampton, Itchen (Mr. Denham)—that there was some risk that some people might be advised to opt back into SERPS. We considered the Government Actuary's advice and we changed the rebates. That action was a normal part of the process, and we acted promptly and correctly. It is important not only to make an immediate and appropriate response but to address the long-term problem, and ensure that we have a strong economy and a high level of investments. Thus we can ensure a good return on people's second-tier pensions in the future. Our approach has been based on that aim.

Mr. Duncan Smith: The right hon. Lady has failed to answer the question that I asked her. As a result of the mess that the Government got into at the Budget, is it not a fact that the change to the national insurance rebate will cost the Government £500 million over the next five years? Does she accept that? Will she answer that question, and apologise?

Ms Harman: I thank the hon. Gentleman for his second question. He will know that the Government Actuary's responsibility is to advise the Government when, from time to time, it is necessary to adjust rebates. We sought that advice and acted properly on it. The important thing is to ensure that in the longer term we have the right level of investment to sustain the growth of second pensions. We have taken the right action.

Family Credit (Wales)

3. **Mr. Edwards:** How many families are in receipt of family credit in *(a)* Monmouthshire and *(b)* Wales. [23054]

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): Figures for Monmouthshire are not available. The latest available figures for the Benefits Agency offices in Newport and Cwmbran reveal that there were approximately 4,000 families receiving family credit.

The latest figures for Wales show that there were approximately 43,000 families receiving family credit.

Mr. Edwards: Does my hon. Friend agree that family credit is equivalent to the taxpayer subsidising bad employers, especially in Wales, the land of low pay? Does he further agree that the introduction of a national minimum wage will reduce expenditure on family credit and reduce the incidence of poverty pay, as well as the inequality between men and women in the labour market?

Mr. Bradley: My hon. Friend is absolutely right, which is why the Government's proposals on a national minimum wage are so welcome throughout the nation. I should like to take this opportunity to pay tribute to my hon. Friend for the immense amount of work that he did on behalf of low-paid workers before he entered the House. The national minimum wage will address that issue.

Mr. Letwin: Will the Minister tell us whether the earned income tax credit, which we understand is to replace family credit, will be subject to an affluence test?

Madam Speaker: In Wales?

Mr. Letwin: In Wales.

Mr. Bradley: As the hon. Gentleman will know, my right hon. Friend the Chancellor announced in his pre-Budget statement that the Government propose an integrated tax and benefits system, of which that is part. It would not be appropriate for me to comment at this stage on his final plans.

Pensioners (Income Inequality)

4. **Mr. Purchase:** What estimate she has made of future income inequality rates among pensioners. [23055]

Mr. Denham: We want today's and tomorrow's pensioners to enjoy security in retirement. Estimates show that the gap between the best-off and worst-off pensioners will be even wider in the future than it is today under current policies, so a key objective of the pensions review is to ensure that pensioners have an adequate income in retirement and that they share fairly in rising national prosperity.

Mr. Purchase: Is it not the case that most people will rely on the state earnings-related pension scheme right through to the early part of the next century? There appears to be some doubt in people's minds about the future value of such pensions. Does my hon. Friend accept that, the more people go into private pensions, the more share churning goes on, the more fees go up and the more arrangement costs increase? In fact, through the rebate, taxpayers' money is going directly into the pockets of the

richest people in the country. In the pensions review, should we not reinforce our commitment to SERPS on a proper basis of related-to-earnings income in retirement?

Mr. Denham: We said in our manifesto that we shall retain SERPS as an option for those who wish to remain in it; and the pensions review is looking at a wide range of issues relating to the future of pension provision. Many people who enjoy security in retirement have a pension whose income comes from investments. It is possible to create a framework for value-for-money, flexible and secure stakeholder pensions, based on investment income, which can assist those with a basic state pension to enjoy security in retirement.

Mr. Flight: On the Government's own figures in the November consultative document, I recollect that there are about 40.5 million people with pension provision and 7.5 million without. Will the Minister give an undertaking that improving the position of those without pension provision outside the state will not come at the expense of those who have made provision, by the tax deductibility of pension contributions being reduced? That applies particularly to the over-40s who have made plans and who will find those plans all awry if there is yet another retrospective change in such taxation.

Mr. Denham: Taxation is a matter for my right hon. Friend the Chancellor, but I assure the hon. Gentleman that we wish to encourage people to save for their retirement.

National Insurance Numbers

5. **Ms Moran:** What plans she has to take action to reduce the numbers of false national insurance numbers in circulation. [23056]

The Minister for Welfare Reform (Mr. Frank Field): The Government attach the highest importance to safeguarding the integrity of the national insurance system and its numbers system. There is a programme under way that is looking at the validity of each number: 750,000 numbers have been checked so far and the programme continues.

Ms Moran: I thank my right hon. Friend for that helpful reply and ask that he investigates an issue raised with me by members of the Luton jobcentre and Benefits Agency, with whom I recently worked for a day. They expressed concern about the estimated 14 million to 17 million national insurance numbers in circulation, which might be subject to abuse. I am sure that he will want to address that issue, so that we can start to modernise our benefits system, get rid of the shambles that we inherited from the previous Tory Government and ensure that benefits are targeted on the most needy.

Mr. Field: To the three points that my hon. Friend raises, the answers are yes, yes and yes. In addition, section 19 of the Social Security Administration (Fraud) Act 1997, which is coming into operation over time, ensures that claims to benefit are made dependent on the production of a valid national insurance number and that checks on each number will be made at the point of benefit claim.

Mr. Sayeed: The Prime Minister said that benefit fraud cost this country £4 billion to £5 billion a year. Does the Minister agree?

Mr. Field: The Government have always been careful about giving estimates of the amount of benefit fraud. It is sensible for the whole House to accept that we have a duty to be ever vigilant on behalf of taxpayers. That is the approach taken by the Government.

Mrs. Mahon: Is my right hon. Friend in a position to tell us how many of the national insurance numbers already examined are false?

Mr. Field: Of the more than three quarters of a million national insurance numbers that have been checked, there have been 133,000 plus duplicate accounts. A number of them are being studied for further investigation. I shall be happy to report progress to the House and to my hon. Friend on that basis.

Lone-parent Benefits (Yorkshire)

6. **Mr. Allan:** What estimate she has made of the number of new applicants for lone-parent benefits from Yorkshire in the year beginning April 1998. [23057]

Mr. Keith Bradley: It is estimated that around 25,000 new awards of income support will be made to lone parents in Yorkshire in 1998–99. Similar estimates cannot be made for new awards of the lone-parent rate of child benefit.

Mr. Allan: While any measures that help lone parents who are looking for paid work are welcome, does the Minister acknowledge that a proportion of those new claimants will wish to work full time at home, bringing up their young children? Does he accept that they do so with the best possible motive, of lone parents having to provide the parental contact of two parents? Will the Minister consider reinstating extra benefit for lone parents with children under five?

Mr. Bradley: I understand the hon. Gentleman's concern. All families will now receive the same rates of child benefit and family premium, but existing lone parents will continue to receive the higher rates—there will be no cash losers. We have brought forward the new deal for lone parents, and an extra £25 million has been made available under the new deal, to lone parents who wish to work and whose youngest child is under five.

Ms Ward: Is my hon. Friend aware that in many parts of the country, including Yorkshire, lone parents are attempting to improve their education by going to university to study and are finding it increasingly difficult to pay their mortgage, study full time and raise their children? Will my hon. Friend consider providing extra support for those lone parents and making a statement to the House at a future date?

Mr. Bradley: I am grateful to my hon. Friend for her comments. I encountered a similar constituency case just

this weekend, involving exactly the same point. I can assure my hon. Friend that we shall consider the matter urgently, to see what assistance may be available.

Mr. Ian Bruce: Has the Minister been able to make an estimate for Yorkshire—or if he does not have that exact figure, for the rest of the United Kingdom—of the proportion of lone mothers who will come off benefit because of changes in circumstances in the first full year, such as going to work or finding a new partner? What proportion of existing lone mothers on premiums will come off benefit in the first year?

Mr. Bradley: I understand the hon. Gentleman's comments. I do not have those estimates, but I shall write to him with an evaluation of the point that he raised.

Maternity Grant (Crewe and Nantwich)

7. **Mrs. Dunwoody:** What was the average payment of maternity grant to mothers in the Crewe and Nantwich constituency in *(a)* 1996–97, *(b)* 1995–96 and *(c)* 1994–95; and how many received sums of £15,000 to £20,000. [23058]

Mr. Denham: Approximately 50,000 pregnant working women do not qualify for maternity pay because their earnings are below £62 per week. We want to help all women balance their careers and family responsibilities and ensure that the system is fair to all women.

I regret to say that the figures requested for Crewe and Nantwich are not available.

Mrs. Dunwoody: That was a rather long way of saying no; I thank my hon. Friend for that interesting reply. If we are to talk seriously about maternity payments, and the women who do not qualify as well as those who do, might it not be useful to do so on the basis of fact? To raise fears before all the replies are detailed is to cause enormous harm and considerable worry and to place needless pressure on people who do not need it.

Mr. Denham: It is important to set out the problem. The system is complex; it is hard to understand and difficult for employers to administer. It excludes 50,000 low-paid women from benefit each year, while others receive substantial amounts. The system is not seen to be fair, which is why we need to consider a coherent package of measures.

Pension Entitlement (Women)

8. **Ms Dari Taylor:** What plans she has to increase the pension entitlement of women. [23059]

Mr. Denham: One of the major challenges facing the pensions review announced by my right hon. Friend the Secretary of State in July 1997 is to narrow the pensions gap between men and women, to give women more security in retirement. Many pensions are simply not flexible enough to cope with women's working patterns and the fact that they earn less on average than men and are more likely to have caring responsibilities. We are committed to introducing pension sharing for divorcing couples from April 2000. Our proposals for citizenship and stakeholder pensions will be of particular benefit to women.

Ms Taylor: I am grateful to my hon. Friend for that reply. Does he agree that low pay and the earnings limit on contributory benefits have a serious impact on pensions? Does he therefore agree that the introduction of a statutory minimum wage will be very beneficial? Would he consider studying the idea of relaxing or abolishing the earnings limit on contributory benefits?

Mr. Denham: Measures such as the minimum wage, which enable women to earn more, will obviously help them to develop better pension rights, as will measures such as our proposed stakeholder pensions, which will bring within their reach value-for-money, flexible and secure pensions. My right hon. Friend the Chancellor indicated some of the areas that he was studying in relation to national insurance and contributions limits, and will make proposals in due course.

Miss McIntosh: May I say how nice it is to see the Minister for Women in the House today and, through you, Madam Speaker, ask her whether she has had a chance to consider the impact of the reforms that the Government wish to make, by abolishing the independent taxation of women, on women's pension entitlement?

Mr. Denham: I believe that I am answering the question, Madam Speaker. I think the answer to that is— *[Interruption.]* The pensions review is considering a wide range of issues. One of the challenges that we set ourselves in establishing the pensions review was the much-needed one of narrowing the pensions gap between men and women, so we shall be considering many of the obstacles that currently prevent women from developing good pension rights.

Mr. Wicks: Perhaps I could ask the Minister for men a question. Given that many women in their working lives become carers of elderly relatives or perhaps of a frail husband, and as a consequence suffer the penalty of poverty in old age because of loss of pension entitlements, will the Government make provision in their plans to ensure that we have decent and generous credits for those in the community who, by doing vital work—although not in the waged economy—save the country billions of pounds?

Mr. Denham: My hon. Friend makes a very important point. Although we obviously want to encourage as many people as possible to develop a value-for-money, funded, invested second pension, obviously some people are unable to do so as they are exercising caring responsibilities and are not in a position to contribute. In the pensions review, we are examining proposals for a citizenship pension, with the aim of ensuring that people who spend a large part of their lifetime caring do not end up in retirement on means-tested benefits, which is a poor reward for the service that they have given to their families and the wider community.

Actors (National Insurance)

9. **Mr. Key:** What plans she has to change the status of actors with respect to national insurance contributions. [23060]

Mr. Denham: We are reviewing the position of performers for national insurance purposes and are working closely with the Department for Culture, Media and Sport. We have also met Equity. No decision has yet been made. An announcement will be made in due course.

Mr. Key: I wonder whether the Minister knows of many actors, dancers and musicians who really, really want to be unemployed. May we encourage him, in his negotiations with the Treasury, to persuade it that nurturing artistic talent is more important than administrative convenience? Until the Treasury sees sense, would he put his daughter on the stage?

Mr. Denham: I am sure that the House does not want to know about the forthcoming performance of a certain amateur ballet company in Southampton.

In considering this important issue and in trying to remove the uncertainty that has existed and to find a sustainable way to proceed, of course we shall take into account all considerations, including the importance of the performing arts to the economy and to the culture of this country.

Mr. Caplin: Will my hon. Friend remind the House that this is yet another mess that we have been left, after 18 years, because of the inaction of Conservative Governments?

Mr. Denham: My hon. Friend is right: the issue has been around for some time. It is important that everyone involved in the industry and the performing professions knows what the future will be. Therefore, we are reviewing the position, taking all factors into account. We shall make an announcement as soon as possible.

Mr. Duncan Smith: When the Government were pushing through their proposals to cut benefit paid to lone parents, the Prime Minister was having a champagne reception at No. 10 Downing street with various glitterati from stage and screen. Did he tell them that they would have to foot the bill for that party because the Government were withdrawing that element of benefit?

Mr. Denham: I find it hard to believe that that is the most serious question that the hon. Gentleman can ask.

Pensioners (Fuel Bills)

10. **Mrs. Ellman:** If she will make a statement on her plans to help pensioners with their fuel bills. [23061]

14. **Mr. Barry Jones:** How much extra money will be provided for payments to pensioners for heating in the current financial year; and if she will make a statement. [23065]

16. **Mr. Swinney:** How many pensioners have received the additional payments for winter fuel bills announced by the Chancellor in the Budget; when he expects that all pensioners eligible will have received this payment; and if he will make a statement. [23067]

Ms Harman: I am making a winter fuel payment of £50 to all the 1.5 million pensioners on income support. I can today announce to the House that payments have already been sent this week to 1,117,000 pensioners on income support. All other pensioners on income support will be sent their £50 payment by the end of the week, and they do not, of course, need to claim it. For pensioner households not on income support, I am making a £20 payment. We are making the payments as swiftly as possible and we expect to make the vast majority of them by the end of March.

Mrs. Ellman: I thank my right hon. Friend for that answer, which demonstrates what a real difference a Labour Government have made. Is she aware that the legacy of the past 18 years is that the health of my constituents is the sixth worst in the United Kingdom? Does she accept that keeping warm is essential to the health of pensioners, and that the steps that the Government have already taken will improve pensioners' health? Will she work with other Departments, so that pensioners in my constituency and elsewhere can have good, warm housing, a better income and assistance with their fuel bills?

Ms Harman: My hon. Friend raises an important point. Of course poverty and inequality in income are closely linked to inequality in health. She will know that my right hon. and hon. Friends in the Department of Health have been working on the matter and will shortly publish a Green Paper on the health of the nation, which will make explicit the relationship between the problems of the poorest in the country and issues of income inequality and health.

Mr. Jones: Can my right hon. Friend say whether constituents on disability living allowance and attendance allowance will have access to that money, how much new money is being pumped in over two years, and what sum is available to pensioners in Wales—perhaps as much as £30 million? Does she accept that pensioners greatly appreciate what the Government are doing for them, bearing in mind the record of the previous Government?

Ms Harman: I can assure my hon. Friend that all pensioners will receive a winter fuel payment—all pensioners, irrespective of whether they are on additional benefits or simply on the basic state pension. A sum of £400 million has been allocated to help pensioners with their winter fuel bills which, as I said, means an extra payment to those on income support. I thank my hon. Friend for the warm welcome that he has given from pensioners in his constituency to the extra help that the Government are giving to pensioners.

Mr. Swinney: Having travelled from Scotland to London today, I can confirm that it is very cold in Scotland. Does not the delay in payments of winter fuel compensation to pensioners prove the case for a properly designed and resourced cold climate allowance which takes account of the wind chill factor, which is a vital issue in many communities throughout the country?

Ms Harman: I assure the hon. Gentleman that there has been no delay in paying out winter fuel payments.

We have made the payments to those on income support a priority, which we shall have concluded by the end of this week. We will start the payments to those who are not on income support right away thereafter. We are doing it as fast as we can, within the limits of the machinery that we inherited from the previous Government. I can promise the hon. Gentleman that, next year, we shall have got the system sorted out, so we shall be able to make the payments more promptly.

The hon. Gentleman referred to wind chill. The wind chill factor would have been added to a cold weather payment system, which itself was already complex. It was feared that a complex system would have been made incomprehensible. Therefore, we made a decision that, in the first instance, our way in which to help pensioners with their winter fuel bills would be to make payments differentially to those on income support, but to ensure that all pensioners, irrespective of the temperature or wind chill factor, received their payments this year. We shall, of course, keep the issue of wind chill under review. There has been no delay in making the payments. We are making them as fast as we can because we regard them as a priority.

Mr. Rendel: The Secretary of State has told us that some of the £20 payments will not be made until March. Does she realise that many of the pensioners who will be receive their extra payments as late as that—even if they are not claiming income support now, they could be doing so then—are among the poorest in the country? Many of those people have pre-payment meters. What help will it be to them if they receive their extra money just in time for what, in effect, will be their summer fuel payments?

Ms Harman: We are concerned that all pensioners should receive their payment. We raised the issue when we were in opposition—it continues to be a priority now that we are in government—that 1 million pensioners who were entitled to income support did not claim it. They do not get their income support and so lose out, on average, by £14 a week. In addition, they do not receive cold weather payments and all the other benefits that are passported in.

Make no mistake, we are concerned about the estimated 1 million pensioners who are entitled to income support and who do not claim it. That is why, from April, we are setting up a programme that is designed to try to identify ways in which to bring more automatic help to the poorest pensioners. When we put it to the previous Government that 1 million pensioners did not receive the income support to which they were entitled, they said, "They do not choose to claim. Clearly they do not need the money." We do not take that approach. That is why we are investing to try to find ways in which to get to the poorest pensioners.

In the meantime, these pensioners will at least receive £20, although they should be receiving £50. It is to be hoped that we shall have tracked down many more of them by next year. That having happened, they will receive the uprated payment.

Mr. Beard: Does my right hon. Friend agree that one of the greatest inequalities in pensions is that between men and women, and that the Government's winter payments, which go disproportionately to women, will do much to overcome that inequality?

Ms Harman: Two thirds of the £50 payments will go to women pensioners. One of the challenges that we have set for the pensions review is to narrow the pension gap between men and women. Women are less likely to make full national insurance contributions because they are likely to be below the lower earnings limit. They are less likely to be in well-paid work and have the opportunity of an occupational pension. They are more likely to be living on their own in retirement with no savings, no state earnings-related pension schemes, no occupational pensions and possibly no basic state pension. We are concerned to narrow the pension gap between men and women, which grew so alarmingly wide under the previous Tory Government.

Mr. Evans: The Secretary of State talks about Green Papers. Personally, I am sick and tired of hearing about Green Papers and reviews, and so are pensioners.

The right hon. Lady and her Government had an opportunity on Friday to help the poorest pensioners in the coldest parts of the country by accepting my Cold Weather Payments (Wind Chill Factor) Bill. What is the major difference between now and 12 months ago, when 176 Members—most of them Labour Members, including the Under-Secretary of State for Social Security, the hon. Member for Manchester, Withington (Mr. Bradley)—took the view that it was necessary to take into account the wind chill factor so as to help the poorest and coldest pensioners? Their position now is a betrayal of everything that they talked about before the general election.

Ms Harman: One of the major differences between myself and the hon. Gentleman is that he voted for VAT on gas and electricity in pensioners' fuel bills to be 17.5 per cent., whereas the Government cut it to 5 per cent. and are giving extra payments to help with fuel bills. Perhaps he will spare us his bleeding-heart concern about pensioners, who did so badly under the Conservative Government.

Dr. Lynne Jones: Will my right hon. Friend consider extending this very welcome measure to other groups on state benefits whose health can be adversely affected if they are unable to afford to keep warm, especially families with young children, including lone-parent families?

Ms Harman: All families on low incomes will particularly welcome the fact that we have cut VAT on gas and electricity, and that we will press ahead, through our environmental task force, with help for people to insulate their homes. The most important thing for people of working age on low incomes is to enable them to improve their incomes—by far more than they ever could on any rate of benefit—by helping them into work. That is why we are investing £3 billion in a welfare-to-work programme to ensure that people of working age can have opportunities for high-quality training and worthwhile jobs.

Mr. Burns: Will the right hon. Lady kindly tell the House, first, why the Government are using taxpayers' money on an advertising campaign for a scheme that is

being given automatically to every pensioner in the country? Secondly, how much is it costing? Thirdly, why—against the advice of civil servants, who recommended to Ministers that this was a party political advertising campaign and should not have taxpayers' money—are the Government pressing ahead? Will the right hon. Lady be kind enough not to give a spurious answer, to avoid the sound bite and to answer the question for once?

Ms Harman: I shall seek to answer all the hon. Gentleman's questions. For a start, there was no recommendation that we should not go ahead with the advertising campaign because it was political. We have gone ahead with it because this is a wholly new payment which has never been paid before.

Hon. Members have raised the issue of pensioners and giving them their entitlement. Pensioners throughout the country, who will get a £50 giro on their mats, need to know that they are entitled to cash it, that it is not an overpayment, that it is not a mistake and that it is to help with their fuel bills. We also have to ensure—

Mr. Burns: How much?

Ms Harman: I will answer the hon. Gentleman; I promised to answer all his questions. I am explaining why we are going ahead with the advertising campaign, if he will let me finish.

There are many pensioners on income support who might be concerned that this money was an overpayment or mistake and simply leave the giro uncashed. We know that there is a problem of pensioners not claiming benefits. They are entitled to know that this payment is coming, that it is for them and that they can safely cash it and use the money.

On pensioners who are not on income support, hon. Members have raised the issue about our not being able to pay the money as fast as we should like. We want pensioners to know that this money will be coming to them, that they are entitled to it and that they can use £20-worth more fuel than they would otherwise have been able to do. That is why we are proceeding with the advertising campaign. We are spending £400 million over two years on extra winter fuel payments for pensioners. We are spending £1.7 million on information about entitlement. We have to ensure that pensioners know what they are entitled to and what they are getting. That is not only appropriate, but necessary.

Landlord Benefit Fraud

11. **Helen Jones:** What proposals she has to tackle organised landlord benefit fraud. [23062]

Mr. Field: The initiatives include new powers for local authorities to collect information, a new criminal offence, and a new power for local authorities and central Government to share information when they attempt to crack down on fraud.

Helen Jones: I thank my right hon. Friend for that reply. I used to prosecute Department of Social Security fraud and I am reluctant to deprive my ex-colleagues of a chance to follow up cases in the courts. However, does my right hon. Friend agree that the best way in which to tackle fraud is to prevent it from happening in the first place? What plans does he have to identify areas where fraud is most likely to occur and to target resources at those areas?

Mr. Field: As my hon. Friend suggests, our plans are to ensure that counter-fraud measures are built in at the start of any benefit claim. May I stress that, while the Government attach enormous importance to countering benefit fraud, we attach equal importance to seeking out diligently those who are eligible for benefit but not claiming it. We run both those policies in tandem, which is one of the many factors that distinguish us from the Opposition.

Child Benefit

12. **Mrs. Virginia Bottomley:** If she will make a statement on the future of child benefit. [23063]

Mr. Field: I remind the right hon. Lady of the two commitments made in our manifesto.

Mrs. Bottomley: When I worked for the right hon. Gentleman 27 years ago, we campaigned to protect children from the Chancellor's threats. Will he give an undertaking to work as hard and to fight with as much determination today to protect children from the Chancellor's menaces? I have not changed my mind about the importance of recognising the extra costs and needs of children at every income level. Has the right hon. Gentleman changed his mind?

Mr. Field: I have not changed my mind, but when the right hon. Lady and I worked at the Child Poverty Action Group, we were both trying to protect family allowance—it is now called child benefit—from a Tory Chancellor.

Mr. David Heath: In view of the Secretary of State's well-publicised concerns, how many women who are millionaires draw child benefit?

Mr. Field: If the hon. Gentleman would like to table a question on that specific point, I shall try to find the answer.

Mrs. Gillan: Does the Minister realise that working mothers throughout the country have been seriously alarmed at the recent report in *The Times* of 15 January that, in order to tax child benefit and cap maternity benefit, the Chancellor may end the independent taxation of women? Does he agree that abandoning separate taxation would further undermine the institution of marriage and make it more tax advantageous to cohabit? Will he now rule that out completely to set working mothers' minds at rest?

Mr. Field: Traditionally, taxation issues are the province of the Chancellor of the Exchequer.

Disability Benefits

13. **Mr. Winnick:** If she will make a statement on proposed changes to disability benefits. [23064]

19. **Ms Christine Russell:** If she will report progress on welfare reform with particular reference to disability benefits. [23070]

Ms Harman: Benefits for people with sickness and disabilities are part of our review of the social security system. We shall come forward with proposals later in the year and they will be followed by full consultation.

Mr. Winnick: Does my right hon. Friend agree that it is important to reassure disabled people that their position will not be worsened?

Ms Harman: I do agree with my hon. Friend. It is very important to reassure disabled people that their position will not be worsened—far from it. Two principles drive our social security review in respect of people with health problems or disabilities. The first is to ensure that those who cannot work have the right support, whether it is cash or services, or a combination of the two. The second is to ensure that we do not follow the path of the previous Government, who told people with health problems and disabilities that, even though they might have some capacity to work and might want to work, they would be written off to a life on benefits. Our approach is to extend opportunities to people with ill health or disabilities. We are backing that with £195 million of investment in innovative schemes so that the minority—it is, however, a significant minority—of those who are long-term sick or disabled can have attention paid to their needs and can be supported in getting into, and staying in, work.

Ms Russell: Before I was elected to the House, I worked with people, most of whom had learning disabilities. I am still in close touch with them and, last week, I had a meeting with representatives of DIAL house in Chester. I am sure that my right hon. Friend is familiar with that organisation. Given the concern fuelled by all the scaremongering in the media, will my right hon. Friend give a categorical assurance that, before any key decisions are finally taken, there will be full consultation with organisations such as the Disability Benefits Consortium and the DIAL network?

Ms Harman: I am happy to give my hon. Friend a categorical assurance that the organisations that she mentioned and many others will be fully consulted. I want to allay her concerns. She raised the important issue of the prospects in adult life of people with learning disabilities, which is of particular concern to them and to their carers. Although we provide a proper framework and many opportunities for people with learning difficulties while they are of school age, many of them are written off when they reach school-leaving age. They feel that they cannot continue to develop, and their parents feel a sense of desperation and worry about whether there will be any framework for the lives of their sons or daughters when they are not around to care for them. We must ensure that we take account of people's abilities and capacities as well as their disabilities and incapacities, and we must provide opportunities for all. The days when people were told, "You've got an incapacity. You've got a disability. You're written off. Here's some money"—

Madam Speaker: Order. All the right hon. Lady was asked for was a categorical assurance. I have to take two more questions on this subject.

Mr. Amess: Is the right hon. Lady aware that, judging by the number of telephone calls and letters that I have received, my constituents in Southend, West already believe that this rotten Labour Government are cutting disability benefit? Will she explain to the House why, since 1 May, many of my severely disabled constituents have been called in by doctors for further examination and have had their benefits taken away? If they have gone to appeal, their cases have taken an awfully long time to be heard.

Ms Harman: That is another first-rate example of—I do not want to use an unparliamentary word—synthetic concern. The hon. Gentleman is referring to the benefit integrity project, which was crafted, fashioned and consulted on by the right hon. Member for Hitchin and Harpenden (Mr. Lilley) when he was Secretary of State for Social Security. If the hon. Gentleman wants to get into a lather about this issue, he has missed the boat. Our approach is to keep a careful eye on the benefit integrity project to ensure that people on disability living allowance receive the right amount of that benefit under the current conditions of entitlement. However, that has nothing to do with our review of benefits for the long-term sick and disabled, so the hon. Gentleman's argument does not wash.

Mr. Collins: Will the Secretary of State clarify whether the purpose of her review is to reduce spending on people with disabilities?

Ms Harman: The purpose of our review is to ensure the right level of care and support for those who cannot work, and to ensure maximum opportunities for those who can work. The exercise is driven by principle, not by cuts.

Status of Women (Commission)

17. **Siobhain McDonagh:** If she will make a statement on the planned meeting of the commission on the status of women in March. [23068]

The Parliamentary Under-Secretary of State for Social Security (Ms Joan Ruddock): As part of our focus on women during our presidency of the European Union, I am pleased to announce that I will be heading the EU delegation at the next annual meeting of the United Nations commission on the status of women, which will be held in New York in March. I will be working with women's organisations and our EU partners to ensure that we represent the views of European women.

Siobhain McDonagh: I thank the Minister for that reply. The commission will consider violence against women. Today is the launch of domestic violence week in my borough of Merton. Although services are available, women who suffer from domestic violence, and the doctors, nurses and health visitors, who may be the first people with whom those women come into contact,

often do not know what help is provided. Will my hon. Friend ensure that consideration is given to finding ways in which to inform everyone, across the board and not on a departmental basis, about what services are available?

Ms Ruddock: I am grateful to my hon. Friend for her question. I can assure her not only that action to prevent violence against women is one of the major priorities of the Ministers for Women, but that it is part of the United Nations platform for action on women.

By raising the issues in an international forum, we can ensure that we contribute to the dialogue, and make it possible for women throughout the world to understand that we are all concerned about the violence that is inflicted on them and will tackle it. In this country we, as Ministers for Women, are already working across Government with our colleagues to ensure that we deliver better services, and that every woman who is subjected to violence is confident that she can come forward, be treated with respect and gain the support that she needs if she has to go to court—and, indeed, after court.

Unlike the previous Administration, we have put the perspectives of women at the heart of our Government. Already, £30,000 has been allocated to the women's aid helpline in England.

Iraq

3.30 pm

Mr. Tam Dalyell (Linlithgow): [*by private notice*]: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on current relations with Iraq.

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): With permission, I shall make a statement on the present crisis with Iraq over the United Nations Special Commission weapons inspections.

The present regime of weapons inspections was put in place in Iraq following the Gulf war, as part of the ceasefire agreement. Its objectives are to eliminate Iraq's weapons of mass destruction, and to prevent Iraq from reviving the capacity to develop, produce, stockpile and deploy such weapons of mass destruction.

Despite repeated obstruction from the Iraqi regime, UNSCOM's achievements have been significant. Since its inception, it has destroyed 38,000 weapons with the capability to deliver chemical and biological agents; it has also destroyed significant quantities of production equipment and associated facilities. But serious gaps remain in Iraq's full, final and complete declarations, particularly in regard to biological weapons.

If UNSCOM's work were halted now, Iraq would be able to generate biological weapons within a matter of weeks, and could achieve a chemical capability within months. It is vital for the continuing security of the region and more widely that UNSCOM be allowed full and unrestricted access to all sites that it wishes to inspect, and as much time as it needs to complete its task.

On 12 January, UNSCOM began a new inspection aimed at uncovering concealed activities. The Iraqi regime blocked the inspection on the specious grounds of an alleged US bias on inspection teams. This inspection, led by Mr. Scott Ritter, a United States citizen with a distinguished record of work for UNSCOM, consisted of 44 personnel from 17 different countries.

UNSCOM's executive chairman, Richard Butler, was in Baghdad last week for talks with Tariq Aziz aimed at resolving the crisis. The results were disappointing. Ambassador Butler's briefing to the Security Council on 23 January, immediately after his visit, made it clear that the Iraqis were determined to persist with their policy of obstruction.

Iraq's attempt to impose a moratorium on inspections of so-called presidential sites, pending the outcome of technical evaluation meetings—announced during Ambassador Butler's visit—is unacceptable, as is the deadline given by Saddam Hussein for UNSCOM to complete its work. It is not for Iraq to dictate terms and conditions to the Security Council. Unrestricted access to all sites is essential for UNSCOM's work, both now and for longer-term monitoring. The technical evaluation meetings, which will look at Iraq's declarations on its past programmes, are an entirely separate issue.

We are actively pursuing a diplomatic solution to Iraq's latest attempts to obstruct the vital work of UNSCOM. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and others are in regular contact with colleagues on the Security Council in an effort to defuse the situation, but we cannot rule out military action if the diplomatic approach fails to shift Saddam Hussein's stance. As a precautionary measure, HMS Invincible arrived in the Gulf on 25 January, and is engaged in work-up training with allied naval forces off the coast of Bahrain. We are keeping the situation under close review, and have not ruled out further deployments should the crisis continue. There are no immediate plans to deploy extra forces, but HMS Illustrious, which is at present in Gibraltar, will embark a detachment of RAF Harriers tomorrow, and will then commence work-up training in the Mediterranean.

Iraq is fully aware of its international obligations, and of what it needs to do for the process of relaxing sanctions to begin. Relevant Security Council resolutions make that perfectly clear. The Security Council is united in its demand for Iraqi compliance. There is no question of entering into negotiations with Iraq; Security Council resolutions are non-negotiable.

The Government remain very conscious of the sufferings of the Iraqi people, with whom we have no quarrel. The UK has provided some £94 million in aid to the Iraqi people since 1991. Much of that money has been used to fund projects by United Kingdom non-governmental organisations, including the Mines Advisory Group, which is involved in a major mine clearing operation, and the Save The Children Fund, which is focusing on water and sanitation projects aimed at helping children.

The United Kingdom has also co-sponsored successive Security Council resolutions, allowing Iraq to export oil in exchange for humanitarian aid. For several years, Saddam chose not to avail himself of the opportunity to provide for his people under that scheme. Since its implementation in 1996, oil-for-food has faced a number of cynical obstructive tactics by the Iraqi regime. For the sake of the people of Iraq, we remain prepared to discuss with Iraq ways of improving the scheme's effectiveness.

Mr. Dalyell: What does Mr. Primakov have to say about military action?

What do the Chinese say about military action?

What do the French say about it?

My hon. Friend the Minister refers to Scott Ritter's distinguished record, but is it really necessary to have a former captain of the US Marine Corps as the leader of this very delicate operation in the Arab world?

How can there be United Nations military action without the unambiguous support of the Security Council?

Can the Minister name just one Arab country that is in favour of military action? As one who went on holiday in October to Iran, I can say that even the Iranians, who had casualties of first world war proportions—more than 1 million—as a result of that awful Iran-Iraq war and Saddam Hussein's aggression, do not think that an American attack, inevitably on the Iraqi people, would be a sensible proposition.

Three years after the Gulf war, I visited the Amariya and was taken, as is every first-day visitor to Baghdad, to see the impregnated bodies carbonated against the concrete of a destroyed shelter. I suggest that an Exocet attack without massive numbers of ground troops will simply strengthen the position of Saddam Hussein rather than weaken it.

[Mr. Dalyell]

What is the precise purpose of military action? Would not it be sensible to try serious, dignified dialogue of a kind that, to many of us, seems not properly to have been tried?

Finally, as a former member of the executive of the British-American parliamentary group and a friend of the United States, may I ask whether, before military action is taken, there is concern that in the present febrile atmosphere in Washington we shall not slide into what was somewhat indelicately called in the Arab press

"the war of Clinton's penis"?

Mr. Lloyd: The composition of the UNSCOM inspection teams will and must remain a matter for Richard Butler who heads that organisation. The composition of those teams is not negotiable and their members are picked on merit, not on nationality. That will continue to be Richard Butler's aim. As head of UNSCOM, Richard Butler was in Baghdad last week and engaged in patient negotiations with the Iraqis. He conducted the negotiations in good faith, but Tariq Aziz and the Iraqi regime did not respond.

I should like to establish that it is most certainly the case that this country is looking to every diplomatic avenue to end the present situation, consistent with our achieving our objectives, which are unrestricted access to all sites in Iraq; a recognition that there can be no time constraint on the operations of the inspections teams; and no restriction on the personnel in those teams. To achieve that through diplomatic mechanisms is most certainly the intention of the British Government, and should be the intention of us all. However, I must tell my hon. Friend that if that does not have the required impact, we—like the whole world, recognising Saddam Hussein's outrageous history—would not be in a position, at this stage or any other, to rule out a military option.

Mr. Michael Howard (Folkestone and Hythe): The Minister is right to emphasise the importance of exploring every diplomatic option, but what progress has been made in enforcing the will of the United Nations and the international community since the Minister for the Armed Forces answered a private notice question from me on this subject on 14 November? Is it not the case that Saddam Hussein has continued to cock a snook at the United Nations and continued to ignore the welfare of his people?

Can the Minister confirm that Security Council resolution 687 provides sufficient authority for military action to be taken if necessary, without any further resolution from the Security Council? Can he give us an assurance that Britain's aircraft carrier capability—he referred earlier to both HMS Invincible and HMS Illustrious—which is clearly regarded as an important element in the present situation, will not be in any way diminished after the strategic defence review?

Mr. Lloyd: I thank the right hon. and learned Gentleman for his initial remarks. He was absolutely right to say that since the parliamentary exchange in November, Saddam Hussein has not modified his behaviour in any material sense; rather the opposite: he has continued to find specious reasons for blocking UNSCOM's progress in a way that is not only unacceptable, but is threatening for his near neighbours, perhaps for his own people, and for the world.

We believe that Saddam Hussein continues to have the capacity to fill two missiles with anthrax every week. That capacity is well documented. I do not need to tell the House how potentially dangerous that is. Within that framework, of course we will continue to pursue every diplomatic avenue, but I repeat that we will not rule out the military option. The right hon. and learned Gentleman was right to point out that Security Council backing for that already exists.

The right hon. and learned Gentleman will forgive me if, during a period when concentration inevitably must be on the use of aircraft carriers for purposes to do with Iraq, I do not respond to his question about the strategic defence review. I am sure that he understands that there will be an opportunity to raise that question on another occasion.

Mr. Tony Benn (Chesterfield): Is the Minister aware that the bombing raids during the Gulf war equalled in force seven Hiroshimas, yet failed to bring down Iraq? Is he aware that the United Nations has confirmed that 1 million children in Iraq are starving and that 500,000 have died? Is he aware that 54 Catholic bishops in the United States have appealed to President Clinton to end the sanctions? Did he note, over the weekend, that the anthrax in Iraq was supplied by the United States and that the leader of the biological research department in Baghdad had attended a seminar on anthrax in 1988?

Is the Minister aware that, despite the fact that the United Nations Security Council has demanded compliance by Iraq, there is absolutely no United Nations authority for military action by the United States or Britain; nor is there in the Arab world? Is it not time that Britain stood up to the United States and spoke for Europe during the period of the British presidency, instead of going along with a war that might be convenient for the present American Administration for quite different reasons?

Mr. Lloyd: No. It is most certainly time that this Government stood up for the people of Iraq who are not represented by Saddam Hussein and who have experienced being attacked by Saddam Hussein's chemical weapons. It is about time that this Government continued to stand up for the rights of the people in the region who are threatened by Saddam Hussein and for the rights of the world, which has every reason to take tough and consistent action against a dictator who wants to create weapons of mass destruction, both biological and chemical, and thereby jeopardise the peace not only of Iraq's people but of people throughout the world.

Mr. Menzies Campbell (North-East Fife): Does the Minister remember that, after the invasion of Kuwait but before the outbreak of the Gulf war, we had six months of serious dialogue with Saddam Hussein during which he proved himself to be as intransigent and obstructive as he has since? Will the Minister confirm that there are no sanctions against imports into Iraq of either food or medicine, and that the Iraqi Government are entitled and able to import as much food and medicine as they choose? In that unpredictable set of circumstances, is not the one thing that we can be clear about that, if the military option

were to be withdrawn, immediate efforts would be restored in Iraq to achieve weapons of mass destruction, which Saddam Hussein undertook to destroy as part of the peace settlement?

Mr. Lloyd: The hon. and learned Gentleman is absolutely right that, as part of the peace settlement, Saddam Hussein undertook to destroy precisely those weapons of mass destruction. It has been his failure to complete that undertaking which has led us to the current situation. The hon. and learned Gentleman is equally right to say that both food and medicine are outside any Security Council restriction. It is therefore up to Saddam Hussein not to play with the system, as he has done in the past, but to use that opportunity to feed and to care for the needs of his own population. The fact that he chooses not to do so will be judged not only by the House but by the world as a measure of the man and as a measure of his brutality against his own people. Such considerations count significantly in this type of exchange.

The position of the British Government, who were sponsors of the original oil-for-food deal, is that, of course, we will examine carefully any suggestion of relaxation, specifically in ensuring that food and medicine are available for the suffering people of Iraq. In turn, we call on Saddam Hussein to show the same consideration for his own people.

Mr. Gerald Kaufman (Manchester, Gorton): Is my hon. Friend aware that if the voices of appeasement of Saddam Hussein—which are still to be heard—had prevailed seven years ago, Saddam Hussein would still be in occupation of Kuwait and probably also of wide tracts of the middle east? Does he agree that, seven years or more after Saddam was driven from Kuwait, it is utterly intolerable that there should still be any question of his having the ability to manufacture weapons of mass destruction? Is it not obvious to all but the purblind that that man is the greatest menace to world peace and world equilibrium since Adolf Hitler?

Is my hon. Friend aware that the House will certainly support the Government's and the United Nations' efforts to achieve a peaceful diplomatic solution, but that if the necessity arises to take military action, the Government will have the overwhelming support not only of the House but of Labour Members?

Mr. Lloyd: I strongly welcome my right hon. Friend's remarks. He is right to say that Saddam Hussein would have shown no voluntary willingness to move himself from Kuwait had it not been for the actions of the United Nations. Equally, since then, Saddam has been prevented from committing the type of excesses to which he was attracted before the UN action only because of the regime that has been maintained. Saddam's ability to manufacture weapons of mass destruction threatens both the region and the world, and the world expects the United Nations to act decisively to put a stop to it.

Mr. John Wilkinson (Ruislip-Northwood): For the sake of the peace of the region, and because of the dire precedent that it would set for the international world order were the United Kingdom and the United States of America to back down in the face of the flagrant challenge to the United Nations posed by Saddam Hussein, the hon. Gentleman and his policy deserve support.

However, although the United Kingdom has the presidency of the European Union, where is the much-vaunted common foreign and security policy? Is it not more true that, as ever, we stand shoulder to shoulder with our American allies in defence of peace and liberty than that our European friends are rallying to the cause of those virtues?

Mr. Lloyd: I am grateful for the hon. Gentleman's earlier remarks in which he gave his support for the Government's position and for the UN. That is very welcome. I repeat that the UN will search for every possible diplomatic solution, but there can be no question of backing down. That is the position of the UN which, I must say to him, involves the whole world. Our opposition to Saddam Hussein must continue on that basis.

Ann Clwyd (Cynon Valley): Is it not the case—as my hon. Friend the Minister has suggested—that we are not dealing with a rational human being; that Saddam Hussein is not a man with whom one can negotiate; and that, 10 years ago this March, he practised genocide against his own people when 5,000 died at Halabja? Anyone who wants to see bodies, or people injured by Saddam Hussein rather than by the Americans and the allies, should look at the survivors and the graves at Halabja.

Is it not the case that not only has the resolution allowing UNSCOM access to sites in Iraq been flouted, but Saddam Hussein is still practising ethnic cleansing against his own people? In the past few months, thousands of refugees have been forced into northern Iraq because Saddam Hussein has thrown them out of their own homes. Recently—through a prison cleansing system—he has executed hundreds upon hundreds of prisoners, including Kuwaiti prisoners, in Iraqi gaols. My hon. Friend the Minister would have my full support for any action he took to get rid of this terrible war criminal who ought to be hounded out of existence.

Mr. Lloyd: I am grateful for my hon. Friend's remarks. She knows as well as most about the intolerable burden faced by Iraqi people of all backgrounds who have suffered under Saddam Hussein, and she referred to the destruction of Halabja. Since then—and certainly since the end of the Gulf war—Saddam Hussein has continued to persecute significant parts of Iraq's population indiscriminately and brutally. The recent report from the UN representative, Mr. van der Stoel, indicated that the humanitarian situation at the moment was horrendous. None of that can take away from the responsibility of Saddam Hussein and the indifferent, callous and brutal way in which he chooses to treat his own people.

Mr. Tim Collins (Westmorland and Lonsdale): Given what the Minister has said, does he accept that there will be a widespread welcome for his proposition that the option of military force cannot be ruled out because it is imperative that Saddam Hussein should be denied access to weapons of mass destruction? Accordingly, may I ask him to reflect further on his reply to my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the shadow Foreign Secretary, on the importance of the British aircraft carrier fleet? Once this

[Mr. Tim Collins]

incident is over, will he make representations to the Ministry of Defence and the Treasury on the usefulness of that aircraft carrier capability for our foreign policy?

Mr. Lloyd: The fact that the aircraft carriers have been deployed demonstrates their value in these circumstances. The hon. Gentleman will have noticed that my hon. Friend the Minister for the Armed Forces is sitting beside me. He will have registered the hon. Gentleman's remarks and will reflect on them in days to come.

Mr. Bernie Grant (Tottenham): I find it amazing that hon. Members can, quite rightly, condemn Saddam Hussein for his atrocities but say nothing about Israel and its atrocities against the Palestinians and others. Will my hon. Friend the Minister answer a straight question with a straight answer? Who supports Britain and the United States in the Security Council? Does France, China or any other member support Britain and the US? Or is this yet another occasion on which Britain trails behind the coat tails of the United States of America and does not have the courage to stand on its own two feet?

Mr. Lloyd: I am very disappointed with my hon. Friend. We can hardly compare the issue of weapons of mass destruction in the hands of a dictator such as Saddam Hussein with almost any other issue. Britain stands firmly behind the United Nations Security Council resolutions that make it clear to Saddam Hussein that he must destroy his weapons of mass destruction. We shall make every diplomatic effort to secure a peaceful resolution, but it is vital for the world's future that the United Nations stands firm on the issue and insists that those weapons are destroyed.

Mr. David Winnick (Walsall, North): Is it not important that two things should be made clear? The first is that the difficulties, crisis, or whatever, in Washington will not in any way deter Britain and the United States from taking the necessary action. Secondly, the Cabinet should know that if military action is necessary—I and many other hon. Members incline increasingly to the view that there is no longer an alternative—it will have the overwhelming support of hon. Members of all parties and, perhaps even more important, of the public.

Those who are calling for no action are precisely those who did not want Kuwait to be liberated: the appeasers who, time and again, have pleaded for no sanctions and no military action. They do not speak in any way whatever for the British people, except perhaps for a tiny minority: the same percentage that they now represent in the House of Commons.

Mr. Lloyd: My hon. Friend asks, in essence, about Britain's motives for contemplating the actions of which I have spoken. Let me repeat, again and again, that we will make every effort to find diplomatic solutions to the present impasse. That is right and proper, as long as those solutions involve the destruction of the weapons of mass destruction and no restriction of UNSCOM's right to carry out inspections as the United Nations has charged it to do.

Talk of a possible military option inevitably involves any British Government and Parliament in the most serious debate. We are talking about putting our own people's lives at risk, and no one should talk about that frivolously or lightly. Let me earnestly impress on the House the fact that to begin to divert the issue into a matter of internal politics elsewhere is to deprive ourselves of the opportunity to make a rational decision of the most profound importance to our people in the British armed forces.

Mr. Harry Cohen (Leyton and Wanstead): Could this military action be undertaken without the direct approval, by a vote, of the United Nations? What incentive has Saddam Hussein to comply when the United States has said categorically that, come what may, sanctions will not be lifted in any significant form for as long as he remains in power? Will not the victims of any military actions, like the victims of the sanctions, be innocent Iraqi people, not the regime?

Mr. Lloyd: Let me make it quite clear that the resolution of the present impasse lies firmly in Baghdad and in the hands of Saddam Hussein. The House, the country and the whole world must understand and acknowledge that fact. Saddam Hussein can, if he so chooses, resolve that the situation should come to an end. The sanctions regime can come to an end if he undertakes to destroy the weapons of mass destruction, as he has already agreed to do. No one in the Government or in the House should talk up the possibility of military action, but if it were to come to that, responsibility would lie firmly with Saddam Hussein and people in Baghdad.

Mr. Donald Anderson (Swansea, East): Does not the gravity of the mounting crisis demand the greatest possible unity of purpose in the House, among the wider public and among the Gulf war coalition, to face down the Iraqi dictator, who is using his people for his own ends? Is it not sad that the Gulf war coalition is having difficulty re-establishing itself because of Arab hostility to the Israeli Government's views and because of the policies of some of our allies? Does my hon. Friend fear that the personal difficulties of the US President may impede the unity of purpose and direction that is necessary in this conflict?

Mr. Lloyd: I assure my hon. Friend and the whole House that the motivation of the British Government and the United Nations must be confined solely to the situation in Iraq and the debate about the destruction of weapons of mass destruction. Of course, we are bound to seek to build the widest coalition for diplomatic or any other form of action against Saddam Hussein. It is right and proper that we do that, and we will continue to do so. Our motivation, our preoccupation, is the insistence that Saddam Hussein destroys the weapons of mass destruction.

Mr. Ernie Ross (Dundee, West): My hon. Friend has the overwhelming support of the majority of hon. Members. Saddam Hussein deals in wishful thinking rather than analysis. Anyone who thinks that it is possible to have a reasonable conversation with the man needs only to meet him to understand that. It is obvious that when there is a hiatus in the middle east peace process, no one in the Arab world is going to make clear publicly their feelings. However I can say, as one with some knowledge of the matter, that all his neighbours are concerned that he may be allowed to regain the power that he had before we gained the ability to remove some of it through UNSCOM and other mechanisms.

There have been recent reports from the UN Secretary-General and his special envoy in Baghdad suggesting that the oil-for-aid resolution that we promoted is not meeting the requirements of the people of Iraq. If Kofi Annan brings to the UN Security Council proposals to increase oil for aid from $2 billion to $3 billion so that humanitarian aid can be given to the Iraqi people, will we support them?

Mr. Lloyd: My hon. Friend is as knowledgeable about support in the Arab world as anyone in the House. I am grateful for his observations. I have no doubt that the situation is as he described it, and that there is considerable support in the Arab world for restraining Saddam Hussein and for a solution that ensures that he cannot offer threats to his neighbours in the middle and long term.

On humanitarian aid, I repeat that we have no doubt that responsibility for the suffering of the Iraqi people lies firmly with Saddam. He chooses not to make food available to his own people or to allow the oil-for-food programme to work properly. Nevertheless, Benon Sevan, the head of the UN sanctions implementations unit, is working on a report for the Secretary-General. We would inevitably look sympathetically at any practical steps on the oil-for-food programme that would ease the plight of ordinary people. However, that would of course still depend on the so far unforthcoming assistance of Saddam.

Mr. Jim Marshall (Leicester, South): I do not wish to be one of those who seek to appease Saddam Hussein, but my hon. Friend said that one of our objectives should be to liberate the Iraqi people from his clutches. The Gulf war seven years ago failed to do that; sanctions since have failed. Why should we have any confidence in further military action leading to that desirable objective?

Mr. Lloyd: I must remind the House that it was military action which threw Saddam Hussein out of Kuwait, which was not insignificant in its own right. Since then, it has been the continuation of military and other activities which have prevented Saddam from terrorising his neighbours, even if they have not, sadly, prevented him from terrorising his own people. Within that context, the fact that Saddam has continued to flout both UN and world opinion by the production of weapons of mass destruction is something which we must deal with now. We choose to do so through diplomatic mechanisms, but we do not rule out the military option.

Dr. George Turner (North-West Norfolk): May I assure my hon. Friend that the vast majority of British people will recognise that nothing would undermine the possibility of a successful diplomatic solution more than to rule out the possibility of the use of military force? Does he also accept that the numbers involved in the coalition who are willing to say that they will not rule out military force is equally important to strengthening the diplomatic efforts? If we act, is there not a need to ensure that we do so in conjunction with the largest possible number of allies? Are there any conditions that the Government would set on our direct involvement in military action?

Mr. Lloyd: I repeat that Britain and the United Nations are still engaged in active diplomacy on this matter. Richard Butler visited Baghdad last week on behalf of the UN, but I am afraid that his report back to the Security Council was not a happy one. Nevertheless, he was engaged precisely in the process of trying to bring Saddam to his senses without the inevitable consequences that would come from military activity. No one ought to talk up the possibility of the military option at this stage, and no one wants to. We are seeking to ensure that world opinion is firmly of the view that the possession of weapons of mass destruction by Saddam, an unstable dictator, is a threat to the region and the world. That threat must be dealt with by a coalition of public opinion on a worldwide scale. We will keep in touch with that opinion without ruling out any of the options that we have discussed today.

Dr. Stephen Ladyman (South Thanet): Does the Minister agree with me that it is somewhat unfortunate that comment across the House today appears to be polarising, and that references to immediate military action and appeasement are both equally inappropriate at this stage while there is still scope for diplomacy? Does he further agree that if we are to move the diplomatic effort forward, we need to show the same sort of willingness to take risks as the Government have shown with regard to Northern Ireland? Will he assure me that we will give that type of leadership to the diplomatic effort on Iraq?

Can my hon. Friend further assure me that he has remembered, as others in the House seem to have forgotten, that Saddam Hussein acquired such weapons of mass destruction under the current regime of inspections? Does he agree that even when such inspections have gone ahead unfettered, that inspections regime has proved to be ineffective? The outcomes of diplomacy must include not only avoiding military action but putting in place a system of inspection and weapon destruction that gets rid of those weapons and does not allow Saddam Hussein to continue to build them up.

Mr. Lloyd: My hon. Friend is right to remind the House that no one should talk up the possibility of military action beyond its current standing, which is that the military option exists and will not be discounted or discarded. That will remain the case until the situation is resolved.

Flexibility in negotiations and a willingness to take risks were displayed last week in Baghdad by Richard Butler, the head of UNSCOM, but that was not reciprocated by any willingness on the part of Tariq Aziz and the Iraqi Government to take risks. They are to be deplored all the more for the fact that they are not showing any signs of wishing to seek a proper solution.

I must correct my hon. Friend on one point: he says that UNSCOM has not been successful, but during the period in which UNSCOM has been in operation some 38,000 weapons have been destroyed as a direct result of its activities. UNSCOM has been a success and we should say so clearly. It has not been the complete success we want, but that is because of Saddam Hussein's intransigence. That is why we insist that UNSCOM should be allowed to do the job in the way it needs to do it and should finish the job, which means the destruction of all the weapons of mass destruction.

Points of Order

4.10 pm

Mr. Oliver Letwin (West Dorset): On a point of order, Madam Speaker. Will you give guidance to a new Member on how the House can intervene to protect a former civil servant, Anne Bullen? She has apparently been made subject to a gagging order—or rather, a gagging agreement—in order to protect the Foreign Secretary against grave embarrassment; and we understand that the Whitehall publicity machine is now engaging in a programme of vilification against her.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker. Do not we in the House rely totally on the integrity and independence of civil servants throughout government to give us answers to the questions we ask of the Executive? What assurances can the House be given that civil servants will be protected from the casual and gratuitous sackings by Ministers that are apparently now going on in Government Departments? Surely the House and you, Madam Speaker, should be extremely concerned about this matter. I seek your guidance on what we can do to protect civil servants from Ministers.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Madam Speaker. Perhaps when you do your research, you will ask Clive Ponting to comment.

Madam Speaker: I have been in the House long enough—some 25 years—to have had a number of experiences. Both the Opposition Members who raised this matter know full well the use of the Order Paper. There are parliamentary questions, Adjournment debates and numerous other ways in which hon. Members on both sides of the House can raise these matters, and it is up to them to do so, if they think it necessary.

Orders of the Day

Government of Wales Bill

[3RD ALLOTTED DAY]

Considered in Committee [Progress, 21 January].

[MR. MICHAEL LORD *in the Chair.*]

Clause 22

TRANSFER OF MINISTERIAL FUNCTIONS

4.11 pm

Mr. Denzil Davies (Llanelli): I beg to move amendment No. 152, page 12, line 41, after 'Wales', insert 'or'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 145, page 13, line 2, leave out from 'Crown' to end of line 6.

Government amendment No. 136.

No. 147, in clause 23, page 13, leave out lines 22 to 32.

Government amendment No. 137.

No. 244, in page 14, line 5, at end insert

'but a Minister of the Crown shall not exercise a power by virtue of this subsection unless he has consulted the Assembly.'.

Government amendments Nos. 138 and 139.

Mr. Davies: The amendment is being discussed with a number of other amendments, two of which, like amendment No. 152, stand in my name and that of my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). I hasten to say to my right hon. and hon. Friends on the Treasury Bench that these are probing amendments and that I am not wedded absolutely to the word "or". On the other hand, I want it to be clear that, although Ministers have to keep their eye on the big picture, Back Benchers have to try to scrutinise legislation and we on the Back Benches should be delighted if my right hon. Friend the Secretary of State were to accept the amendment.

The Secretary of State for Wales (Mr. Ron Davies): Before my right hon. Friend puts his case, I should tell him at the outset that if I am minded to reject the amendment, it will not be on the basis of its defective wording.

Mr. Davies: I am not sure whether that gives me encouragement. A piece of paper is floating around—I do not know whether it is the special notes for Ministers or whether the notes are available to all Back Benchers or only to certain Government Back Benchers. I see the parliamentary private secretary, my hon. Friend the Member for West Carmarthen and South Pembrokeshire (Mr. Ainger), nodding, but I am not sure which assertion he is nodding in response to. "Resist" is written large against the little word "or"; I suspect that I shall be told that it is not necessary and I shall not spend too much time on it. Whether or not the "or" appears, I should like

some clarification from Ministers about what clause 22(1)(a) means and what circumstances will be dealt with by the concurrent functions described in it.

As there is an "or" between paragraphs (b) and (c), I thought that perhaps there should be an "or" between paragraphs (a) and (b). Perhaps my right hon. Friend the Secretary of State will tell me that (b) and (c) are slightly different from (a) because (a) mentions "provide", whereas (b) and (c) start with the word "direct", so it is not necessary to have an "or". Subsection (1) is clearly complicated.

Amendment No. 145 seeks to leave out paragraph (c). I notice that my right hon. Friend has also tabled some amendments to paragraph (c). I do not know whether they tend to ameliorate the rather harsh effect on Ministers of paragraph (c), but clearly people have had second thoughts about the heavy-handedness of the paragraph as drafted.

May we be given some examples of the functions that will apparently be exercisable now only by Ministers and, if and when the Bill becomes law, with the concurrence or—if my right hon. Friend's amendment is accepted—with the agreement of the assembly? Before we consider the subsection may we be told what sort of functions are we talking about?

The next question that I have for my right hon. Friend involves a subject that may come up again under the next set of amendments. Paragraph (c) contains the words "in relation to Wales"; those words cause me—and perhaps nobody else—some difficulty. I do not do crosswords, but people who do tell me that they often have a certain empathy with the person who has drawn them up; after a certain time, the person drawing up the crossword for a particular newspaper is changed and the empathy disappears. I do not know whether it is recovered.

I do not say this as a criticism of the draftsman, but I find it difficult to empathise with him. Clearly, I was wrong about clause 21. My right hon. Friend made it clear that clause 21 was a sort of declaratory clause. I now find myself having difficulty with the words "in relation to Wales". I should have thought that, with the exception of a few subsidiary matters, the only Minister of the Crown who carries out functions exercisable in relation to Wales is the Secretary of State for Wales. Perhaps that proposition is wrong. I thought that the Bill related mainly to the powers of the Secretary of State for Wales, which will be transferred to the assembly; there will also be a block grant.

Mr. Dafydd Wigley (Caernarfon): Might not Ministers of the Crown such as Ministers in the Home Office exercise powers in relation to Wales? Would that not answer the point that the right hon. Gentleman is making?

Mr. Davies: They might well or might well not, but our amendment stands, so let us not pursue that too far. I should not have thought that United Kingdom Ministers exercised functions in general—although there may be aspects in which they do so—in relation to Wales, just as they do not exercise functions in relation to England and Scotland. Indeed, there is no such thing as Wales, really. Before the right hon. Member for Caernarfon (Mr. Wigley) jumps up, I shall say, to keep him happy, that there is no such thing as England either, because there is only the United Kingdom, and Ministers exercise functions in relation to the United Kingdom.

It may be that the parts make up the whole and that, if one exercises functions in relation to the whole, one must exercise functions in relation to the parts. I do not go along with that—but then I do not have the empathy with the draftsman that my right hon. Friend the Secretary of State obviously does. He will tell me that I am wrong—that the Secretary of State for Foreign and Commonwealth Affairs exercises functions in relation to Wales, as does the Chancellor of the Exchequer. Well maybe, but perhaps as we develop these arguments we can return to the strange phrase that has been used. Why is the phrase necessary? Why not just say, functions

"exercisable by a Minister of the Crown"

and drop the words "in relation to Wales"? I am sure that I am wrong because I do not have the empathy with the draftsman that the right hon. Member for Caernarfon obviously has, in view of the empathy that he has with my right hon. Friend the Secretary of State. Therefore, I should be grateful to my right hon. Friend if he would try to explain that phrase to me.

Amendment No. 147 relates to clause 23, which is entitled, "Transfers: supplementary". I find clause 23(1)(b) incomprehensible—I am sure that it is my fault. It reads:

"if an Order in Council under that section directs that the function shall be exercisable by the Assembly concurrently with the Minister of the Crown by whom it is exercisable"—

so it will be exercisable concurrently—

"the Order in Council may provide that it shall be exercisable by the Assembly free from that requirement."

Are we therefore envisaging two orders—one that says that it shall be exercised concurrently and a subsequent one that says that it shall be exercised free from that requirement? I am sure that there is a clear, precise explanation and I ask my right hon. Friend the Secretary of State if he will kindly provide me with examples.

Amendment No. 152 is a probing amendment. The first amendment in the group leads to the others. I should be grateful if my right hon. Friend the Secretary of State would clear up some of my difficulties.

Mr. Wigley: I shall speak to amendment No. 244, which was tabled by me and my hon. Friends. I was surprised that the right hon. Member for Llanelli (Mr. Davies) did not get involved with that amendment, for the simple reason that it deals with European aspects of the assembly—a subject which is very close to the right hon. Gentleman's heart.

The amendment refers to clause 23(4)(b):

"dealing with matters arising out of or related to any such obligation or rights or the operation of section 2(1) of the European Communities Act 1972."

The amendment is a probing amendment to ascertain what rights the Government have in mind and whether in some areas there might be a clash between the wishes of the assembly and those of the Minister who is responsible for the implementation of section 2(1) of the 1972 Act.

Obviously, there will be areas of common interest. In a host of areas, such as agriculture, some treaty obligations and other obligations will be exercised in Wales by the assembly. If the Minister has a reserved power regarding implementation of the 1972 Act, might conflict arise in such areas? Amendment No. 244 is merely a probing amendment to obtain clarification.

Mr. Bernard Jenkin (North Essex): As I understand it, the amendments tabled by the right hon. Member for Llanelli (Mr. Davies) would prevent the Minister by Order in Council granting the assembly a veto over powers for which he might have responsibility. That seems to be the nub of it. The complication arises from the danger of confusion about the meaning of clause 23, because of the problem that the right hon. Gentleman highlighted: apart from the rather vague limitation "in relation to Wales" to which he referred, there is little constraint on the functions that can be handed over by Order in Council.

Our most fundamental concern about the Bill is that, apart from the preliminary order that grants powers to the assembly before the first ordinary election, as set out in subsection (2), schedule 2 applies no restraints on the functions that can be handed over.

In principle, we are sympathetic to the objective of the three amendments, and to the right hon. Gentleman sticking his oar into the Bill, which he does with great dexterity. Our concern is that clause 23 is too wide in its potential. Deleting the first part of the clause would considerably reduce the scope for Ministers to transfer powers over which they might subsequently require independent jurisdiction.

The most interesting question that the right hon. Gentleman asked was about the functions. Anyone reading the Bill is struck by the fact that the word "any" regularly appears before the word "function". The unlimited and undefined nature of the transfer of functions is the primary concern. I should be grateful if the Secretary of State could give examples of the functions he envisages, which he is incapable of defining in the Bill. If those functions were defined in the Bill, it would considerably reduce the scope for misunderstanding and dispute between Westminster and the Welsh assembly later.

I am happy to comment on amendment No. 244 tabled by Plaid Cymru—*[Laughter.]*—which underlines the longer-term agenda of the Welsh nationalists. They envisage the Welsh assembly becoming increasingly involved with the exercise of responsibilities that are necessarily the responsibility of the United Kingdom Government, because the UK Government, not the Welsh assembly, are the signatory to the European treaties.

Mr. Tam Dalyell (Linlithgow): If the hon. Gentleman is planning to speak on the Scotland Bill, may I warn him about the correct pronunciation of the name of the Dundee football ground—Tannadice?

Mr. Jenkin: I promise not to tease hon. Members about their Welsh or Scottish accents, if I am not teased for my English accent. That would be a sensible United Kingdom truce.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): It is proposed to delete paragraph (c) of clause 22(1). The subsection takes up the relationship between Ministers and the assembly in future. I remind my right hon. Friend the Secretary of State that the paragraph reads that by Order in Council Her Majesty may

"direct that any function so far as exercisable by a Minister of the Crown in relation to Wales shall be exercisable by the Minister only with the concurrence of or subject to the consent or approval of, or after consultation with, the assembly."

That is what all the concordats were supposed to illuminate. Will they illuminate the way in which the relationship will work? It seems that there will be a relationship between Ministers of the Crown and the assembly, but we do not quite know on what basis that relationship will be founded. I shall be grateful if my right hon. Friend the Secretary of State will advise us further.

4.30 pm

Mr. Ron Davies: My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) asked about the meaning of clause (22)(1)(c), and raised an interesting question about concordats. We are talking about the powers that will be transferred to the assembly by order of the House of Commons. They will be powers that are given to the assembly. The concordats will differ from Department to Department, but they will set out in great detail how the assembly and the Whitehall Department will act on matters where they have a joint statutory responsibility, and on other matters where it will be necessary to have a working relationship.

The hon. Member for North Essex (Mr. Jenkin) asked about the use of "any". I shall take up the hon. Gentleman's questions before dealing with the matters raised by my right hon. Friend the Member for Llanelli (Mr. Davies). The problem is that the hon. Gentleman is opposed to devolution, and does not like the way in which the Bill has been constructed. Of course the Bill provides for a substantial devolution of power to the Welsh assembly. I do not want—it is not the Government's intention at this stage—to try to circumscribe the extent to which powers may be transferred by orders from Ministers to the assembly. The hon. Gentleman may not like that, but that is the answer to his question.

The hon. Gentleman claims that the Government are incapable of defining the powers that we are considering. That is not the position. As I have said, the hon. Gentleman does not like the way in which the Bill is constructed. He knows that there will be a transfer order, which will spell out in full detail, in about 12 or 15 months' time, the powers that will be transferred by means of the main transfer order. It is the Government's intention—I have argued this ever since I became responsible for the Bill—that there will be an opportunity in future, if the Government wish, to use such powers to transfer further functions to the assembly.

That is the purpose behind the Bill. We are constructing a new democratic settlement, and the Welsh assembly will have considerable powers devolved to it. I understand that the hon. Gentleman does not like that, but that is the explanation that is relevant to his questions.

I move on to amendments Nos. 152 and 145, which stand in the name of my right hon. Friend the Member for Llanelli. The purpose behind them is to prevent a transfer order under clause 22 that provides for Ministers to exercise functions in respect of Wales, subject to the agreement of, or following consultation with, the assembly.

My right hon. Friend asked what is meant by the expression "in relation to Wales". As the right hon. Member for Caernarfon (Mr. Wigley) said, the words mean what they say. I am not the only Minister who exercises functions "in relation to Wales". My right hon. Friend the Home Secretary exercises functions with respect, for example, to the police, the fire service and the

Prison Service. My right hon. and learned Friend the Lord Chancellor exercises functions with respect to the court system in Wales. My right hon. Friend the Secretary of State for Social Security is responsible for the operation of the social security system throughout the United Kingdom, including Wales. Those are a few examples.

Clause 23(6) provides that certain functions that extend beyond Wales may nevertheless be regarded as exercisable "in relation to Wales". We shall debate that provision more fully when we come to amendment No. 233 on clause 23.

Government amendments Nos. 136 to 139 are technical, and are designed to improve the clarity of the Bill. I am grateful to my right hon. Friend the Member for Llanelli for his observations about the clarity of the Bill, and the obvious empathy that I have with the parliamentary draftsmen. The amendments clarify the purpose of the Bill, and bring it into line with drafting in the Scotland Bill.

Clauses 22 and 23 use four times the expression "concurrence, consent or approval", which are three ways of saying the same thing. That is why the amendments substitute the word "agreement", which is the term used in clause 59 of the Scotland Bill.

The other benefit of the Government amendments is that, by replacing the word "concurrence" with "agreement" in clause 22(1)(c), we avoid any possibility of confusion with the word "concurrently", which has an entirely different meaning, in clause 22(1)(b).

For the benefit of the Committee, I should explain that a concurrent function is one that two or more people may exercise. An example that we have identified in the draft transfer order—a question that my right hon. Friend the Member for Llanelli raised—is section 5 of the Science and Technology Act 1965, which is a power to fund scientific research. Such a power needs to remain concurrent, because, as now, the United Kingdom Government would fund scientific research projects that affect all parts of the United Kingdom. The assembly needs to be able to use that power, too, so far as it relates to Wales, which is why we are considering making it a function that is exercisable concurrently.

A function that is exercised subject to a person's concurrence is very different, because that person has to give his agreement before the function can be exercised either generally or in a particular way.

On amendments No. 152 and the other amendments tabled by my right hon. Friend the Member for Llanelli, I am grateful to him and to my hon. Friend the Member for Merthyr Tydfil and Rhymney for seeking to explore this matter by means of a gently probing amendment. I will, of course, try to give an explanation that is acceptable to them of clause 22(1)(c) and clause 23(1).

Mr. Dalyell Both my right hon. Friend and I have an interest in agricultural research and agricultural matters. Will he clarify—I genuinely do not know the answer to this—who makes a decision in this concurrence in relation to research if there is a disagreement between Wales and the rest of the United Kingdom?

Mr. Davies: It depends on whether the power is being exercised concurrently—in other words, jointly between the assembly and the Minister of Agriculture—or the powers have been devolved in full to the assembly or retained by the Ministry of Agriculture. If the powers have been retained by the Minister of Agriculture, there will be no need to seek agreement. If the powers have been devolved to the assembly, there will be no need to seek agreement, because the powers are split.

It is the Government's desire to ensure as far as possible that power, and therefore accountability, rests one or the other. If, however, powers are exercised concurrently, agreement will have to be sought between the Minister and the assembly, and that is the purpose of the concordats, which will then be necessary, to decide precisely how those powers can be exercised jointly. It is preferable, and therefore it is the Government's desire, to avoid as far as possible the concurrent exercise of powers.

On amendments Nos. 152 and 145, I regret that, in one respect, my right hon. and hon. Friends have introduced this debate a little too early. I say that because the Government's discussions on the transfer order have not reached a point where I can give a concrete example—although I shall try to give illustrations—of how the power in clause 22(1)(c) would be used. I expect, however, that the final version transfer order will identify a number of examples where Ministers will continue to exercise functions with respect to Wales but under a requirement to obtain first the agreement of, or to consult, the assembly.

Clause 23(1) was promised in part by paragraph D.16 of the White Paper, on which we all fought such a hard campaign to get the consent of people of Wales, which says:

"Various Acts of Parliament require the Secretary of State . . . to obtain the Treasury's consent before"

he

"may take certain actions. The Bill will make provision to remove most legal requirements for the assembly itself to obtain the Treasury's consent."

Subsection (1) gives effect to that White Paper commitment, although it casts the net wider and covers any ministerial consent or consultation mechanism. However, it gives flexibility to the transfer order to preserve requirements for consent or consultation where appropriate.

My right hon. Friend the Member for Llanelli, the right hon. Member for Caernarfon and the hon. Member for North Essex pressed me to give examples. I stress that the fine detail of the provision can be given only once we have the final draft of the transfer order.

May I give the following example? The assembly will appoint and fund the Welsh National Board for Nursing, Midwifery and Health Visiting under the Nurses, Midwives and Health Visitors Act 1997. Section 5(6) provides for me to determine board members' travel and other allowances with the Treasury's approval. We intend that that power should pass to the assembly, as the cost of those decisions would in future fall to the assembly. There is therefore no case for a Department in Whitehall to have a right of veto. The assembly should take that decision, because it will face the consequences.

Conversely, section 18(1)(b) provides for me to direct the form of the board's accounts with the Treasury's approval. To ensure consistency of approach to the accounts of public bodies, the Government are considering retaining the requirement for the assembly to obtain the Treasury's approval of accounts, if it so wishes. I hope that that explanation will persuade my right hon. and hon. Friends not to press their amendment to a vote.

[Mr. Davies]

Amendment No. 24, tabled by Plaid Cymru, requires a Minister of the Crown to consult the assembly before using any of the concurrent powers to implement Community obligations in Wales. Where the assembly has the power to implement such obligations, I expect that the normal position would be for it to take the necessary action. In that sense, the amendment is perfectly reasonable. Clause 106 confirms that

"A Community obligation of the United Kingdom is also an obligation of the Assembly . . . to the extent that the obligation could be implemented . . . by the Assembly".

Some of those matters will be the assembly's responsibility, while others, perhaps concurrently, will be the UK Department's responsibility.

Mr. Dominic Grieve (Beaconsfield): The Secretary of State gave an interesting example concerning midwives' allowances, and said that previously the responsibility was shared concurrently between the Welsh Office and the Treasury. He said that, in future, it would be the sole responsibility of the assembly, because the cost would fall to it. Is that correct? Would there not be a knock-on effect, because expenditure granted by the assembly in that context would ultimately fall to UK taxpayers generally? Why should the Treasury's approval no longer be needed? I may have misunderstood the position, but I should be grateful for clarification.

Mr. Davies: I say as gently as I can that the hon. Gentleman is quite wrong. The position is as I stated: the expenditure will come from the block grant, and it will be for the assembly to decide its spending priorities. If it wishes to increase allowances in a particular area, it must find the resources from the funds allocated to it. I have consistently made that position clear.

Mr. Jenkin: Will the Secretary of State give way?

4.45 pm

Mr. Davies: I have already dealt with that point. May I finish dealing with amendment No. 244 and the points raised by the right hon. Member for Caernarfon? If the hon. Gentleman wishes to intervene subsequently, that would be a more orderly way of proceeding. I try to accommodate the hon. Gentleman as far as possible.

As I was saying, amendment No. 244 is reasonable. I accept that, to ensure that the assembly knows whether it is to act or whether a Minister of the Crown is to do so in its place, the Minister should at least inform the assembly of that. The question we must decide—the question that the amendment teases out—is whether it should be a statutory requirement or should be a matter of good administrative practice. That takes us back to the point raised by my hon. Friend the Member for Merthyr Tydfil and Rhymney. I am sure that Ministers would want to consult before using such powers on behalf of the assembly.

Mr. Wigley: I accept that the wording of amendment No. 244 may be a little too wide, as it would apply not only to matters over which the assembly has powers but to matters over which the Minister alone has powers. We would need to curtail the wording of the amendment if it is to apply solely to matters over which the assembly has powers.

Does the Secretary of State accept that, in dealing with relevant matters, such as agriculture, which arise from areas where the assembly has powers and where a Minister may implement Community obligations under subsection (4)(a), consultation should take place by statutory requirement? For example, if a Conservative Government were in power in Westminster and a non-Conservative Government were in power in Cardiff, the Minister in London might proceed without carrying the assembly with him or her, which could lead to a clash.

Mr. Davies: I concede that there will have to be a mechanism whereby the Minister responsible discusses the matter with the assembly, so that it knows whether it will be dealt with by the assembly or by the Minister. The question is whether it should be a statutory obligation. I have looked closely at the wording of the amendment, and I see a lot of merit in the idea behind it. However, I wish to reflect further on the matter, because it raises an interesting point. It is relevant to the Scotland Bill, so I must discuss it with my ministerial colleagues.

I cannot give an undertaking to the right hon. Gentleman that the Government will table an amendment on this matter, but I hope that my response shows that we agree on the outcome, if not on the best way of achieving that outcome.

Mr. Jenkin: Further to the Secretary of State's example about nursing and midwifery, will he tell us whether, on the same basis, the Welsh assembly will be responsible for deciding what allowances and expenses local authority councillors should have? Would that be separate from any reference to Treasury Ministers?

Mr. Davies: The hon. Gentleman will know, because he has researched this matter carefully, that it is not my responsibility to act by means of secondary legislation. At least no scheme is currently in place. It is for local authorities to decide on that matter. I understand, however, that there is a residual power, which has never been used by Secretaries of State.

I remember pressing one of my predecessors, the right hon. Member for Wokingham (Mr. Redwood), who is a friend of the hon. Gentleman, on this matter. Anecdotal evidence showed that the schemes were being abused, and I asked him to exercise his power to ensure that there was no abuse. I assert uncharitably that he decided, for party political purposes, to allow the abuses to continue, so that he could use them as a stick with which to beat the Labour party.

It is a residual power. If the transfer order transfers responsibility to the assembly, it will then be for the assembly to decide whether to use that power. If it decides to impose a scheme, the cost of that scheme will be met by local authorities, as happens now. If the assembly decides that, further to an all-embracing national scheme, it will lay down certain limits, it may decide of its own volition to give local authorities additional resources. It will then have to find those resources from within the block.

It is clearly a matter of principle that, if the assembly takes any decision on expenditure, it will have to accept the consequences. There is no question, and there never

has been, of the assembly taking decisions on matters with which it is empowered to deal, and then handing on the bill to another Department or to the Exchequer, without prior agreement. I hope that that satisfies the right hon. Gentleman.

Mr. Grieve *rose—*

Mr. Davies: We are now going wide of the amendment. It is a pity that the hon. Member for Beaconsfield (Mr. Grieve) was not present at previous debates. The Opposition did not table any amendments that would have enabled us to have the interesting debate that the hon. Gentleman is trying to snare me into, and we had no time to discuss this matter.

I hope that I have given an adequate explanation of the issues. When pressed by my right hon. Friend the Member for Llanelli, I gave the example of midwifery.

Mr. Denzil Davies: Perhaps I missed it, because it is a small word, but I am not sure whether my right hon. Friend dealt with the "or" in subsection (1). He did not tell me why he will not accept my amendment.

Mr. Davies: I think I did, so my right hon. Friend must have missed it. Amendments Nos. 152 and 145 would prevent the transfer order under clause 22, which provides for Ministers to exercise functions with respect to Wales subject to the agreement of, or following consultation with, the assembly. For the reasons that I have outlined, I shall resist that amendment. Some functions will continue to be exercisable by Ministers.

I can give my right hon. Friend another example that will make the matter even clearer. I have to say that, until the transfer order is written, these examples are hypothetical. However, let me see whether I can help. My right hon. Friend should look at section 29 of the National Lottery etc. Act 1993.

Mr. Jenkin: I do not have it with me.

Mr. Davies: The hon. Gentleman has time to rush out and get a copy if he feels desperately deprived.

Section 29 of the 1993 Act gives the Secretary of State for Culture, Media and Sport the power to alter the shares of the national lottery distribution fund paid to the Arts Council of Wales and the Sports Council for Wales. That power will not be transferred to the assembly, as it does not currently rest with the Secretary of State for Wales. However, the assembly will be responsible for those two bodies, so it will have a direct interest in the exercise of the ministerial functions under section 29. It is perfectly sensible for those powers to be exercised by the Whitehall Minister following consultation with the assembly.

Mr. Denzil Davies: I thank my right hon. Friend for his explanation. The legislation is not easy to explain, and I fully understand that he must cater for many eventualities. The right hon. Member for Caernarfon (Mr. Wigley) has done better than I have, which is not surprising. I am pleased that the concurrence between the Treasury and Plaid Cymru is still holding, even in this post-referendum period. I congratulate him on getting at least half a promise from the Secretary of State.

Mr. Ron Davies: The important concurrence is that which existed between my right hon. Friend and me when we fought the general election on a clear manifesto. We produced a White Paper in pursuance of our manifesto commitment, and we fought the referendum on our party's policy. The right hon. Member for Caernarfon gave us passing assistance during the referendum, but he fought against us tooth and nail in the general election, whereas my right hon. Friend and I stood side by side and shoulder to shoulder to ensure that this matter was included in our manifesto and that a Labour Government pledged to implement that commitment was elected.

Mr. Denzil Davies: I did not intend to ruffle my right hon. Friend, so I shall not pursue this matter.

I understand why my right hon. Friend was unable to give examples in relation to clause 23(1)(b). He said that the Government will eventually decide what areas are to be covered by clause 22(1)(c), and I accept that. Parliamentary draftsmen must have been given certain examples: otherwise, despite their brilliance, they would not have been able to come up with subsection (1)(c). Instructions to parliamentary counsel must have specified the areas being considered: a general subsection was then drafted. Of course I accept what my right hon. Friend said.

I am not happy with the words "in relation to Wales" in clause 22(1)(c). My right hon. Friend said that the Home Secretary has functions in relation to Wales because he looks after prisons and there are prisons in Wales: perhaps I am expanding what he said a little. I shall let that go for the time being. He also said that the Lord Chancellor has powers and functions in relation to Wales because there are courts in Wales. The Lord Chancellor is responsible for the administration of justice in England and in Wales in general. Does it follow that he exercises those functions in relation to Wales separately?

My right hon. Friend was on more difficult ground when he referred to social security. He shifted his language.

Mr. Ron Davies: The Lord Chancellor is responsible for justice—my right hon. Friend knows that better than I—but he is also responsible for the administration of the law, such as the distribution of courts. Those administrative matters are separate from the broader responsibility that the Lord Chancellor has for justice.

Mr. Denzil Davies: All right, let us leave justice out of it for the time being: it is a difficult concept at the best of times.

My right hon. Friend did not say that the Secretary of State for Social Security is responsible for social security offices in Wales. He said that her functions include Wales, which is not what he said previously. Leaving aside the Secretary of State's responsibility for offices, buildings and gutterings, does she exercise functions in relation to Wales or in relation to Britain? I am not sure what the position is in relation to Northern Ireland. Merely because Wales is part of Britain, does it follow that the Secretary of State exercises functions in relation to Wales?

Mr. Wigley: It is logical.

Mr. Denzil Davies: I have been in the House a long time, and I have not always been impressed by Plaid

[Mr. Denzil Davies]

Cymru's logic, so perhaps we should leave logic out of it. Does the Secretary of State for Social Security exercise functions in relation to Wales or in relation to England?

Mr. Ron Davies: I have a note of my comments, which may help me to reach agreement with my right hon. Friend on what I actually said. I said that my right hon. Friend the Secretary of State for Social Security is responsible for the operation of the social security system throughout the United Kingdom, including Wales. The Secretary of State is responsible for the devolved administration within the social security system, and for the wider responsibilities throughout the United Kingdom.

Mr. Denzil Davies: My right hon. Friend said "throughout the United Kingdom, including Wales", which is not the same as "in relation to Wales." I do not want to pursue this point, but that does not seem the same: otherwise, he would have said that the Secretary of State for Social Security exercises functions in relation to Wales.

Mr. Wigley: Surely there are functions that may be undertaken by United Kingdom Ministers—the Secretary of State for Culture, Media and Sport, for instance, has responsibility for broadcasting—involving specific responsibilities that relate to Wales, although the Minister concerned has a United Kingdom brief. Responsibility for S4C is an example. Similarly, in other subject areas the United Kingdom can decide that the United Kingdom Minister's powers may be exercised in Wales, in a slightly different manner.

5 pm

Mr. Denzil Davies: There may be specific functions as well as general functions, but I am concerned with the general functions. I understand that specific functions may be transferred to the assembly, but I understand the argument to be that the general functions of the Secretary of State for Social Security can be transferred to the Welsh assembly because the Secretary of State for Social Security exercises general functions in relation to Wales, and therefore falls within the legislation. I find it difficult to empathise with the draftsmen; I shall leave it at that.

Let me return to the word "or". My right hon. Friend the Secretary of State bracketed amendment No. 152 with amendment No. 147, and said that, if the two were put together, terrible problems would be caused; but I will allow amendment No. 152 to stand on its own. I cannot imagine that inserting the word "or" at the end of line 41 will destroy the whole basis of the Welsh assembly. There is an "or" between paragraphs (b) and (c); why should there not be one between paragraphs (a) and (b)? I did not follow what my right hon. Friend was saying, but no doubt we shall have a chance to read what was said in *Hansard*, and I am grateful to him for trying to clarify what are difficult issues.

I said at the outset that mine was a probing amendment. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Rowlands: I beg to move amendment No. 144, in page 12, line 41, at end insert

'save and except for any functions in the field of social security or home affairs'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 162, in schedule 2, page 73, line 17, at end insert—

'A1. Administration of justice and the courts system.'.

No. 165, in page 73, line 19, at end insert—

'2A. Children's issues and rights.'.

No. 157, in page 73, line 20, at end insert—

'3A. Disablement policy.'.

No. 163, in page 73, line 23, at end insert—

'6A. Fire service.'.

No. 161, in page 73, line 28, at end insert—

'11A. Policing, prisons and probation services.'.

Mr. Rowlands: Amendment No. 144 seeks to clarify and develop the argument that began on Wednesday about the way in which functions are transferred to the assembly, particularly functions that lie with certain Ministers. The amendment does not suggest that functions should not be transferred; it seeks to ensure that home affairs and social security functions are transferred only by means of an Act of Parliament. It does not concern itself with the merits of future transfers in relation to specific Departments and ministerial responsibilities, but suggests that a one-and-a-half hour debate on an order providing for the transfer of the functions exercised by the Secretaries of State for Social Security and for the Home Department is not sufficient.

Other amendments deal with the respective merits of the transfer of various functions, and no doubt we shall discuss those merits later. The simple but important point of our amendments is that responsibility for key areas of major policy involving two major Departments should not be transferred by means of a transfer order.

Commenting on the previous debate, my right hon. Friend the Secretary of State rightly drew our attention to the White Paper commitments. Those commitments, made to the electorate during the referendum campaign, scrupulously and fairly described the powers for whose transfer the Government sought the Welsh people's consent. It is right and proper that those functions and responsibilities should be transferred by means of an order of the kind envisaged in clause 22.

I am not saying—I hope that hon. Members on both sides of the Committee agree with me—that there should not be argument and discussion about some aspects of the proposal. I hope that Ministers will not try to stifle every debate on every aspect of the transfer of powers by saying, "This was in the White Paper, and it therefore cannot be questioned." I am preparing the ground for later amendments tabled by my right hon. Friend the Member for Llanelli (Mr. Davies) and myself in relation to one or two functions which, I admit, were included in the White Paper, but about whose transfer we have doubts or reservations.

Even opponents of devolution should not argue that certain functions cannot be sensibly devolved to the assembly once it is up and running although they were

not included in the White Paper. It seems perfectly reasonable to me for us to have a legislative route for further transfers of existing ministerial responsibilities—legislative responsibilities—at some future date. The bone of contention is which route should be taken in relation to the transfer of certain powers and responsibilities. We became involved in a serious discussion about that on Wednesday, and, inevitably, I want to return to it.

Mr. Allan Rogers (Rhondda): I understand the logic of my hon. Friend's argument about the two Departments that he has specified, which can be seen in a more British context than those with, in many senses, narrower responsibilities; but why did he not include defence and foreign affairs?

Mr. Rowlands: The White Paper was very explicit about defence and foreign affairs. It said that the Government did not seek in any way to transfer those functions. I understand from our debate on Wednesday, however, that—although we have identified those two areas of domestic social policy—if the Bill remains unamended, it will be possible to transfer by order even the areas of policy to which my hon. Friend has referred. The amendment—which, incidentally, was tabled before Wednesday's debate—identifies areas of policy about whose possible transfer there is likely to be a certain amount of discussion. The amendment is of a selective nature, but my hon. Friend has raised an interesting issue which needs to be probed.

Mr. Rogers: Again, I understand my hon. Friend's logic. Surely, however, in relation to such tremendously important matters as defence, foreign affairs and home affairs, it would have been much better to include a clause excluding certain functions—as limited, or de-limited, in the White Paper—than to amend the nature of the Orders in Council that may be made.

Mr. Rowlands: That is an interesting suggestion, which my hon. Friend may wish to pursue by tabling an amendment.

Our amendments suggest that the two specific functions involved should be transferred not by order, but by legislation. The argument is not necessarily that some areas should not be transferred; the aim is to provide a safeguard, and to ensure that the transfer process is subject to more scrutiny and debate than is possible in a one-and-a-half hour debate on an unamendable statutory instrument.

My hon. Friend might make a valuable contribution to our discussion after I have drawn his attention to the exchanges in Committee on Wednesday. We are trying to define the routes by which some functional transfers should take place. I suggest that the transfer of major functions from at least two major Departments should be effected by Acts of Parliament rather than by orders.

Mr. Ron Davies: I am trying to follow my hon. Friend's argument. May I ask—not in a pejorative way—whether he is trying to rework the argument in terms of exploring the alternatives in clause 21 or is he saying that matters relating to areas such as social security are unsuitable for any form of devolution? Is he concerned about the process or the policy?

Mr. Rowlands: I have made it clear that I am speaking about the process. Hon. Members have described clause 21 as declaratory in that it states that future Acts will transfer functions to the assembly. Clause 22 states that functions—the clause does not limit them—can be transferred by any Minister by a transfer of function order. As I said in an intervention to which I shall shortly refer, some major functions ought to be subject to more than a one-and-a-half-hour debate on a transfer order. If my amendment is accepted, a future Government would have to transfer such functions by an Act, and that is the route that I prefer.

Mr. Rhodri Morgan (Cardiff, West): I am interested in my hon. Friend's last sentence because it made me unsure of his argument. I thought he said that any home affairs or social security function should be transferred to the assembly not by an Order in Council, but by primary legislation. He seemed to rephrase that by saying that if all social security and home affairs functions for Wales were to be transferred to the assembly, as in the Scottish case, that would have to be done by primary legislation. I agree with that, but surely the issue is how restrictive we should be. There are many borderline, minor social security issues, such as who commissions continuing care for the elderly and whether it should be the Department of Social Security as in the past or the social services departments of local authorities. We are debating minor changes. The same could be true of the probation service, which is also a joint funded, co-responsibility area involving local government. I am not sure that I agree with my hon. Friend about being so restrictive.

Mr. Rowlands: My hon. Friend's intervention, which I followed closely, is useful and important. We are trying to find and define a route for the transfer of functions. I suggest that it should be partly dictated by the importance of the function. My hon. Friend is right. I suspect that some minor Department of Social Security and Home Office responsibilities of the kind that my hon. Friend describes could sensibly be transferred by order. An example is the transfer of responsibility for prisons from the Home Secretary to the assembly. I think that that is suggested in an amendment. Should that be done by a one-and-a-half-hour debate on an order or should we use major legislation?

It might be suggested that responsibility for social security benefits and payments should be transferred. That issue has been discussed in some areas. Should that be done by a transfer of functions order or should the Government of the day do it by primary legislation? I accept the critique of my hon. Friend the Member for Cardiff, West (Mr. Morgan) of my amendment and my explanation. Under the clause and on my reading of the Secretary of State's clarification of the matter on Wednesday, some functions from the Home Office and the Department of Social Security should not be transferred by a simple order. The absence of a definition of the functions that should be transferred and the choice of route is causing us concern.

I remind the Committee of an exchange on Wednesday. I said:

"The notes on clauses say that some modest functions in future may be appropriately devolved by order. That implies that some modesty will attend the order-making power and that substantial transfers of power will be effected by Acts of Parliament. The transfer of prisons from the Home Office involves a fairly substantial power. Would that be done by order or by primary legislation?"

[Mr. Rowlands]

Those issues were at the heart of what my right hon. Friend the Secretary of State had been saying. He replied:

"I cannot answer that question; we are not proposing it anyway."

5.15 pm

I did not suggest that my right hon. Friend was proposing the transfer of prisons. I was talking not only about the present Government, but about a future Government being given power through the Bill. My right hon. Friend continued:

"a future Government might consider it. If so, I am sure that the Government of the day and Parliament would say, 'Hang on, you cannot do that by order: it is a substantial shift.'"

But hang on! The clause does allow a future Government to make such a transfer by order. It does not say that an Act of Parliament is required, and that is the fundamental point of my amendment. We are saying that some responsibilities and functions of two major Departments should be transferred only by an Act of Parliament.

My right hon. Friend the Member for Llanelli said that such a transfer was provided for in the Bill and the Secretary of State replied:

"Of course it is, but legislation must be acted on in the light of political common sense."—[*Official Report*, 21 January 1998; Vol. 304, c. 1106-07.]

I would like to believe that, but such common sense does not always fully determine Government decisions. We are asking, "What does the legislation say and do we agree with it?" My fundamental point—I hope that I am not making a meal of it—is that some functions should be transferred by order while others should require Acts of Parliament. Major responsibilities relating to prisons and to social security should be transferred not by order, but by primary legislation.

Let us look at the way in which the Welsh Office has evolved. I went through all the orders transferring functions to the Welsh Office over the past 34 years. It was interesting to study the sensible, pragmatic and progressive transfer of power to a developing Department. One of the reasons for the success of the Welsh Office is that is grew progressively, absorbing each function and making it work before collecting the next one. That procedure was followed between 1964 and 1978. After a transfer order in April 1978, there was not another one until 29 January 1991. That is a huge gap and I was curious to discover the reason for it. The answer—*[Interruption.]* My hon. Friend the Member for Cardiff, West takes a conspiratorial view.

Between 1978 and the solitary order on radioactive substances in 1991, the powers to be delegated to the Secretary of State for Wales were written into successive Acts. The Secretary of State collected responsibilities from other Departments over time. As new legislation was introduced, his responsibilities were written into it. I have not had an opportunity to look through the legislation from 1978 to 1991, but, during that time, the Secretary of State's responsibilities grew with each Act.

Until now, it has not been the wish of Parliament or Government to delegate serious additional major functions to the Secretary of State for Wales from other Departments. Therefore, if the assembly is to grow and if it is to be given responsibility for those functions, that must be done through primary legislation, not by order.

Mr. Wigley: The hon. Gentleman is raising an important question and I am following his argument. Is it not the case that the Acts that came into force between 1978 and 1991 used the term, "the Secretary of State", which can be interpreted in different ways in different parts of the United Kingdom? During the debates on those Acts, virtually no time—if any time at all—was spent on discussing the question of which Secretary of State would undertake the various responsibilities.

Mr. Rowlands: I am sure that in those debates, it would have been made very clear that any functions relating to Wales would be the responsibility of the Secretary of State for Wales. Of course, we all understand that "Secretary of State" is an all-embracing term.

As I was saying, after 1978, the Secretary of State's responsibilities were written into each and every Act. Surely that is what will happen with the assembly. When new legislation is introduced, the Government of the day will state whether the responsibilities are to be exercised by the Secretary of State or by the assembly. I am concerned about functions and powers that already exist in other Departments and may be transferred to the assembly. We identified two such Departments in our amendment. After 34 years, there must be some powerful reasons why the functions have not been transferred previously. I do not want to go too far into the argument as I am sure that the right hon. Member for Caernarfon (Mr. Wigley) will want to develop it when he speaks to his amendments.

Let us take, as an example, the transfer of prison functions to the Welsh Office. Any hon. Member with constituents who, sadly, have gone to prison knows how important an integrated Prison Service across Britain is to the welfare of prisoners. To be honest, I would not want my constituents to go to Welsh prisons because the best prisons are outside Wales. There has been a common-sense view that the Home Office should have responsibility for prisons and that it should run an integrated service across boundaries.

There is a strong case for the Home Office maintaining and retaining various home affairs functions, especially the management and operation of the Prison Service. It should remain an integrated service and its functions should not be transferred to the assembly. If a future Government wished to transfer those functions, it would be a major change in policy and should not be dealt with through a simple one-and-a-half-hour, unamendable order which could not be scrutinised and debated with the seriousness it deserved.

Mr. Ieuan Wyn Jones (Ynys Môn): I want to speak to amendments Nos. 162, 163 and 161. My right hon. Friend the Member for Caernarfon (Mr. Wigley) will deal with the other Plaid Cymru amendments.

I want briefly to pick up the arguments made by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) about the Prison Service. My experience, both as a solicitor before I was elected to the House and as a Member of Parliament, is the opposite of the hon. Gentleman's. He suggested that his constituents would be

better off in prisons outside Wales. I have received many letters from constituents and others in prison expressing regret about the fact that there is no prison in north Wales. That has often led to arguments with prison officers and others about the use of Welsh language material within the Prison Service.

I profoundly disagree with the hon. Gentleman's analysis. I see no reason why the assembly should not have responsibility for the Prison Service, as referred to in amendment No. 161. The functions of the Prison Service have already been devolved to Scotland, so what is the problem with their being devolved to Wales? Indeed, other home affairs services have also been transferred to the Scottish Office and will become the responsibility of the Scottish Parliament. There is no reason why those services should not similarly be transferred to the assembly. The hon. Gentleman took the whole argument about social security, especially the social security budget, to an interesting level and we may need to discuss that. However, I see no reason why prison and fire services should not be transferred to the assembly.

I want to raise an issue about the magistrates courts service in Wales. I have always been mystified by the processes of the magistrates courts committee. It puts forward plans to rationalise—which means to close—local magistrates courts, but the county council or the unitary authority can ask for those plans to be referred to the Lord Chancellor's Department. The unitary authorities in Wales have some locus in these matters—in particular, they can lodge objections to the plans—but the Welsh Office has no responsibility at all. It would be logical—a word used by the right hon. Member for Llanelli (Mr. Davies)—therefore for the Secretary of State and, ultimately, the assembly to determine such appeals. In the era of closures of magistrates courts, especially in rural areas where many responsibilities are covered by magistrates' clerks—where justice requires people to travel long distances to attend court either as witnesses or as defendants—the assembly should determine such issues. If the assembly has responsibility for those matters, the people of Wales will have the opportunity of deciding on the structure that we want for magistrates courts, for example, in Wales.

Let us widen the scope of the debate and include civil courts, county courts and high court offices in Wales. Plans are constantly proposed to rationalise, to close and to reduce the funding of those services. However, the national assembly should be responsible for examining proposals affecting those services. Furthermore, historically, those services were among the first to embrace the use of the Welsh language. One of the first pieces of legislation dealing with the Welsh language was the Welsh Courts Act 1942. It has always seemed rather odd to me that responsibility for court services has remained within the remit of the Home Secretary or the Lord Chancellor; there is no reason why they should not be transferred to the national assembly.

5.30 pm

The hon. Member for Cardiff, West (Mr. Morgan) mentioned the probation service. That service, too, should properly be transferred to the national assembly. The hon. Member for Merthyr Tydfil and Rhymney hinted that transferring it to the assembly should be considered. Although I realise that we shall not be able to take him or other Labour Members with us all the way on all the issues, he did say that the probation service might appropriately be dealt with by order rather than by primary legislation.

The Secretary of State will know that there has been considerable concern in Wales about fire service reorganisation and funding. Moreover, people working in the fire service are particularly concerned about the way in which those matters are being dealt with. The fire service is another matter which should be within the assembly's remit.

I suggest to Labour Members that those matters could be transferred by order. If that is accepted, the Bill could provide for that transfer, rather than waiting for future legislation. I appreciate that the Secretary of State might feel that proposals for such transfers were not in the White Paper, which was the basis on which the Government fought the referendum. However, I ask him to realise that those matters could be transferred to the Welsh assembly without too much difficulty and that, in a Welsh context, they would be better dealt with in Wales. I believe that he will be seriously thinking about those matters in this debate.

Mr. Rogers: Part of the problem is that many hon. Members agree with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) that, on some important legislative issues, Orders in Council are not the appropriate vehicle, but that primary legislation should be used to deal with them. I must confess—my hon. Friend knows my position on devolution—that I do not think that the Bill or the White Paper proposals go far enough. So many other functions should go to the assembly, but doing so was never envisaged. Unfortunately, the Secretary of State is now in the difficult position of seeming to have to break faith with the people of Wales, who—on the basis of the White Paper proposals—gave him a majority.

Mr. Ron Davies: May I assure my hon. Friend that I am not breaking faith with anyone?

Mr. Rogers: I never said that the Secretary of State was breaking faith.

Mr. Davies: I am sorry, but that is what I understood my hon. Friend to say. We have a very clear party policy to which he and I subscribe. That policy was reflected in the White Paper proposals—which are faithfully reflected in the Bill.

Mr. Rogers: The Secretary of State is not listening very carefully. If he were, he would have heard me say that the Secretary of State would not want to break faith with the people of Wales by altering the White Paper proposals. If he checks the record, I am sure that he will find that that is what I said.

In considering the specific issues, I have much sympathy for the argument that the assembly should deal with certain functions—although not perhaps with defence and foreign affairs. Although there might come a time when, for some particular reason, the assembly wanted to send a gunboat to Blaenau Gwent—perhaps to discipline the people in the hills—I cannot imagine that the people of Wales would want a separate defence force. However, I strongly believe in local policing.

[Mr. Rogers]

Hon. Members who participated actively in the miners' strike, for example, and who actively supported our Welsh colleagues on the picket lines will remember the invasion of police from England and from other areas against—

Mr. Rhodri Morgan: No, not in Wales.

Mr. Rogers: My hon. Friend the Member for Cardiff, West (Mr. Morgan) probably never went on a picket line, so I must forgive him.

Mr. Morgan: My hon. Friend is wrong.

Mr. Rogers: If my hon. Friend will not be rude and will allow me to finish my point, I shall graphically illustrate it for him. Perhaps he had some inside knowledge about what the police were doing. It is a pity that he did not pass that knowledge on to the National Union of Mineworkers; we would have found it very useful.

Mr. Morgan: What is my hon. Friend talking about?

Mr. Rogers: If my hon. Friend had information that English police were not used on Welsh picket lines—

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. The hon. Gentleman must speak to the amendment. We cannot have a conversation on the Back Benches.

Mr. Rogers: Through you, Mr. Martin, I was attempting to argue that perhaps it would be a good thing if the amendments were to transfer the functions of policing and of control of the police to the Welsh assembly—in contrast to what was said by my hon. Friend the Member for Merthyr Tydfil and Rhymney. In attempting to pursue my argument—

Mr. Rhodri Morgan: Will my hon. Friend give way?

Mr. Rogers: I will in a minute.

In pursuing my argument, I mentioned that, in the miners' strike, English police were used on the picket lines. My hon. Friend the Member for Cardiff, West wants to contradict me. Let him do so. If he wants to look silly, it is up to him.

Mr. Morgan: No, I was not on any picket lines. However, I remember reading in the press that the chief constable of the South Wales police took a view that was very different from that of the chief constable of the Yorkshire police. He took the view that it would not be appropriate to bring in police from England to assist in whatever duties the police had to undertake in the South Wales police area. The situation might have been different in Gwent or in north Wales, but that was the policy of the South Wales police.

Mr. Rogers: As I said, perhaps my hon. Friend has an inside line on those matters. I remember very well—it is the example that I wanted to give—the Bedwas coking ovens picket line, which occurred in the Secretary of State's constituency. My hon. Friend the Member for Cynon Valley (Ann Clwyd)—who was standing next to me—and I were told, in a very broad home counties accent, "We know about you Welsh bastard MPs". I did not mind, as I suppose that, back at the beginning of the century, my ancestors were called a lot of things by the Cardies who came in to join the then Glamorgan constabulary. However, the miners very much resented the intrusion of police who were brought in. Part of the reason for that resentment was that members of their own families were policemen who resented having to go on the picket line against the Welsh miners.

My hon. Friend the Member for Merthyr Tydfil and Rhymney will remember what happened in Merthyr vale. If there were not English police—and perhaps others—on those picket lines, I will eat my constable's helmet.

Some issues are peculiarly important to people in certain communities. Policing, for example, can be done effectively only with the consent of the community. The idea of a national police force is abhorrent to all hon. Members, and we should like the police to be under the control of effective police committees. As the hon. Member for Ynys Môn (Mr. Jones) asked, why not give the Welsh assembly the power to organise police forces in Wales?

I realise that transferring many functions would entail a problem in transferring moneys, and that it would make a mess of the Barnett formula in determining the proportion of finance to be added to deal with different functions. I do not suppose that it would have been possible to prepare a Bill in this time which would have encompassed all the problems and difficulties involved in the transfer of powers. If we are to have devolution in Wales, it must be meaningful. That is why I have argued that the acts of transfer should be done positively by primary legislation. The whole idea that that will be done in a one-and-a-half-hour, unamendable debate by Order in Council is strange.

Something needs to be said about defence and foreign affairs because if this clause encompasses all Departments, there ought to be some limitation. We ought to be asking whether we believe in a British state per se—or even a state on a federal basis—or whether we believe in complete independence. That decision will have to be made as we progress. However, if changes are to be made, they should be made by primary legislation and not by Order in Council.

Mr. Wigley: I shall follow some of the points raised by the hon. Member for Rhondda (Mr. Rogers). I agree with him about the importance of community in matters such as the police force. The community is what gives the police force its strength, and the absence of that dimension undermines what they are doing. There are areas where important co-ordination is necessary between the police force, local government and other functions—such as highways—which are to come under the assembly. There is a lot of sense in looking at that issue.

The hon. Member for Rhondda mentioned the Barnett formula, which refers to the increase, year-on-year, in available money. Provided that the money for the police is built into the basic block, there is no reason why the Barnett formula should not continue if we feel it to be appropriate in the generality.

Mr. Rogers: How would the right hon. Gentleman build that into the basic block? We had a problem with

policing in south Wales at one time, and hon. Members representing that area went to see Lord Ferrers—the Minister responsible for the police at the time—who said that the South Wales constabulary was a rural police force. He did not realise that the area contained a string of urban communities—it just happened that there were some bleak moorlands in between. Obviously, he had looked at a map but had not visited the area to study the problem.

Mr. Wigley: I well remember that incident, which makes the hon. Gentleman's point.

Amendment No. 165, which deals with children, and amendment No. 157, which deals with disability, may be probing amendments. Whereas the Home Office functions—which we are talking about transferring—clearly relate to other Departments, there is an overlap between a number of Departments of state with regard to children and to disability. We want to make it clear that responsibility lies with the assembly in a way that allows a specific approach—perhaps within a committee or sub-committee of the assembly—to deal with those matters.

Mr. Ron Davies: I am grateful to the right hon. Gentleman for giving way early in his remarks. He has referred to a fundamental point that we need to explore. The listing of the subjects that must be considered for transfer has no implication for the way in which that service area will be delivered by the assembly. The presence, or otherwise, of a description of "children's issues" would not require the assembly to have a committee to deal with it. The point to which he is referring is a substantive one—that those matters which, together, add up to children's issues will be transferred.

My hon. Friend the Member for Bridgend (Mr. Griffiths) is the Minister responsible for co-ordinating children's issues in the Welsh Office, and he pulls together matters relating to local government, health and social services, which are to be devolved. Those powers, which are currently vested with Welsh Office Ministers, will be transferred.

Mr. Wigley: I thank the Secretary of State for that clarification, which is helpful. Perhaps I can press the argument a little further to try to see the context within which the powers can be exercised by or within the assembly.

By way of background, it is worth mentioning the Welsh Office's successes over the years—under successive Administrations—with certain initiatives dealing with particular groups with special needs within Wales. One thinks of the initiative concerning people with learning difficulties, which was undertaken in the 1980s and 1990s. It carried with it people from all political parties, and it did a considerable amount of good in developing policies at a time when Wales probably had a more advanced set of policies on the needs of those with learning difficulties than not only the other parts of these islands, but the whole of Europe. I attended conferences where that was discussed.

Likewise, there have been initiatives with regard to those with mental illness and the elderly. There is a need for such an approach with regard to children. We should like to see within the assembly the development of a children's commissioner for Wales. I do not know whether the terms of the assembly will allow that, but I imagine that they would—provided that the individual functions to come together within the assembly already exist, as has been suggested by the Secretary of State.

5.45 pm

If there were a children's and young person's commissioner for Wales to monitor the effectiveness of all services for children and young persons in Wales, to investigate specific complaints about those services and to report annually to the assembly, children's policies could be developed coherently. Likewise, in exercising the functions of the commissioner, it would be possible to specify the need to ensure that the rights and interests of children and young people were at all times taken into proper account by the service providers. We need co-ordination to make sure that this is focused on.

We must have regard to the principles laid down in the UN convention on the rights of the child; the need to ensure co-ordination between the voluntary and independent sectors—for example, in providing services for children—and statutory bodies; and the need to consult from time to time children and those seeking to promote their interests. That would bring together a package which—if the Secretary of State's response was correct—can be dealt with by the assembly, which has competence within those areas. That is useful, and it is worth putting that on the record as part of the Committee's debates.

The Secretary of State will be aware of my interest in disability legislation. I have looked carefully at some of the transfer orders that he has made with regard to disability legislation. It is proposed that some measures are to be transferred and some are not. I take it grievously to heart that the Disabled Persons Act 1981—of which I was lucky enough to be the sponsor—is not being transferred. That Act concerns the physical environment in Wales, town and country planning, building regulations and other matters that I thought would automatically have come within the remit of the assembly. The argument goes beyond the question whether the net has taken in all the legislation that is needed to deal with disabled people within the general functions of the assembly, and I take it that social security is outwith that.

There is also the question of the approach to disability. For example, one of the vexed questions facing the world of disability—hon. Members from all parties have followed this—is the rights of disabled people, and the need to ensure that we have legislation that allows those rights to be pursued in the same way that the rights of women to equal opportunities and the rights of individuals in regard to racial discrimination can be pursued. The Secretary of State will know that that was a major argument during the last Parliament, and it has continued in this one. There was to be a measure on that matter, and perhaps the Department for Education and Employment is working on a change in the legislation.

A commission in Wales to look after the needs of disabled people, which disabled people could themselves drive, and to make sure that the rights that they should—and, to some extent, do—have in law are implemented would be a major power. I am not certain that it is within the ability of the assembly, as it is proposed, to pursue the rights of disabled people in that way. I have no doubt that organisations of and for disabled people in Wales are

[Mr. Wigley]

committed to encouraging the assembly to move the agenda forward. If it were not possible to do so, they would be extremely disappointed. I hope that the Secretary of State will put our minds at rest and reassure us that those powers will rest with the assembly.

Ms Julie Morgan (Cardiff, North): I welcome the fact that the right hon. Member for Caernarfon (Mr. Wigley) tabled amendments Nos. 165 and 157, because they highlight important issues. We should take into account the effect on children and on disabled people of policies in every area that is covered by the assembly, as listed in schedule 2.

Children are affected by decisions not only in the traditional areas that we associate with them, such as health, social services and education, but in all the other policy areas that are listed for transfer, such as culture, economic development, sport, and town and country planning.

For example, we rarely take into account the needs of children—places to play, shopping developments with creches, and so forth—when planning towns. We know also that economic development, as it affects patterns of employment and flexible working hours, is important to parents and children.

The key point is to have a child care strategy to cover all the policy areas: whenever a policy is discussed in the assembly, the question of how it would affect children should automatically be asked. I welcome the thinking behind the amendments, and I hope that children's voices may also be heard directly in the assembly. For example, the abuse that has occurred in north Wales and the inquiries into children's homes in south Wales show how important it is for children to have that direct access, and be able to voice their concerns, to the assembly.

I welcome the attention that the right hon. Member for Caernarfon drew to policies on disability. Disabled people in Wales have fewer opportunities, are less likely to be employed and earn only about 67 per cent. of the average earnings of non-disabled people in the United Kingdom. They must have a clear voice and their needs must be high on the assembly's agenda. As with children, they should be a part of every policy area.

We shall need a strategy for disabled people, with targets for higher employment rates and better access to buildings, and a policy to ensure that they are employed in the assembly itself. I welcome the mention of strategies that have been successful in Wales and have captured people's imagination because they have directly involved disabled people and their carers, such as the strategy for people with learning disabilities.

A week ago, along with my hon. Friend the Member for Vale of Glamorgan (Mr. Smith), I attended the launch of the independent living scheme for Cardiff and the Vale. That was the first scheme in Wales in which community care grants were given to disabled people in the community to spend as and when they wanted on carers in their own homes. We want to develop such policies, giving disabled people direct control of the services that they need.

I welcome the spirit behind amendments Nos. 165 and 157, and I hope that children and disabled people will have a strong voice in the assembly and that all its policies will take their needs into account.

Mr. Jenkin: It is a mistake to suggest that if the assembly does not have responsibility for disability policy or children's issues, it will be pathologically determined to ride roughshod over them. Of course we hope that it will have regard to special interests, such as the disabled and children, as Parliament and local authorities do, but that does not require that the specific responsibilities be transferred to it.

We need a sensible cohesion between what happens at Westminster and Whitehall and what happens at national level in Wales. The proposals in the amendments could lead to nothing but disagreement and discord, which we want to avoid.

I want to talk mainly about the exchanges provoked by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who has done the Committee a great service, especially in his exchanges with the hon. Member for Cardiff, West (Mr. Morgan). We heard not an intemperate denunciation of the Bill but a level-headed discussion about why its powers should be drawn so wide and whether that is good for the assembly's prospects.

In response to what the Secretary of State said on the previous group of amendments, I must emphasise that many criticisms are made not simply to oppose the assembly but to consider whether the Bill can be improved. The Welsh people voted for the proposals in the White Paper, paragraph 1.7 of which said:

"The Assembly will take over the responsibilities that the Secretary of State exercises in Wales."

Those responsibilities include home affairs, social security, defence and foreign affairs, as mentioned by the hon. Member for Rhondda (Mr. Rogers); but those policy areas are not mentioned in the White Paper that was presented to the people of Wales.

Paragraph 1.9 of the White Paper says:

"The Government does not propose to transfer to the Assembly responsibility for functions which currently operate on a common basis throughout the United Kingdom."

One could split hairs and say that home affairs are not run on a UK basis, but the intention, about the transfer of specific responsibilities, is clear.

Whether the Secretary of State was in a terrible rush and could not decide which functions he wanted to transfer, or whether there is an ulterior motive, we shall probably never know; we shall certainly never be able to tell from any of the utterances of which he is likely to give the Committee the benefit.

What we are left with is not a conspiracy or a betrayal of the Welsh people but an unholy mess. The Bill is sloppy, and people who read it will have no firm understanding of what it is intended to transfer or to leave on a UK basis. We are handing huge discretionary power to the Secretary of State to transfer responsibilities by order.

Mr. Ron Davies *indicated dissent.*

Mr. Jenkin: The Secretary of State cannot deny it, because he has said as much himself.

Mr. Davies *rose—*

Mr. Jenkin: Let me finish this point.

The real question is whether the Committee wants to give so much discretionary power to the Secretary of State. The current incumbent may be entirely determined to stick with the undertakings set out in the White Paper, but even he must have the humility to recognise that he will not be Secretary of State for ever and that someone much less wise and charming might one day occupy his shoes and sit behind his desk. Such a person may well seek to use a majority in Parliament to transfer powers whose transfer was never intended. Perhaps that is why the Secretary of State describes the devolution project as a process rather than a settlement. It is not a settlement; we are creating lot of uncertainty about what the Welsh assembly should do. That is evident from the amendments tabled by the Welsh nationalists.

6 pm

Mr. Ron Davies: I am grateful to the hon. Gentleman for giving way at last. I sought to intervene on his statement that discretion to transfer such functions would rest with the Secretary of State. It will not; such discretion will always rest with the House of Commons. Ministers will have discretion to put proposals before the House, but, as I have often said, this House is sovereign and will decide whether powers are transferred.

Mr. Jenkin: The Secretary of State's vision of the United Kingdom Parliament in years to come is that we shall be treated like the French senate. We shall debate unamendable general principles that hand the Executive huge power on the basis, in this case, of 90 minutes' debate. As Labour Members have said, primary legislation should be used if major functions are to be transferred, but there is no limit on the number and scope of functions that could be transferred by order.

Mr. Ieuan Wyn Jones: What provision did the Conservative Government use to run Northern Ireland after Stormont was abolished? Was it not done by order?

Mr. Jenkin: Of course it was by order, and a highly unsatisfactory situation it is. I cannot remember even the Welsh nationalists arguing for the restoration of normal democratic legislative processes in Northern Ireland because of the exceptional circumstances there. I have always been told that the Welsh people do not like having parallels drawn with Northern Ireland, but the hon. Gentleman is putting Wales in the same position as Northern Ireland by doing all transfers by order without limit on their scope and nature.

Mr. Jones: I intervened because the hon. Gentleman was arguing that functions should not be transferred by order. I was merely pointing out that Tory Governments used such powers for nearly a quarter of a century. How can he say that that should have been the case in Northern Ireland but should not be in Wales?

Mr. Jenkin: The fact that the hon. Gentleman does not have the dexterity to understand that the situation in Northern Ireland has been exceptional for the past 25 years—all Opposition Members urgently want normality to resume in Northern Ireland so that we can restore proper democratic processes—explains why the nationalists are destined to remain a small party. Long may they remain so.

Mr. Lembit Öpik (Montgomeryshire): Leaving Northern Ireland aside, can the hon. Gentleman cite an example of where a Secretary of State has persistently over-devolved power to a constitutionally established regional or national body and can he say whether it has been unsuccessful?

Mr. Jenkin: The Stormont Parliament might be a good example.

We should ask ourselves when the House has given powers to Ministers to move functions by order and they have recoiled from the use of that route and preferred primary legislation. That is what the Secretary of State is asking us to believe. We are being told not to worry, to trust that if an issue were of sufficient importance, the Secretary of State would use primary legislation rather than the order-making power. That is to put trust in the Executive and in politicians, which we, as politicians, should know better than to do.

Mr. Richard Livsey (Brecon and Radnorshire): I apologise for the state of my voice. I shall endeavour to make a short contribution. Amendment No. 144 deals with social security and home affairs. Social security is particularly difficult, while some home affairs issues, especially the siting of magistrates courts, should be administered within Wales. The closure of magistrates courts in my constituency has made access to the justice system difficult for many constituents.

We wish to support Plaid Cymru's amendments No. 165 on children's issues and No. 157 on disabilities. I declare an interest as president of Brecon and District dial-a-ride, which has 650 members and operates a service that covers some 84,000 miles a year. I have experienced at first hand how difficult it is to get sufficient back-up for support for disabilities. There are many advantages in transferring more aspects of disability policy to the assembly.

The fire service powers, which amendment No. 163 gives to the assembly, are clearly needed. Policing, and especially probation, powers should be transferred to the assembly, as proposed by amendment No. 161. The question of prisons is complex, but the issue of young persons in prison, particularly in Wales, has been campaigned on for a long time. There have been many injustices with young people going away from home into prison in England. That needs further sorting out. I support the amendments.

Mr. Rhodri Morgan: I shall try to sum up the debate, in which there has not been great disagreement. We agree that we need three grades of legislative change that require three different responses. I think that we agree that if it is clearly stated in the White Paper that something should be transferred, it is permissible that it should be done by Order in Council. At the far extreme, if a transfer is clearly negated by the White Paper, no future Government should be able to do it without another referendum. Taxation, or other principles that stretch the word "devolution" to its extreme, would require that. There is an area in the middle, with matters that might be described as having been hinted at in the White Paper or not clearly ruled out. The question is whether such matters could be transferred only by primary legislation. That is the grey area.

Is it possible to specify now the matters whose transfer would not require another referendum—because they are not negated by the White Paper—but could reasonably be

[Mr. Rhodri Morgan:]

done by a future Parliament by Order in Council or primary legislation? Such transfers could be done later in this Parliament, but are more likely to be done by a future one. Such matters may not necessarily be much thought about now and may not have been much discussed in the referendum. That is the controversy. Should it be written into the Bill or left to the political judgment of the Government and Parliament of the day? Without a written constitution, we normally leave certain matters to the political judgment of the day. The general principle that has always guided the House is that we try never to commitment future Parliaments because it is a waste of time. It is a difficult issue.

For instance, we might say that a referendum would be required if one were to transfer to the National Assembly powers relating to taxation or, as mentioned by my hon. Friend the Member for Rhondda (Mr. Rogers), to defence or foreign policy. Should home affairs or social security matters be dealt with by Order in Council or through primary legislation? If one proposed to transfer all general responsibilities relating to home affairs or the Lord Chancellor's Department, it would be easy to see that such a decision would require primary legislation. That possibility is bound to come up for discussion in the future simply because it is the only major difference between the transfer of powers to Wales and to Scotland—as far as I know, it is the only difference relating to administrative devolution practice and the contents of the respective White Papers.

It is natural that people will compare the practice in Wales and that in Scotland. They may argue that the next natural step after the devolution exercise is to give the Welsh assembly equal powers to those available to the Scottish Parliament in relation to home affairs, prisons, the probation service and the Lord Chancellor's Department. That discussion is bound to take place simply because of the administrative contrast between Wales and Scotland, which exists for good historic reasons.

Should such a transfer of powers be a matter for primary legislation? I am sure that we would agree that the transfer of all functions relating to home affairs and the Lord Chancellor's Department requires primary legislation. However, it is necessary to ask whether certain areas of responsibility in relation to them or social security are so intimately connected with those functions that were discussed in the White Paper that to specify that any transfer would require primary legislation would impose an unreasonable restriction on a future Parliament. There are quite a few such areas because of cost shunting. I am not sure whether it is reasonable to deny a future Secretary of State the right to transfer such powers by Order in Council.

Mr. Rogers: My hon. Friend is quite an expert on most matters so perhaps he can tell us what is the position in relation to the revocation of Orders in Council. Perhaps that is why Conservative Members are looking so smug. Perhaps a future Conservative Secretary of State could revoke an Order in Council. I presume that that is possible, but I am not quite sure. Such an order would not be as binding as primary legislation.

Mr. Morgan: I am sorry, but I cannot possibly comment on that. My hon. Friend will have to make his own speech about that during clause stand part, when he can come back and have another bite at that interesting and juicy cherry.

Police funding and funding of the fire service are covered by the rate support grant, and are therefore the responsibility of local government, but matters relating to training, standard setting and monitoring are the responsibility of the Home Office. Given that the funding is part of local government administration, it is difficult not to consider such a responsibility as a natural extension of the powers that were subject to a decision at the referendum. The transfer of powers relating to prisons would be an entirely different matter, because such a transfer was never discussed or hinted at during the referendum.

Perhaps it would be possible to transfer powers according to a three-way classification of functions. One could then decide that the transfer of relevant powers would require a referendum, primary legislation or an Order in Council. That would be a good move, provided that such a classification fitted with an unwritten constitution and the way in which we normally approach such decisions. After all, we never seek to bind a future Parliament. Such an attempt would be meaningless.

Mr. Oliver Letwin (West Dorset): Perhaps I can help the hon. Gentleman reply to the hon. Member for Rhondda (Mr. Rogers). In the absence of the Conservative amendments that were voted down in our earlier proceedings, it is abundantly clear that, once an Order in Council is made, it can be reversed only by primary legislation.

Mr. Ron Davies: Or with the agreement of the assembly.

Mr. Letwin: Indeed. Such is the asymmetry that the legislation builds in.

Mr. Morgan: It is certainly true that the Bill will become an act of devolution. If Conservative Members are only just discovering that, it is a pity that they did not wake up to it earlier—if they had, they could have then played a greater role in the referendum. The purpose of an act of devolution is to devolve powers democratically to an elected body. I do not believe that the hon. Gentleman should express great surprise that the purpose of it is to effect a transfer of powers in an orderly manner that provides for the most stable administrative system possible.

Mr. John Hayes (South Holland and The Deepings): When we debated the matter earlier in our proceedings, one issue under discussion was not just the devolution of power from this place to the assembly, but the transfer of existing local government functions. The hon. Gentleman has spoken about the funding of the fire service and the police, but local government has far more responsibilities for those matters than just their funding. Is he suggesting a massive transfer of power from local government to the assembly?

6.15 pm

Mr. Morgan: Not at all. Functions relating to the police and fire service are the responsibility of two Secretaries of State, one because funding is provided by

him to local authorities through the rate support grant and the other because general responsibilities remain with the Home Secretary. Given that the Secretary of State for Wales already has some responsibility for the police and the fire service because he provides for their funding by local authorities through the rate support grant—those authorities are then precepted by the police and the fire service—it is clear that a further transfer of responsibilities relating to the fire service and the police could be regarded as an extension of a responsibility already discussed in the White Paper. I accept that any transfer of powers relating to prisons would be new.

We must search for a stable but flexible system in which three possible outcomes could be considered. A proposed transfer of powers could be regarded as a matter that required another referendum to be held; other categories of transfer might require primary legislation or merely an Order in Council. That classification would be clear to the people of Wales and to hon. Members on both sides of the House. The guidance offered by the House to successor bodies would be clear, even though we could not bind those bodies.

If a proposed transfer merely represented an extension of the transfers proposed in the White Paper or the Bill, the use of an Order in Council would be appropriate. If that transfer represented a complete change, there is no reason why it should not be covered by primary legislation, even though it is difficult to take into account the fact that the political environment may change over five to 10 years.

I am sure that we are all clear about the three classifications that could govern the possible extent of any future suggested transfer of functions compared with the transfers that have already been suggested in the White Paper and were discussed and fought over during the referendum campaign.

Mr. Wigley: The hon. Gentleman has rightly said that things can change in five years. He said that the use of a referendum is one of the options when deciding the transfer of powers. As far as the House is concerned, referendums are consultative. Does he accept that the political scene will be different once the assembly is established, because it will articulate some of the wishes of the people of Wales? Surely its role should also be part of the equation.

Mr. Morgan: I do not seek to anticipate the political future that we may face in five or 10 years, once the Welsh assembly and the Scottish Parliament have been in operation. That is the problem with an unwritten constitution—one cannot anticipate how political judgments might change. Perhaps, in five or 10 years, there will be a general consensus among the four political parties of Britain that responsibility for prisons should be transferred to the Welsh assembly. People may say, "That transfer does not matter a damn. Do it tomorrow by Order in Council, because everyone agrees with it." Without a written constitution, that could happen. It is a matter of theory, but one must take into account that the political mood can change.

Cost shunting is the most important issue not yet discussed. We must put on record now that it will sometimes be possible for major changes made by Parliament in primary legislation of a UK-wide type to have massive consequences for the Welsh assembly. I am thinking about the care of the elderly or long-term care for those with disabilities. Let us imagine a scenario where the Department of Social Security lays additional burdens on local authorities by transferring to them all responsibility for funding long-term care for the elderly or for those with disabilities. What was previously done by the DSS will now have to be done by social services departments of local authorities, which will need a massive uplift in their rate support grant. If the responsibility were transferred, but there were no such uplift in the rate support grant, one can imagine the problems that would face the Welsh assembly.

That is not the only possible example—the police and fire services come to mind. Whereas prisons are clearly a Home Office responsibility, many of the alternatives to prison—crime prevention policies, alternative places and so on—which might form part of a policy to reduce the prison population, are the responsibility of local authorities. Somewhere, there has to be some sort of concordat covering such grey areas in respect of the possibility of cost shunting. The Welsh assembly will have responsibility for funding local authorities, which might have additional responsibilities laid on them by future Acts of Parliament.

There must be some way of handling situations in which there is no proposal to shift policy making from here to the Welsh assembly, but there is the likelihood of funding responsibilities being shifted to the Welsh assembly as the funding body for local authorities. We have to be clear about the implications of the various ways in which costs can be shunted either side of the devolved boundary, so we have to be sympathetic to the need sometimes to transfer functions in cases where we have, in effect, already transferred the costs of the responsibility for certain matters.

Mr. Ron Davies: I hope that my hon. Friend the Member for Cardiff, West (Mr. Morgan) will forgive me if I do not join him in speculating about what might happen in future. Instead, I shall concentrate on amendment No. 144, which was moved some time ago by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands).

Clause 22 provides for any ministerial function, in so far as it relates to Wales, to be transferred by order. I hope that there is clarity on that point. That could, of course, include any statutory functions to do with prisons or social security.

Mr. Jenkin: So there it is.

Mr. Davies: Yes, but I want to make the point absolutely clear. There would be nothing to prevent a Government from transferring such functions by primary legislation, rather than by a clause 22 order, if they so wished. It is for that purpose that clause 21, which now stands on the face of the Bill, provides for either of those options. My hon. Friend the Member for Cardiff, West said that those alternative mechanisms exist and could be used, but it would not be productive for us to explore the

[Mr. Davies]

circumstances in which either provision would be used, because that would be a matter for the Government of the day.

Mr. Jenkin: Trust the Government.

Mr. Davies: I want to come to that point. It is a matter for the Government of the day to decide whether they wish to transfer powers to the assembly. The hon. Member for North Essex (Mr. Jenkin) has argued on several occasions that Parliament is sovereign, and I hope that he acknowledges the theoretical possibility, if not the wisdom, of any future Government deciding that further powers should be devolved to the assembly. He must acknowledge that possibility, because he argues the case for the sovereignty of Parliament.

If that is the case, a Government who command a majority in the House could decide, as a matter of policy, that they wished to devolve further functions to the assembly, and they could seek to do that either by primary legislation, which, as we have made clear in clause 21, would require the assent of the House, or by using the mechanism in clause 22 and tabling an order, in which case the consent of the House would again be required. In either case, the Government of the day decide what their policy is, and then have to seek the necessary authority from the House. In clause 22, we have merely indicated the second of the options available to the Government.

There is little profit in our speculating now about which functions should be transferred and which process should be used to achieve that transfer at some point in the future. We do not know how policy will develop or how the pace of decentralisation will develop. We do not know what pressures will prevail in five or 10 years' time or what the policy imperatives or the demands of the people will be. There is no point in our spending time now trying to forecast what will happen in future; nor is there much point in the hon. Member for North Essex trying to curtail the process of devolution, which is what he is trying to achieve. He is trying to prevent the Government from embarking on this policy.

Let me make it clear, as I did when speaking to the previous group of amendments, that it is the Government's policy to have a substantial act of devolution. We want to devolve the powers that will be set down and made absolutely clear in the transfer order, but we want to have a mechanism that will allow the process of devolution to continue, and that is the purpose of clause 22. The hon. Member for North Essex should not jump up and down as though it is some great revelation that clause 22 allows for devolution to take place in future. I have made that absolutely clear for as long as I have been talking about devolution. I made it clear on Second Reading, and I have freely acknowledged in every debate in Committee so far, that devolution is a process, and that clause 22 provides a mechanism whereby, if they have the consent of the House, future Governments will be able to devolve to the assembly further powers that they consider would be best discharged by the assembly.

Mr. Jenkin: To argue that there should be limits on what the Secretary of State can recommend to be transferred by order is not to argue against the devolution as set out in schedule 2. That is not the point at issue and we are not arguing against that devolution at this point; we are simply saying that there is no limit to what can be transferred.

The Secretary of State has not been able to reassure the Committee by saying that for the Government to choose the route of primary legislation is an option; the mere fact that it is only an option underlines the huge discretion that Ministers will have to recommend fast-track devolution to the House and force it through with their majority after only a one-and-a-half-hour debate. That is not an anti-devolution statement; it is simply to underline the massive discretion that we are transferring to Ministers to pursue further devolution by the fast-track process.

Mr. Davies: There is no need for the hon. Gentleman to underline it, because I do not disguise the fact. I have said time and again that we are debating what will become a substantial act of devolution. The hon. Gentleman seeks to ensure that if at any time in the future the Government wish to devolve further powers to the assembly, they will have to come to the House with a piece of primary legislation. I am saying that there are many areas where it may well not be sensible or practical do to that—there may be no desire for certain matters to be brought before the House in a substantial piece of primary legislation. I have no doubt that there will be instances where the Government of the day and Parliament as a whole decide that it is perfectly sensible to devolve matters by means of order. If Parliament does not agree, the orders will not be passed. All Parliament has to do is say, "No, we do not approve it." The hon. Gentleman cannot get away from the inescapable fact that there is a mechanism whereby Parliament can assert its right and prevent powers from being devolved.

Amendment No. 144 would exclude social security and home affairs functions from transfer to the assembly. At the moment, I have no social security functions, and the White Paper made it clear that such UK-wide functions would continue to be delivered on the current basis, by the unitary Government. The Government have no plans to transfer such functions to the assembly, so the amendment is unnecessary. *[Laughter.]* There is no point in the hon. Member for North Essex laughing. It is not the Government's intention, so the amendment is unnecessary.

Mr. Nick Hawkins (Surrey Heath): Will the right hon. Gentleman give way?

Mr. Davies: I shall give way in a moment. The hon. Gentleman has not participated in the debate, although I know that he has listened carefully. We are concluding a lengthy debate and I want to answer the points raised so far, rather than engage in new matters.

Mr. Hawkins: The right hon. Gentleman has just been saying to my hon. Friend the Member for North Essex (Mr. Jenkin) that there is a substantial act of devolution and that future Governments may wish to devolve further matters by order. Therefore, it is not an answer to earlier arguments to say, "The current Government have no plans to do so at present" in relation to social security matters. The right hon. Gentleman has just said that a future Government might decide on wholly new acts of

devolution by way of order. Does that not reiterate the point made in amendment No. 144, which was tabled by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), that certain categories such as social security and home affairs should be excluded? The Secretary of State's first answer does not fit with his second.

6.30 pm

Mr. Davies: Yes, of course it does. I have made it clear that any ministerial function can be transferred. My hon. Friend the Member for Merthyr Tydfil and Rhymney is trying to choose two of the functions. If we were to do so, we would be on our way to saying that this Parliament should try to restrict the rights of a future Government or future Parliament to devolve a series of policy areas and functions. Any future Parliament could set aside that provision, so amendment No. 144 is unnecessary and would be troublesome.

A number of other amendments have been debated, some of which add to, and some of which detract from, the list in schedule 2. It may be helpful background when considering the amendments if I explain the purpose of the schedule—what it does and, more particularly, what it does not do. At least some of the amendments—this was the point that I was making to the right hon. Member for Caernarfon (Mr. Wigley)—appear to be based on a misunderstanding of schedule 2.

The White Paper "A Voice for Wales" sets out the policy that the assembly should take over the responsibilities that I exercise in Wales. Paragraph 1.7 listed them briefly and stated that they would be listed in the Bill—that is the purpose of schedule 2. Annexe A of the White Paper sets out a more detailed version of that list. That part of the White Paper is put into effect in part II of the Bill, notably in clause 22, which provides the power for Her Majesty to transfer ministerial functions to the assembly by Order in Council.

Clause 22(2) places a duty on me to consider including in the initial transfer order appropriate functions that fall in each of the fields listed in schedule 2—it is only a duty to consider. I listened carefully to the arguments of the hon. Member for Brecon and Radnorshire (Mr. Livsey) and I know that he wants to make similar arguments in subsequent debates. I can tell him that all that schedule 2 does is to place on me a responsibility to consider. The amendments that he will move will not do what he is trying to do, which is to place a duty on me or a power on the assembly; they would merely require me to consider those matters.

Mr. Wigley: The Secretary of State referred to annexe A of the White Paper. He will be aware that, under the social services heading, the annexe refers to

"policies for particularly vulnerable groups, including people with learning disability".

The question of disability has appeared in the White Paper, but, as far as I can see, it does not appear in the Bill.

Mr. Davies: The right hon. Gentleman referred to specific points relating to the Disabled Persons Act 1981 which I want to deal with slightly later.

I first wish to deal with the general point about the effect of schedule 2. I made it clear that the White Paper is put into effect in part II of the Bill, particularly in clause 22, which provides power for Her Majesty to transfer ministerial functions to the assembly by Order in Council. Clause 22(2) places a duty on me to consider including in the initial transfer order appropriate functions that fall in each of the fields listed in schedule 2—nothing more. Without a provision such as clause 22(2), there would be nothing in the Bill to show the extent of the initial powers to be transferred to the assembly. In that sense, clause 22 and schedule 2 provide a mechanism which we have used to show the Committee the broad policy areas that we propose to devolve.

Clause 22 and schedule 2 taken together implement the policy that it is those functions now exercised by the Secretary of State for Wales—or virtually all of them—that should be included in the initial transfer order. At the same time, clauses 21 and 22 allow for subsequent transfer orders to be made—the point that I was discussing earlier with the hon. Member for North Essex—transferring additional functions to the assembly, which is part of our policy. They also allow the flexibility for the initial transfer order to exclude some functions within the fields listed in schedule 2 if it is concluded that they should not be transferred at present—the point that my hon. Friend the Member for Merthyr Tydfil and Rhymney raised with me on, I think, Second Reading. He has suggested that he intends to return to the subject tonight. Adding new fields to the list in schedule 2—the effect of some of the amendments that have been tabled—would require me to consider transferring such functions to the assembly; it would not require me to transfer some or all of them. If the additions were simply matters already included in one of the broad fields already in schedule 2, the amendment would have no effect at all. Removing a field from schedule 2 would not prevent the transfer order from including it; it would only remove the duty to consider including it.

I shall now return to the point about the Disabled Persons Act 1981 raised by the right hon. Member for Caernarfon. The 1981 Act is not mentioned in the draft transfer order because it, itself, amends various other Acts that are mentioned in the draft order, including the Highways Act 1980 and the Chronically Sick and Disabled Persons Act 1972. The right hon. Gentleman was seeking to ensure that the assembly will have the power to consider those matters. I can only give him the answer by reference to the transfer order: the matters that are subsequently defined in the transfer order will be those that are devolved to the assembly. It is at that point that the right hon. Gentleman will have to seek to press the Government on the nature of the orders that are defined in the other pieces of legislation, the Highways Act or the Disabled Persons Act.

Mr. Wigley: I am grateful to the Secretary of State for that clarification, but some parts of the 1981 Act do not relate specifically to any other Act. May we take it that he would be prepared to look again at that question or any similar representations made in the context of the transfer orders to ensure that those powers that should be there are clearly there?

Mr. Davies: I shall certainly look—or perhaps I shall get someone else to look on my behalf—very closely at the 1981 Act to ensure that those functions, if any, that I currently discharge will be included in the transfer order. That is as far as I can go in giving the right hon. Gentleman the assurance that he seeks.

[Mr. Davies]

Schedule 2's other role relates to part III of the Bill. Clause 56 requires the assembly to set up subject committees. Each of them must have responsibilities in a field listed in schedule 2, but there is nothing to prevent its having responsibilities in more than one of the fields, or even all of them.

I listened carefully to the arguments advanced by my hon. Friend the Member for Cardiff, North (Ms Morgan), who made a powerful case for the assembly having a discrete responsibility for particular issues. The assembly—its internal architecture and policies—will decide how it wishes to handle those matters. What I am concerned with, and what the Bill is now concerned with, is the extent to which the powers that will be necessary for the assembly to discharge those responsibilities in the way that my hon. Friend suggests are contained in the Bill. I can give her the assurance that I think that she was seeking: I am content that adequate powers will be contained in the Bill and the subsequent transfer order to allow the assembly to discharge its functions in the way that she was suggesting.

Taken together, the subject committees must have responsibilities in all the fields listed in schedule 2, but they would not necessarily be defined in accordance with the particular fields that we have identified in schedule 2. Adding or subtracting a field in the schedule would not necessarily change the number of subject committees. That issue lies behind some of the amendments that I said we would consider later, so I hope that when we reach them the Committee will forgive me if my replies to those debates are brief.

There is no requirement that there should be a committee for each area. The assembly can set up committees for any subject that it wishes. If it wanted to have a committee for children's issues and rights—on which a number of hon. Members have spoken—it would be able to set one up. There is nothing that we can do—other than to make it explicit on the face of the Bill—that would require that to happen. I hope that the Committee will bear those points in mind when we consider amendments relating to schedule 2, particularly amendment No. 160 on the Council of the Isles, No. 157 on disablement policy, No. 159 on European affairs, No. 185 on sustainable development, No. 158 on rural affairs and No. 165 on children's issues and rights.

Mr. Rogers: I well understand that, within the transfer-of-function arrangements, financial arrangements would need to be made to carry out the transferred functions. However, in the event that, as my right hon. Friend just outlined, the assembly wanted to take to itself certain functions, by what mechanisms would it obtain money to carry them out—especially if it was in conflict with the Secretary of State?

Conflict between assembly and Secretary of State will be possible. Later clauses give the Secretary of State the right to allocate moneys to the assembly—the assembly has no immediate call on money, which can come only through the Secretary of State. Therefore, if the Secretary of State does not agree with the assembly on any power that it wishes to take to itself, or any committee that it wishes to set up, or any function that it wishes to carry out, how can the assembly do that without tax-raising powers?

Mr. Davies: My hon. Friend raises two points.

First, it will be entirely for the assembly to decide how it wishes to organise and deliver in those policy areas for which it has responsibility, either as a result of the clause or the accompanying schedule. Matters that have been devolved to the assembly will be entirely a matter for the assembly, and its Members must make their judgments according to the available block grant—they must decide their priorities. There is no question of their doing anything else.

However, the importance of the intervention by my hon. Friend the Member for Rhondda (Mr. Rogers) lay in the second question that he asked, about what would happen if the assembly wished to have additional powers. It would have those additional powers only if it were agreed by the Government of the day and Parliament. It would be perfectly feasible for additional powers to be given to the assembly, but the assembly and the Government of the day would then have to negotiate what additional resources would follow the granting of additional powers. That would be a discussion process, with the assembly getting the agreement of the Government of the day. I hope that that answers the point that my hon. Friend raised.

I return to amendment No. 144. My right hon. Friend the Home Secretary has a range of functions with respect to police, fire, prisons, and so on in Wales. As I shall explain, I have some functions with respect to the funding of police and fire authorities, but they are the only functions in that field that the Government are considering for transfer to the assembly. I know that the right hon. Member for Caernarfon will understand my argument. Therefore, that aspect of amendment No. 144 is inappropriate, because it might prevent the transfer of my responsibilities relating to the funding of the fire service or of the police.

The remaining amendments in the group all seek to insert a field in schedule 2. Amendment No. 162 refers to

"Administration of justice and the courts system."

Those are the responsibility of my right hon. and learned Friend the Lord Chancellor—not me—and the Government have no plans to change that responsibility.

Amendment No. 161 refers to "Policing, prisons and probation", and amendment No. 163 refers to the fire service. I have very limited responsibilities with respect to the police and fire services in Wales, but police authorities in Wales are funded jointly by my right hon. Friend the Home Secretary and me—about 51 per cent. of revenue comes from the Home Secretary in the form of police grant and the remainder from me through revenue support grant and redistributed non-domestic rates. Prisons and probation services are the responsibility of the Home Secretary, and the Government have no plans to change that.

If I may say so, my hon. Friend the Member for Cardiff, West was speculating about which of the processes in clause 21 might be appropriate. I cannot give him an

answer to that because the Government are not proposing it, but it seems to me that if the Government of the day were proposing—

Mr. Jenkin: That is a cop-out.

Mr. Davies: It is not a cop-out. I do not know whether that remark was made by the right hon. Member for Devizes (Mr. Ancram) or his side-kick of today.

Mr. Jenkin: His side-kick.

Mr. Davies: It is not a cop-out; it is a rational explanation of the position that might arise in five or 10 years' time. I know that the hon. Gentleman does not want devolution to proceed, but I want it to succeed and I want it to work, and the answer—

Mr. Jenkin: That has nothing to do with it.

Mr. Davies: It has everything to do with it.

The answer that I am trying to give my hon. Friend the Member for Cardiff, West is that if the Government of the day were to envisage a substantial transfer of powers—those that have not hitherto been devolved to me—from a Whitehall Department, obviously they would have to consider the option of primary legislation.

However, I cannot say what will happen in five or 10 years' time. I merely acknowledge the strength of my hon. Friend's argument. The Parliament of the day would have to acknowledge the strength of the argument. I should have thought that, in the case of a substantial transfer of powers, the Government of the day would be wise to ensure that consent had been obtained by means of a general election manifesto—or, conceivably, by a referendum—and then agreement by the House of Commons. That seems to me the process that a sensible Government, or any sensible participant in a political process, would want to adopt.

Mr. Michael Ancram (Devizes): Disgraceful.

Mr. Davies: If the right hon. Gentleman wants to intervene—

The First Deputy Chairman: Order. The right hon. Gentleman knows how to behave, and it is not the way to behave, sitting there interrupting the speeches.

Mr. Jenkin: My right hon. Friend was talking to me.

The First Deputy Chairman: Order. Well, he should not be talking to anyone. He should be listening to the debate.

Mr. Davies: Had I more time, Mr. Martin, I might want to argue with your ruling that the right hon. Gentleman knows how to behave.

My sole responsibility with respect to the fire service is that of funding fire authorities in Wales as part of the funding provided to county and county borough councils under the local government finance settlement. The function there falls within the local government field in schedule 2.

6.45 pm

Amendment No. 157, on disablement policy—I have explained the case to the right hon. Member for Caernarfon; I hope to his satisfaction—and amendment No. 165, on children's issues and rights, raise different issues. Disablement policy cuts across almost all the functions of the assembly: it is not a field in itself. As I have explained in general terms already, such an amendment to schedule 2 is not the appropriate vehicle to ensure that the assembly establishes specific subject committees. That will have to be addressed through the assembly's standing orders. The same comments apply to children's issues and rights, which touch on many functions in such fields as health, education and social services.

I hope that the responses that I have given to hon. Members who have spoken to amendments are sufficient for them to realise that we have built in a sensible mechanism for the transfer of those powers that are currently devolved and a process that will allow the Government of the day, with the consent of Parliament, to ensure that the system of government in this country is carried on effectively with a commitment to the principle of devolution.

I am very grateful to my hon. Friend the Member for Merthyr Tydfil and Rhymney for initiating this interesting brief debate, but I hope that I have persuaded him not to press amendment No. 144 to a Division.

Mr. Rowlands: My right hon. Friend said that amendment No. 144 was unnecessary because the present Government had no intention of transferring such powers. I think, with modest respect, that the intentions of the present Government are irrelevant to the nature of the legislation that we are drafting. The issue that should concern anyone who scrutinises the Bill is not the present Government's intentions, but the powers that we are bestowing on a future Executive.

I was suggesting that I could see that it would be very convenient for a future Government to have at its discretion the ability to use a simple order-making power instead of the process of primary legislation. We, as Back Benchers in this Parliament, should feel queasy about giving future Governments such powers—very wide powers, in clause 22(1), to transfer functions by simple order.

The debate has also drawn attention to something that the interesting contribution by my hon. Friend the Member for Cardiff, West (Mr. Morgan) illustrated very well: the fact that we have not sat down and written a constitution. We do not have a written constitution and we are not producing one, so the problems of trying to use a piece of typical traditional process called a Bill to create a different set of constitutional arrangements lies at the heart of many of the dilemmas and difficulties that confront us. We do not have a constitutional settlement, so we do not have a written constitution and we do not have the means by which we would amend that constitution by changing the respective powers, so we are obliged to proceed using this traditional process.

I suggest to my right hon. Friend the Secretary of State that, because we are not going down the radical new route of writing constitutions, but, instead, are using the traditional, pragmatic Bill process, we should feel especially queasy about bestowing on a future Executive powers of the type suggested in clause 22(1).

[Mr. Rowlands]

Arguments have been made from both sides of the Committee. The debate was essentially about the process—not about the merits of the respective transfers of future responsibilities and functions. I have listened carefully. I believe that it is arguable that aspects of home affairs in particular should possibly be devolved at some time.

I shall not press the amendment to a Division, but I suggest to my right hon. and hon. Friends that the argument and the dilemmas that we have tried to grapple with are endemic in the process. We are not sitting down with a blank piece of paper and writing a new constitution that would lay down how all those matters should be dealt with. By undertaking the process as we are doing, we shall hit the same dilemmas time and again. We should not ignore them or pretend that they do not exist. As Members of Parliament legislating for the future, it is right that we should feel queasy about them. Nevertheless, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 136, in page 13, line 5, leave out

'concurrence of or subject to the consent or approval'

and insert 'agreement'.—*[Mr. Ron Davies.]*

Mr. Denzil Davies: I beg to move amendment No. 208, in page 13, line 21, at end insert—

'(5) No recommendation shall be made to Her Majesty in Council to make an Order in Council under this section for the transfer of taxation powers unless and until the proposals for such a transfer have been approved by the Welsh people in a referendum vote.'.

The First Deputy Chairman: With this, it will be convenient to discuss amendment No. 207, in clause 23, page 14, line 41, after 'Minister', add

'but do not include the Chancellor of the Exchequer'.

Mr. Davies: Amendment No. 208 would insert new subsection (5) into clause 22, which would restrict the order-making powers of Her Majesty in Council on the recommendation of Ministers in the case of the transfer of taxation powers to the National Assembly. The amendment would limit that power through a referendum of the Welsh people.

Amendment No. 207 is slightly different. It would restrict the order-making power by amending the Bill to exclude the functions of the Chancellor of the Exchequer from the order-making powers. It would do so by adding to subsection (10) of clause 23, which states that the words "Minister of the Crown" shall include a Scottish Minister. The amendment would add,

"but do not include the Chancellor of the Exchequer".

Unless there is some defect in the drafting, that would ensure that taxation powers could not be transferred to the assembly by the order-making powers in clause 22.

It is always open to the House to do anything by Act of Parliament, including transferring taxation powers from the Chancellor of the Exchequer to the Welsh assembly. My right hon. Friend the Secretary of State said that that was the reason for clause 21(b), but we do not need it. We do not need to be told that the House can do that. I do not want to pursue the argument, but why on earth do we need clause 21(b)?

Having listened to my right hon. Friend addressing the previous amendment and to my hon. Friend the Member for Cardiff, West (Mr. Morgan), who made an extremely interesting contribution, I think that I am pushing at a fairly open door. My right hon. Friend accepted that the White Paper had made it clear, and the referendum was fought on the basis, that there was no intention of transferring functions that operate on a UK basis.

Leaving aside the council tax and local taxes, with which the provision does not deal, the taxation functions of the Chancellor of the Exchequer operate on a UK basis. I tried to argue previously that they were not functions in relation to Wales, and I shall not pursue that argument. It is interesting that the White Paper referred to functions that operate on a UK basis. Those are therefore not functions that relate just to Wales.

In his winding-up speech on the previous amendment, my right hon. Friend referred to UK-wide functions, so I should have thought that he and I were on all fours. When the referendum was fought, it was made clear that there was no intention to transfer to a Welsh assembly functions that operate on a UK-wide basis or on a UK basis.

I can see some difficulties with home affairs. There are certain functions that would be carried out on a Welsh basis, not on a UK basis. There might be some minor problems in relation to social security. However, as far as I am aware, the Secretary of State for Wales has no taxation functions in relation to Wales.

When we suggest in amendment No. 208 that there should be a referendum, or in amendment No. 207 that there should be an Act of Parliament, before the Order in Council, I do not see how my right hon. Friend could object. The argument is entirely consistent with his position.

I am not arguing for or against the transfer of powers of taxation. This is not a debate about whether a Welsh assembly should have taxation powers. In a single economic unit such as Britain, with a single currency and unrestricted freedom of movement of capital, persons and labour, it is daft to suggest that there should be different rates of income tax in that single economic unit, or different rates of capital gains tax, of VAT, if that was allowed under the European treaties, or of corporation tax. That is not the issue. The argument underlying the amendment is that we should not transfer powers of taxation, which are clearly UK-based powers, without an Act of Parliament or, better still, a referendum.

The amendments were tabled as a result of what my right hon. Friend clearly said during the Committee's previous sitting. When I shouted from a sedentary position, for which I apologise, "Taxation," my right hon. Friend readily and enthusiastically said yes. He seemed delighted that I had suggested that taxation could be transferred as well. I was rather surprised. Perhaps I am the only member of the Committee who is surprised that under the Bill it is possible to transfer taxation powers by order—an affirmative resolution is provided for in the Bill. Within one and a half hours, taxation powers can be transferred from the UK unitary state, the British Government or the Chancellor of the Exchequer to the Welsh assembly.

I tried my best to give my right hon. Friend an escape route. I argued first that, under clause 22, the functions had to be transferred by Act of Parliament, but he would have none of that. I am sure the draftsmen advised him about that. Then I argued that taxation powers were not powers in relation to Wales, but he would have none of that, either. I have done my best to stop him getting himself into a corner and telling the people of Wales that, despite having said in the White Paper and during the referendum that functions that operate on a UK basis would not be transferred, here we are—that can be done, not even by an Act of Parliament, but by Order in Council.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) is more aware than I am of the Scottish referendum. I know that the example is not exactly the same, but in Scotland we deemed that there should be a separate question on whether the people of Scotland should have powers of taxation. I need not labour the point. My hon. Friend the Member for Cardiff, West—from a sedentary position or in his speech, I forget which—suggested that such powers are so fundamental that a referendum would be required.

7 pm

That is all we are asking. We are not asking for anything terrible. We are not saying that the Welsh Assembly should not be able to function properly. Those of us who raised these matters during an earlier devolution debate were immediately castigated as anti-devolution, but that is not the position. Previous debate has shown how difficult it is to handle these matters without a constitutional settlement.

In an earlier debate, my hon. Friend the Member for Cardiff, West mentioned a dispute resolution system, and mentioned words such as "resource allocation system". He argued that all devolution systems should have such provisions within them. Well, the mechanism before us does not. I have referred to some of the matters that some of us tried to raise during the referendum campaign, which are seen by others as antipathetic to devolution.

We have heard this evening about defence and foreign affairs. Those matters are not the subject of the amendment, but, by analogy, there is no reason why the powers of the Secretary of State for Defence and those of the Secretary of State for Foreign and Commonwealth Affairs should not be transferred. Apparently, such powers are related to Wales and are thus able to be transferred by Order in Council in an hour and a half.

My right hon. Friend the Secretary of State says that there is no intention of pursuing that course. The White Paper did not refer to such transfers, but surely these matters are so fundamental that it should have done so. I invite my right hon. Friend to accept, or to consider constructively, one or other of the amendments—in other words, either a referendum or an Act of Parliament. There is a choice between one or the other, but a fundamental limitation should be placed on the transfer of fundamental taxation powers merely by Order in Council.

Mr. Ancram: I support the amendment of the right hon. Member for Llanelli (Mr. Davies), especially in the light of his closing remarks. Indeed, we are looking for a safeguard, which should take the form of an undertaking in the Bill that primary legislation would be required for significant transfers of power, or, alternatively, a mechanism for triggering a referendum so that the people of Wales would not have foisted on them something for which they had not voted in a democratic vote.

The amendment reflects the lack of success that we have had in trying to pierce the Secretary of State's intransigence and in endeavouring to get it through to him that we are not trying to destroy his Bill. We are not trying to dilute devolution. We are merely trying to provide some safeguards that will give people confidence that we are engaged in devolution within the United Kingdom, but not in a process that will lead inevitably to the break-up of the United Kingdom.

The Secretary of State says over and over again that the sovereignty of Parliament will ensure that the break-up of the United Kingdom cannot happen. The more I have listened to the right hon. Gentleman, the more I have come to the conclusion that he is talking not about the sovereignty of Parliament but about that of government. The right hon. Gentleman is saying that Parliament can always turn down an Order in Council at the end of the day if it is put before it. He argues that Parliament does not need to approve it, and that, in that event, Parliament has exercised its supremacy and sovereignty.

The Secretary of State then says, however, that it is up to the Government of the day to decide whether these matters will be heard by primary legislation or by an Order in Council. The right hon. Gentleman is saying—there may be some terrible element of constitutional truth in this—that we have a system where the Government can decide and deliver, through whipping their majority, anything that they may want to introduce.

If that is the position—I hope that the Secretary of State will respond when he replies to the debate—what is the distinction he sees between an Order in Council and an Act of primary legislation? Why do we have primary legislation? The answer is to give the House of Commons the chance to scrutinise, debate, amend and, if necessary, change proposed legislation that is put before it.

Let us consider the amount of detail that will be in the draft order and contemplate that, at some stage in future, another Order in Council may be introduced containing an enormous amount of detail, not one item of which will be changeable. The House of Commons would be asked to take it or leave it. If the Government put such an order before the House of Commons with a whipped majority behind them, it will be agreed to. In terms of creating confidence in devolution and in what is being transferred, that surely cannot be the right approach.

We return to what the Secretary of State said last Wednesday evening. When the hon. Member for Merthyr Tydfil and Rhymney asked about the transfer of substantial power from the Home Office, he asked whether that would be done by order or by primary legislation. The Secretary of State said:

"I cannot answer that question; we are not proposing it anyway. Some future Government might decide that it was necessary to transfer substantial additional powers to the Welsh assembly."

The right hon. Member for Llanelli interjected:

"Like taxation?"

The Secretary of State said:

"That is not what I am proposing, but a future Government might consider it. If so, I am sure that the Government of the day and Parliament would say, 'Hang on, you cannot do that by order: it is a substantial shift'."

[Mr. Ancram:]

What is a "substantial shift"? What is significant in terms of the powers that might be transferred?

The Secretary of State went on to say that, of course, the necessary provision was included in the Bill. In answer to the question that he had been asked, he added that

"legislation must be acted on in the light of political common sense."

I think it was the hon. Member for Merthyr Tydfil and Rhymney who warned us not to put too much store by common sense. He reminded us that we know that politically that is not always the safest way in which to proceed. I think that that was the tenor of his remarks. I hope that I have not misquoted him.

The Secretary of State said, however, that legislation would

"be acted on in the light of political common sense."

He added:

"Meanwhile, the Bill contains a mechanism for a transfer order dealing with law-and-order issues and other non-controversial matters that a Government of the future might believe could be transferred by order after a one-and-a-half hour debate."

Again, he uses "non-controversial" as an adjective. We have no definition of non-controversial. For added measure, the Secretary of State finishes by saying:

"Other, larger areas of responsibility may need primary legislation, however."—[*Official Report*, 21 January 1998; Vol. 304, c. 1106-07.]

We have a "substantial shift" that has not been defined. Similarly, "common sense" has not been defined, along with "non-controversial" and "larger". Yet we are being asked to accept an act of faith to the effect that, when any of these adjectives come into play, there will be primary legislation of the sort that we were seeking last week, or there will be a referendum of the sort that right hon. Friend the Member for Llanelli is seeking, but when these adjectives are not applicable there will be a simple order that will be debated for one and a half hours and then passed.

It is not being anti-devolution or anti-assembly to say that that is selling the House of Commons a pig in a poke. We do not know what we are being asked to accept or support. When the Secretary of State is asked what he means by "significant" and he is given examples, he says that he cannot answer the question because he is not proposing such a thing. However, I understand that this is a constitutional Bill. That is why consideration of it in Committee is being taken on the Floor of the House.

It is a constitutional measure which is not just for today, because it is supposed to create a long-term assembly; yet, at the most important or crucial part of the Bill—the power to transfer functions now and in future—we have what can be described only as a foggy mass, without one definition or distinction that allows the House of Commons to know how things will be done.

The hon. Member for Ynys Môn (Mr. Jones) referred to Northern Ireland. I know what it is like to govern by Order in Council, and I stood at the Government Dispatch Box on a number of occasions when we renewed the order that allowed us to do so. I said over and over, "I hope this is the last year that we have to do this, because it is not a fully democratic way of making decisions in the House."

Mr. Öpik: Surely the right hon. Gentleman accepts, as the hon. Member for North Essex (Mr. Jenkin) did, that comparisons between Northern Ireland and Wales are wholly inappropriate in this debate.

Mr. Ancram: I do not make that comparison. I was taking a point that was raised by the hon. Member for Ynys Môn, who did make that comparison, which he pushed. I saw what Orders in Council did, and hon. Members from Northern Ireland asked over and over for primary legislation in the House to take through their legislation.

If we leave these two amendments as they stand, they will build into the Bill something that will cause enormous confrontation. In relation to taxation powers and the powers of the Chancellor of the Exchequer, it is difficult to understand under the order- making power what is possible. Perhaps the Secretary of State will explain.

Clause 22(1)(a) allows

"the transfer to the Assembly of any function so far as exercisable by a Minister of the Crown in relation to Wales."

We know from his comments on Wednesday that that includes taxation, because he did not say that it did not.

Clause 22(1)(b) includes the power to

"direct that any function so far as so exercisable shall be exercisable by the Assembly concurrently with the Minister of the Crown."

Does that mean that the Chancellor of the Exchequer and the Assembly can exercise some tax-raising powers?

The third power that the Bill gives, in clause 22(1)(c), is even more strange. It is to

"direct that any function so far as exercisable by a Minister of the Crown in relation to Wales shall be exercisable by the Minister only with the concurrence of or subject to the consent or approval of, or after consultation with, the Assembly."

In terms of taxation as it relates to Wales, in the manner that was described last Wednesday, and not denied by the Secretary of State, does that mean that the assembly could be given the right of veto over taxation matters?

Mr. Ron Davies *indicated dissent.*

Mr. Ancram: The right hon. Gentleman shakes his head. It is his Bill—

Mr. Davies: We have dealt with it.

Mr. Ancram: If the Secretary of State had dealt with it, I would not be raising these matters again now. We have not had a single answer from him except to say, "It does not matter, because we are not proposing that today." The fact that he is not proposing it today does not mean that we do not have the right to raise these serious matters, which are germane to the way in which the legislation will work in future.

The right hon. Member for Llanelli was right to table the amendment, because no guarantee or assurance has been given to the people of Wales or to the House. If the Secretary of State is prepared to listen to these arguments—which were made, if I may say so,

with a great deal of charm by the right hon. Member for Llanelli, in an effort to sway his right hon. Friend—I will believe that he is serious about wanting such devolution to work within the United Kingdom. If he brushes them aside, as he has brushed aside every amendment that has so far been moved, on the basis that the Bill is perfect, the worst fears that we on the Opposition Benches have about what he is trying to achieve will be realised.

7.15 pm

Mr. Rogers: I do not know why we have got into this position, because a White Paper was published and the people of Wales, in a referendum, gave their approval for an assembly with the powers as outlined.

The Secretary of State—rather touchily—thought that I was accusing him of breaking faith. What I said was that I am sure that he would not want to do that. I am quite sure that he wants for the assembly only the powers that were outlined in the White Paper—powers for which the people of Wales gave their mandate. It is as simple as that, so why are we having this unnecessary argument? All the Bill needs to contain is that which is in the White Paper and what was put before the people of Wales in the referendum. Nobody else, no matter who they are, has a mandate beyond what the people of Wales decided in September.

If someone wants nationalism by the back door, that is up to them. I am never quite sure what the Liberal Democrats want, but I am pretty sure what Plaid Cymru Members want, as they are pretty honest about their position. I will give them that, but that is about the only thing that I would give them. We also know what the Labour party wants, and I presume that that is what the Government are attempting to implement.

My right hon. Friend the Member for Llanelli (Mr. Davies) outlined the problem of the transfer of powers. I do not think that the present Government or Secretary of State want to break faith with the people of Wales, but, quite frankly, I do not trust politicians. Having been in the House for almost 17 years with that lot opposite in government, I have no faith in future Governments. We saw government by Order in Council when the Conservatives were in power. We saw how Mrs. Thatcher used Orders in Council time and again so that issues such as trade union law and other matters were not discussed on the Floor of the House. It was government by fiat. I do not trust future Governments.

That is why I appeal to the Secretary of State to take on the fears about social security and home affairs, as raised by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), about defence and foreign affairs, which I raised, and about taxation, which my right hon. Friend the Member for Llanelli raised.

It is easy enough. Just as schedule 2 states the responsibilities of the assembly, another schedule or whatever—however the draftsman wishes to draw it up—should say what the assembly cannot do; or we should not include a clause that will allow the transfer of functions by a Government who, for instance, might have to rely on the Liberal Democrats for a majority, or who might have to buy off Welsh nationalists to get their votes to stay in power. One never knows what will happen in future. I have great faith in the Labour party being honourable and straightforward, but I certainly do not trust those on the Opposition Benches, and never have.

I appeal to the Secretary of State to take us out of this unnecessary argument, to prevent our political opponents from making points—we know why they want to make their points—and adhere to the principles of the White Paper and the policy on which we fought the election.

Mr. Öpik: I have listened carefully to the debate, and the right hon. Member for Devizes (Mr. Ancram) has not convinced the Liberal Democrats that tax-varying powers should not be transferred, and he did not convince us when we had the referendum. It is a matter of speculation now, and not one on which I shall dwell, but perhaps, had we had a constitutional convention in Wales, as there was in Scotland, tax-varying powers would be included at the outset of the creation of a Welsh assembly.

We must face the fact that tax-varying powers were not included in the initial set-up. The best evidence for the benefits of tax-varying powers will be in the operation of the Scottish Parliament, which has those powers. Moreover, as people begin to trust the Welsh assembly more, they will realise that it is not such a big risk to trust it also with financial decision making of that type.

Mr. Desmond Swayne (New Forest, West): While it may be entirely appropriate to trust the assembly, will the hon. Gentleman trust the Welsh people by, at least allowing them a further referendum to discuss what he evidently believes was missed out in the last referendum?

Mr. Öpik: It is always a pleasure to take interventions from the hon. Gentleman. He asks a perfectly valid question. Let me explain simply that we do not support the idea of a referendum because if the Welsh assembly is to have real teeth, it must have tax-varying powers at the outset. Having voted for a limited degree of autonomy, especially in the financial context, for the Welsh assembly, the last thing that the Liberal Democrats want to do is add further obstacles to right a small wrong.

Several hon. Members *rose—*

Mr. Öpik: I am spoilt for choice. I shall give way first to the hon. Member for Beaconsfield (Mr. Grieve).

Mr. Grieve: I do not understand why the hon. Gentleman identifies only tax-varying powers, because those are the product of primary legislation, which the Welsh assembly has no power to implement.

Mr. Öpik: That takes us back to the somewhat pedantic debate on the transfer of powers. We have already spent three hours today discussing a legitimate issue under the previous amendment, so I do not propose to reopen that debate. I simply reiterate that the Liberal Democrats would have liked tax-varying powers to be included in the first referendum. Contrary to the belief of some hon. Members, had we spent a number of years acclimatising the Welsh people to the concept of an assembly, that would not have been a problem—it could even have been a bonus. Indeed, it may have strengthened the yes vote.

Mr. Hayes: There seems to be a contradiction in the hon. Gentleman's comments. He says on one hand, that tax-raising powers are a minor issue which does not require the further consent of the Welsh people and on the other, that the Liberal Democrats are passionately

[Mr. Hayes]

committed to tax-raising powers, which are fundamentally important. The ability to raise tax is usually regarded as a fundamental part of a democratic body. Does the hon. Gentleman think that the issue is important or not?

Mr. Öpik: It is clearly an important issue; otherwise, I would not have based my speech on it. If Conservative Members have any faith in the competence of individuals who are elected to the House of Commons to make decisions of that nature, they should not be afraid of the democratic process within which we find ourselves this evening. Furthermore, they should not be afraid of allowing those who are employed to represent their constituents to make such decisions on their behalf.

I do not want to enter the sort of debate that I had during my philosophy degree at Bristol university.

Hon. Members: Do, do.

Mr. Livsey: Do not be tempted.

Mr. Öpik: I am guided by the leader of the Welsh Liberal Democrats. I am sure that hon. Members will be pleased if I do not enter a deep discussion on the merits of political systems.

The Liberal Democrats believe that it would have been right to have tax-varying powers in the first place. More to the point, the simpler that we can make the method of introducing them, when doing so seems appropriate to others in the House, the better. A referendum would simply hold things up. We now have the fundamental principle of a Welsh assembly and we should make progress by improving the assembly's autonomy and influence as fast as we can, with minimum fuss and disruption.

Mr. Nigel Evans (Ribble Valley): I agree with the hon. Gentleman that a referendum would hold things up because it is extremely unlikely that the Welsh people would vote yes to tax-varying powers. Does he accept that, even in the Scottish referendum, there was a yes vote for the Parliament, but 10 per cent. fewer people wanted tax-varying powers? In Wales, 50.3 per cent. voted yes; 10 per cent. fewer people would take the vote to 40 per cent. Is the hon. Gentleman saying that he would not allow his constituents the opportunity to say whether they wanted tax-varying powers for a future assembly?

Mr. Öpik: I welcome the hon. Gentleman's input. Although sense is not all that common in politics, surely there is enough common sense in this Committee to recognise when the Welsh people would be prepared to accept an extension of powers, without the need for a referendum. I shall state the obvious and put an end to this spurious debate—*[Interruption.]* These questions are not black and white. It is perfectly legitimate for others to argue that we could have a referendum; the Liberal Democrats simply say that we have always wanted the assembly to have tax-varying powers. We said so during the referendum debate and we continue to say so now.

Several hon. Members *rose—*

Mr. Öpik: Hon. Members are flooding in to support the case that I am making on behalf of the Liberal Democrats.

Mr. Rogers: On a point of order, Mr. Martin. Is it appropriate for leaders of political parties to come to the rescue of their members?

The First Deputy Chairman: That is not a matter for the Chair. Before I call the hon. Member for Montgomeryshire (Mr. Öpik) back to the Floor, may I say that there is an awful lot of background noise in the Chamber. It is unfair to those addressing the Committee.

Mr. Öpik: Thank you, Mr. Martin. May I say that it is a delight to be in a political party whose leader is sufficiently interested in the subject of Wales to come and listen to, and perhaps participate in, the debate? I do not blame the hon. Member for Rhondda (Mr. Rogers) for being jealous; obviously, he would wish that to happen in his party.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Öpik: No. The hon. Gentleman can make his own speech if he wants to comment on what I have said.

Tax-varying powers are a central requirement of a Welsh assembly if it is to enjoy sufficient financial autonomy to make the Welsh economy shine. It is a matter of legitimate debate whether we need a referendum, but the Liberal Democrats believe that, now that we have had a yes vote, we must make the assembly work. The Scottish precedent shows that it could be a foolish waste of money to hold a referendum because eventually it will be obvious to everyone, even the doubting Thomases in this Committee, not simply that tax-varying powers for Wales would be nice to have, but that ultimately, they are necessary if the Welsh assembly is to maximise its potential.

Mr. Dalyell: I hear interesting whispers in my ear that discourteous speeches from Scots would be less than well received, so I shall ask just two questions. First, have I got the wrong end of the stick in thinking that, under these proposals, Westminster will be stripped of sovereignty? That fact emerged in the perceptive speech by my right hon. Friend the Member for Llanelli (Mr. Davies). We can talk about sovereignty remaining in Westminster for as long as we like, but given the political reality of setting up an assembly in Cardiff, is not Westminster stripped of sovereignty?

Secondly, I would be fascinated to hear an explanation from the Secretary of State. I thought that I was immersed in what has been written on this subject, but I have honestly never really understood why it was considered right that an assembly at Holyrood should have taxation powers and that an assembly in Cardiff should not. It would be nice if that were explained.

7.30 pm

Mr. Swayne: It would have been better if the hon. Member for Montgomeryshire (Mr. Öpik) had regaled us with the philosophy that he learned at university, rather than such sophistry. It is extraordinary that the process of recent government—the previous Administration were as

guilty as any other—has been such that we are increasingly becoming a bureaucracy. Orders in Council and other legislative instruments, which defy the House's ability to scrutinise legislation properly, give power to the Executive.

The referendum specifically excluded the possibility of tax-raising powers, so it is absurd that the Bill contains the means by which a future Government—or, indeed, this Government—can choose to give the assembly such powers. I do not doubt that, had the debate that we have had in the past 45 minutes been rehearsed before the referendum, we would have had a different result; I understand that the actual result is in some doubt.

After the result of the referendum, the Prime Minister said that the Government would act with some sensitivity. The amendments strike me as the very basis of such sensitivity. If the Government cannot be sensitive enough to accept them, I cannot conceive of what such sensitivity consists.

Mr. Grieve: I am grateful to the hon. Member for Montgomeryshire (Mr. Öpik) for contributing to the debate, because his speech was astonishing in the light of the assurances that were given when this matter came up on Second Reading. The fear and anxiety of Conservative Members is that, far from government getting closer to the people, the more accountability that is removed, so that politicians are not accountable and the House does not discuss matters, the more the system resembles bureaucratic government. The Government are being offered sweeping powers to transfer other powers by Orders in Council.

At the moment, taxation requires primary legislation. However, we can foresee a time when that will cease to be so, and it, too, could be rafted off without the House being consulted. It would be consistent with the Secretary of State's approach to the Bill for any future transfer of power to be determined by the House with the consent of the people of Wales, so it would be wrong for the clause to stand unamended.

Mr. Edward Leigh (Gainsborough): This is an interesting amendment, because it underlines an important constitutional problem. I am sure that the Government will claim that they cannot legislate for something that will not happen. They will argue that when a certain proposition was put to the people of Wales, they were not given the opportunity to vote for tax-raising powers. They will say that they have no intention of giving the assembly such powers, so the amendment is unnecessary, and that Acts of Parliament would be unbelievably long if we had to legislate for what may never happen.

That point is all right as far as it goes, but the amendment shows that there is a problem with referendums. We are moving into an era when more and more important issues will be decided by referendum, and they will become increasingly common. Hitherto, we have had an unwritten constitution and Parliament has been supreme. Under a written constitution, decisions are often made by way of referendums; how they should be prescribed and circumscribed is carefully set down in the constitution.

In our case, we have no way of knowing what a referendum decides. Logically, if there is a substantial change in Government policy after a referendum has been put to the people, another referendum should be held. That is what caused the angst and difficulty during the previous Parliament in debates on Europe. It was considered that the people had decided our place in Europe on the basis of certain propositions contained in the treaty of Rome, and although more and more powers were added or were given away, the people were not given the opportunity to vote on any such changes in a referendum. That is what caused the upset, and why the then Government and the present Government finally accepted that there should be a referendum if there were a significant change and we were to join a single currency.

If we are to use the device of a referendum more often, we must establish at an early stage in our deliberations that if the Government put a certain proposition to the people and subsequently want to give significantly greater powers to the Welsh assembly or to the Scottish Parliament, they should hold another referendum.

The amendment is important because the democratic rights that have been given to the people of Scotland to decide these issues should not be denied to the people of Wales. There should be some similarity of treatment between Scotland and Wales.

The hon. Member for Montgomeryshire (Mr. Öpik) made a very weak speech which lacked any intellectual rigour. He seemed to be saying that there should be a creeping increase in the Welsh assembly's powers, and that he did not know what all the fuss was about. He did not deal with any of the points made by the right hon. Member for Llanelli (Mr. Davies), or with any of our serious arguments. I thought that the Liberal Democrats were committed to the principle of a referendum. They now seem to be committed to the principle that people can decide what they like by referendum, but that that can be overturned by subsequent Orders in Council.

Mr. Öpik: Will the hon. Gentleman explain the contradiction between his comments and those of the hon. Member for New Forest, West (Mr. Swayne)? Furthermore, does he not understand the simple point that we made? The Liberal Democrats have always supported the idea of tax-raising powers and continue to do so, and believe that in the fulness of time, they will be the logical consequence of a successful Welsh assembly.

Mr. Leigh: There is no contradiction between what I am saying and what my hon. Friend the Member for New Forest, West (Mr. Swayne) said. If the Liberal Democrats are committed to the principle of tax-raising powers for the Welsh assembly, they should have confidence in the Welsh people, who will want to vote on that in a referendum. A future Government should not be entitled to introduce such major and sweeping powers by the back door through Orders in Council. I am disappointed in the Liberal Democrats, because I thought that they were democrats and wanted to give more power to ordinary people, but clearly they do not.

Mr. Öpik *rose—*

Mr. Leigh: The hon. Gentleman has had his chance, and he cannot go on intervening. He is doing his argument no good.

In conclusion, I hope that the Government will give this important amendment serious consideration.

Mr. Peter Brooke (Cities of London and Westminster): It is a particular pleasure to make my "maiden speech" in

[Mr. Peter Brooke]

the deliberations on the Bill in support of the amendments tabled by the right hon. Member for Llanelli (Mr. Davies). I was present for most of the Second Reading debate, but was not here for last week's Committee debate, as I was in Northern Ireland with the Northern Ireland Select Committee.

I am only half a Welshman, but more of my blood comes from Wales than from any other part of the kingdom. I do not recall the exact slogan that was used in the Welsh referendum campaign, but I believe that it was to the effect that Wales should not allow Scotland to leave it behind. My personal impression had been that, in the proposals for Wales—not least in view of the absence of any reference to taxation—Wales had already been left behind. As half a Welshman—whatever my views on devolution—I resented the fact that Wales was being short-changed. I sensed that what was being offered was cynically regarded as the minimum that Wales could be relied to vote for.

The right hon. Member for Llanelli spoke eloquently. He will not remember the occasion when, during the run-up to the 1979 general election, we were conducting an economic debate in the House and had reached one of those tundras of mid-evening when the Chamber is more or less empty. It is possible that the Whips were present, but I suspect that they had been sent out to scour the highways and byways for anyone who might be able to contribute at least a half-economic idea. I recall that those present were my noble Friend Lord Stewartby—then Member of Parliament for Hitchin—the right hon. Member for Llanelli and me.

In my speech, I made a prediction. I said that the Labour party faced another tundra—the prospect of being in the wilderness for many years. I also quoted lines that I had learnt at my mother's knee about the children of Israel:

"Joshua the Son of Nun

And Caleb the Son of Jephunneh

Were the only two

Who ever got through

To the land of milk and honey."

Because my noble Friend—as he is now—and I were both members of the Standing Committee considering the Finance Bill and knew the right hon. Member for Llanelli to be a distinguished Treasury Minister, I then expressed the hope that the role of either Caleb or Joshua would fall to him when Labour came back from the wilderness. I must say now, on the basis of the thoughtful contributions that the right hon. Gentleman is making to our deliberations, that in my view, the Government would be significantly stronger if he were a member of it.

As I have said, the right hon. Gentleman spoke to his amendments very eloquently, and I do not propose to dwell on them. Let me emulate the 18th-century Member of Parliament who, after a long speech by Edmund Burke, simply rose and said, "Ditto", and say that I am in the right hon. Gentleman's camp. If the Secretary of State—who has temporarily gone to seek advice—resists the right hon. Gentleman's case, I for one will regard that as a contradiction of his argument in favour of the Bill that central Government cannot be relied on, or trusted, to make decisions for Wales if the people of Wales are opposed to those views.

Mr. Letwin: I should like clarification of one point. Amendment No. 207—with which, in common with most of my right hon. and hon. Friends, I entirely sympathise—relies on a particular interpretation, and brings to light a particular problem. To a layman reading clause 22(1)(a), it appears clear that the powers that can be transferred by order are those that are already exercisable—I admit that the clause does not actually say this—by order, and that is, by parenthesis,

"by a Minister of the Crown in relation to Wales".

I take it that that paragraph does not intend to enable by order the transfer of powers where those powers can currently be exercised through primary legislation.

It so happens that, under the Finance Acts—I admit that I did not check all of them, but I checked the last eight or nine—there has been no instance, at least recently, of a major taxation power being given to the Chancellor of the Exchequer for him to exercise by order. For example, under local government finance legislation, income tax rates might have been devolved to the Secretary of State for him to exercise by order, but in the case of Finance Acts, they are not so devolved; the rates themselves appear in the Acts. I assume that amendment No. 207 would not be needed in the case of a Finance Act to prevent a transfer by order of taxation powers—as things currently stand in constitutional precedent, and as that precedent relates to the Finance Act.

That point brings me to the reason why I support the amendment so strongly. We can replay exactly what I have just said the other way round. As the Bill stands, it gives a dreadful incentive to the Government—this, perhaps, illustrates in just one more way how constitutional measures such as this affect not just the parts of the kingdom to which they ostensibly refer, but the whole kingdom—to change current practice in relation to the Finance Act, and to give the Chancellor of the Exchequer powers by order, for example, to change income tax rates, which I understand is entirely legitimate but unprecedented. Furthermore, in the absence of amendment No. 207, clause 22(1)(a) would make it possible by order to transfer powers of taxation to the Welsh Assembly.

There is a dreadful possibility that something that is fundamental to the liberties of people in the United Kingdom as a whole, and England in particular, could be changed under the pressure of an incentive created by a constitutional laxity in the Bill. For that reason if for no other, it seems to me extraordinarily important that English Members should seek a change in the Bill in line with the amendment.

7.45 pm

Mr. Hayes: I am delighted to be able to speak in the debate, particularly—if I may say so without flattering you, Mr. Jones—with you in the Chair. I shall resist the temptation to tease you about the result of the referendum vote in Hawarden or in any other part of Flintshire. In that part of Wales that we both know so well, the vote was heavily against devolution.

Mr. David Hanson (Delyn): Will the hon. Gentleman give way?

Mr. Hayes: In a moment; I have hardly got going.

Much of the debate has focused on the definition of powers. It is important to point out—particularly for the benefit of the hon. Member for Montgomeryshire (Mr. Öpik)—that the debate is about not the powers themselves, but the ability to change and vary them: the ability to transfer powers from one body to another. The hon. Gentleman's speech was based entirely on the historical debate about whether the assembly should have had tax-raising powers initially.

It is appropriate for us to consider the transfer and the varying of powers, particularly in respect of tax. The Government deemed that so important in Scotland that they decided to place it on the Scottish referendum ballot paper, and I think that they were right to do so. Clearly, the ability to raise tax, the nature of the relationship between representation and taxation and the tenet of democratic power represented by tax-varying powers are fundamentally important. Yet we hear, in respect of the Welsh assembly, that this fundamentally important tenet of a democratic institution—that fundamental part of the exercise of political power—is not to be subject to the further consent of the Welsh people. It is not to be subject to their consent at all, given its exclusion from the initial referendum. The Welsh people will therefore be peculiarly disadvantaged in that respect. The Scottish people were deemed competent to make the judgment, but we know not whence the authority will originate in respect of the Welsh.

I must comment further on the speech of the hon. Member for Montgomeryshire. He claimed that this was a mere matter of detail that did not require further democratic consultation, but—as I pointed out in an intervention—simultaneously claimed that it was so fundamentally important that it was a core part of the Liberal Democrats' campaign during the referendum debate.

Mr. Letwin: I have been puzzling for some time about the logic of the speech of the hon. Member for Montgomeryshire (Mr. Öpik). Does my hon. Friend agree that it could be reduced to the following proposition? At the time of the referendum, the Liberal Democrats took the view that there should be tax-raising powers; the people of Wales did not. The Liberal Democrats therefore provide a constitutional basis for assuming that the referendum should have had a result that it did not have, and, accordingly, no further democratic legitimisation is necessary.

Mr. Hayes: The situation is even more stark and extraordinary than my hon. Friend suggests. The Liberal Democrat view in respect of Europe is that a referendum is not only desirable but necessary. However, they take a rather less generous view about the will of the Welsh people. That is an inherent contradiction.

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Hayes: No. I must make progress.

As I have said, the nub of the debate is the ability to transfer and move powers: it is not about the powers themselves. On various occasions, my right hon. Friend the Member for Devizes (Mr. Ancram) has described the legislation as a dog's dinner, a pig in a poke and, I think, a fog. That is an interesting and colourful use of metaphors. One might say that we have been left with a pig's breakfast or perhaps a dog in a poke—at least a confused relationship between the bodies that exercise political power. Later in Committee, we shall debate cross-border authority and that may lead to further discussion about the confused relationship.

For the purpose of clarity, the Secretary of State must give an authoritative answer about the precise relationship between the bodies that exercise political power in Wales and the way that political sovereignty and authority are transferred between them.

Mr. Ron Davies: I express my deep gratitude to, and my undying admiration for, my right hon. Friend the Member for Llanelli (Mr. Davies). Without his considered and helpful amendment, we should have been denied a fascinating debate over the past hour. He used his considerable expertise in putting his case and he is invariably helpful when he tables such amendments. I must decline my right hon. Friend's offer. He suggested that I might want to accept the amendments to get myself out of what he perceived to be a difficulty, but I do not perceive myself to be in any difficulty. Let us see whether we can agree on a starting point.

The White Paper made it plain that the assembly would not inherit functions that operate on a common UK basis, and they include taxation and macro-economic policy. It also made it clear that my functions on local taxation, which are operated separately in Wales, would be transferred to the assembly, although the Government will not take a decision on capping powers, for example, until the outcome of the current review of local government finance is known. I do not think that my right hon. Friend the Member for Llanelli and other hon. Members who have expressed an interest in the matter intended to imply through amendment No. 208 that the assembly would not have responsibilities for local taxation in Wales unless there were a referendum on the matter. That is the essence of my right hon. Friend's amendment. I do not want to use that as a means of rejecting the principle of what he said because he said that he was pressing at an open door.

The Government believe in holding a referendum if there is an important matter before Parliament. Perhaps, in the future, this Government, or any other, would want to do that if they were minded to go down the road of conveying tax-raising powers to the assembly. That proposal is not before the Committee, although I do not want to take refuge in that technical argument by using it to reject my right hon. Friend's two amendments.

Powers for the assembly on personal and corporate taxation formed no part of the proposals that the Government put to the Welsh people in September's referendum. I listened carefully to the considered speech by the hon. Member for Montgomeryshire (Mr. Öpik), although I disagree with its central thrust that the assembly should have tax-raising powers.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) asked whether the assembly would have the same powers as the Scottish Parliament. We could have a fascinating argument on that, but, if I went down that road, I should be called to order. Therefore, I am afraid that I cannot answer that question. He also asked whether, in the absence of the amendments, Parliament would be stripped of its sovereignty because powers would be passed to the Welsh assembly. The simple answer to

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that is no. All the powers that we propose to transfer, whether by primary or secondary legislation, will ultimately have to be approved by Parliament. As we have said time and again, sovereignty rests in this Parliament, and no powers, whether they be for tax raising or for anything else, can pass to the assembly without the consent of Parliament.

As I have said, powers for the assembly on personal and corporate taxation form no part of the proposals. I do not think that any future Government who propose a tax-varying power for the assembly will present legislation without the express consent of the Welsh people. It is inconceivable that that could happen. *[Interruption.]* Hon. Members who wish to intervene should refer themselves to me and not use passing references in my speech to make ill-considered and unprovoked attacks on other hon. Members.

It is difficult to think of any circumstance in which the express consent of the people would not be sought. It is unnecessary to provide for that in the Bill because Ministers do not have powers to vary taxation. If powers existed to transfer taxation powers by means of secondary legislation, there might be a case for such a provision, although I do not think that there is.

Mr. Ancram: Will the Minister give way?

Mr. Davies: I shall shortly give way to the right hon. Gentleman, but first I should like to respond to his speech.

If such transfer powers existed, it might be fair to say that safeguards should be placed in the Bill. There is no such power.

Mr. Ancram *rose—*

Mr. Letwin *rose—*

Mr. Davies: There is nothing like talk of referendums and the attendant question of Europe to get the Conservative party into a frenzy. I hope that right hon. and hon. Members will contribute to the debate in an ordered and considered way.

Mr. Ancram: On Wednesday, the Minister gave a clear sign that he thought that taxation powers could be transferred by order, but went on to say that, of course, he would say, "Hang on, we should not do it that way." Is he withdrawing that remark and saying that they cannot be transferred by order? That is salient to the debate.

Mr. Davies: No, I am not saying that at all, and if the right hon. Gentleman asked me to say it, I would have to decline his invitation. Wednesday's debate was in an entirely different context and he was asking theoretical questions. *[Interruption.]* The right hon. Gentleman's habit of pouting and gesticulating when he does not like answers is not one of his most endearing. If he persists in asking self-evident questions, he must expect self-evident answers. Wednesday's debate was quite different from this one.

In theory, a range of matters could be transferred to the assembly, but, as I said to my right hon. Friend the Member for Llanelli, if the transfer of such powers were proposed, it is likely that a future Parliament would say, "Hold on a minute." Any sensible Government with a practical, commonsense approach would say, "Those hugely significant powers cannot be transferred except by primary legislation." That was the case that I put on Wednesday and I am putting it again now.

It is unnecessary to provide in the Bill the safeguards that have been suggested because Ministers themselves do not have powers to vary taxation. Changes in tax rates are set out in the annual Finance Bill. Amendment No. 207 would prevent the transfer of any functions from my right hon. Friend the Chancellor of the Exchequer to the assembly.

Acts do not usually confer functions—this is an important point for my right hon. Friend, who is a former Treasury Minister—on the Chancellor of the Exchequer. The modern practice is that Acts confer functions on the Treasury, although some older Acts are different. The Government's policy is plain—we shall not be transferring to the assembly functions to do with macro-economic policy and United Kingdom taxation. The amendment is unnecessary to achieve that outcome. I remind the House that all orders under clause 22 are subject to affirmative resolution. Therefore, if any future Government wished to transfer significant Treasury functions to the assembly, they could do so only through primary legislation conveying those powers to a Treasury Minister, and then seeking further consent, by means of approval of an order, to transfer those powers from the Minister to the assembly.

8 pm

Finance and other Acts dealing with matters such as income tax, capital gains tax and excise duties generally proceed by specifying what taxes individuals or companies must pay. There is no power to amend those provisions other than through the annual Finance Bill. For the most part, there are no ministerial functions that could be transferred to the assembly. There are certainly no ministerial powers to vary income tax, which is why the Scotland Bill is drafted in the way that it is.

Mr. Letwin: The right hon. Gentleman has now begun to clarify the matter. Does he accept that the consequence of what he is saying is that if, in some Finance Bill, the Chancellor of the Exchequer were given powers to make by order whatever rates of income tax that he so wished, those powers subsequently could be transferred by order to the Welsh assembly?

Mr. Davies: I shall not be drawn into hypothetical constructions. The hon. Gentleman could equally say that, if it were the Government's policy to make rockets to fly to the moon, the power to build those rockets could be transferred to the Welsh assembly. *[Interruption.]* I thought that that would get a ready response from the right hon. Member for Caernarfon (Mr. Wigley). However, I do not intend to become involved in hypothetical discussions about propositions that this Government have no intention of putting before the people.

Functions connected with the collection of national taxation are vested in the Commissioners of the Inland Revenue and of Customs and Excise. None of those functions can be transferred to the assembly under clause

22 because the two sets of commissioners have not been included in the definition of "Minister of the Crown" in clause 145.

I want to deal with the points raised by the right hon. Member for Devizes (Mr. Ancram). I have heard the speech that he made this evening at least half a dozen times before. There are genuine matters that need to be debated, but such tedious repetition time after time does not do his case any good and does not help the Committee explore the real issues. Our debate last week was an interesting precursor of what was to come today. *[Interruption.]* I am replying to the points that the right hon. Gentleman raised—*[Interruption.]* He has two ears and should apply them both to this serious debate; we might then be excused yet another repetition of his speech later this evening.

The right hon. Gentleman will remember our debate last week and the amendments tabled in his name. He said that power should be transferred to the assembly only through primary legislation, but then suggested that the Bill should provide for the unilateral removal of powers from the assembly through secondary legislation. We have had a re-run of his argument. He says that no transfer of powers to the assembly should be done through secondary legislation, but only last week he was arguing that it would be a suitable mechanism for taking powers back from the assembly.

As I said, we have serious issues to debate, but the right hon. Gentleman has not done his case any good. He and his colleagues have indulged in time wasting. We have seen synthetic indignation from his hon. Friends who have come into the Chamber only because there is a debate about a referendum. They do not have the slightest interest in Welsh devolution or in the Bill—they just want to rehearse spurious arguments about the holding of a referendum.

The statements that we have had from Conservative Members are wholly bogus. The argument for a referendum is clear when there is a specific proposition before a political party, before the country, or before a Government. None of those circumstances applies at the moment. My party is not proposing to convey powers to the assembly to raise taxation and the Government are not proposing to do so. There is no proposal to put that before the people at the next election or for the Government to introduce any such legislation.

When referendums have been held, there has always been a specific matter before a political party which it needs to resolve. The Conservative party understands the need sometimes to use a referendum to get it out of a difficult position. My party certainly recognised that, on the devolution question, there was a strong strategic argument in favour of a referendum to obtain the specific consent of the people for constitutional change. The Government recognise that if the status of sterling were to be changed, there would have to be a referendum or the consent of the people obtained at a general election. My party and this Government do not have any proposition before them to alter the status of the assembly by conveying to it the power to raise taxation. Therefore, the arguments that we have heard are entirely irrelevant.

As the right hon. Member for Devizes waxes so indignantly about the matter, why did he not table any amendments to clause 22? All the arguments from the right hon. Gentleman and his hon. Friends have been in support of an amendment tabled by my right hon. Friend the Member for Llanelli. If the Opposition had any commitment or determination to pursue the matter, they would have tabled their own amendments.

Mr. Ancram: The right hon. Gentleman referred to amendments we had tabled for last Wednesday's debate. If he looks at them, he will find that they were to clause 22. They were tabled to allow us to make the points that we did. We are supporting the right hon. Member for Llanelli (Mr. Davies) tonight because the Secretary of State failed to take any account of our amendments. I hope that he will take account of those tabled by his right hon. Friend.

Mr. Davies: I clearly acknowledged that amendments had been tabled last week—specifically, amendments Nos. 45, 46 and 47. I reminded the House that the purpose of those amendments was not to provide for a referendum or to provide any safeguards. Amendment No. 45 would convey powers to the assembly exclusively through primary legislation. There was no reference to either a referendum or to taxation powers. Amendments Nos. 46 and 47 would take powers away from the assembly through secondary legislation, not primary legislation. They have nothing to do with the amendments that we are discussing, which is why this evening we heard a repetition of the right hon. Gentleman's boring, tedious old speech.

Mr. Denzil Davies: I thank my right hon. Friend the Secretary of State for valiantly working his way—this is no criticism—through the taxation powers of the Chancellor of the Exchequer, the Inland Revenue and the Treasury. It is not a simple matter, as taxation covers all sorts of different areas.

I was as surprised as the hon. Member for West Dorset (Mr. Letwin) and others when, during our last debate, my right hon. Friend said that it was possible to transfer taxation powers by order. I always thought that that needed primary legislation somewhere along the way. I think that, in his reply this evening, my right hon. Friend is now saying that, but intertwined with statements such as "theoretically possible". *[Interruption.]* My right hon. Friend must not despair when I say that, because it is what he said. He said that it could not be done without primary legislation. He also said that, anyway, the Government had no intention of doing that. I am sure that that is the case, but he was mixing up those matters.

If my right hon. Friend were simply to say, "No, there are no powers in the Bill to transfer taxation by order to the Welsh assembly", we would understand that, and go away happy because that was always our understanding of the constitutional position. He did not quite say that, although he came fairly close. Perhaps he will say it now.

Mr. Ron Davies: If my right hon. Friend had asked me that question, I would have given him an answer. However, he did not ask me that question. I was asked whether it would be possible to do it. The answer to that question must be, in a theoretical sense: yes, of course it is. As I made it clear in this debate, however, that can be done only if primary legislation initially conveyed the

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powers to a Treasury Minister. The House's specific approval would then be necessary to transfer the powers to the assembly. It is a theoretical possibility.

Mr. Davies: I am grateful for that reply. I think, Mr. Jones, that perhaps we should draw this debate to a close. There was considerable meat in my right hon. Friend's speech, and we should perhaps re-examine the matter. It may be possible—in another place, if not in the House—to table a more precise amendment.

On that basis—and on the basis that we have had a very good debate, for which I thank my right hon. Friend—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 22, as amended, ordered to stand part of the Bill.

Schedule 2

FIELDS REFERRED TO IN SECTIONS 22 AND 56.

Mr. Evans: I beg to move amendment No. 209, in page 73, leave out line 18.

The Temporary Chairman (Mr. Barry Jones): With this, it will be convenient to discuss amendment No. 158, in page 73, line 28, at end insert—

'11B. Rural affairs.'.

Mr. Evans: The Secretary of State for Wales may think that my speech also is old, boring and tedious, but his criterion for labelling speeches with such words is simply that he fundamentally disagrees with what the other person is saying.

We are not asking for agriculture to be removed from schedule 2—which contains the tasks and responsibilities that will initially be transferred from the Secretary of State—because we have an enduring confidence in the Secretary of State or in the Minister of Agriculture. The Committee has only to consider the worst crisis to hit farming in many years to appreciate that that is not the reason for our amendment. The House has only to consider some of the actions that farmers have resorted to, not only in Wales but across the United Kingdom, to realise that that is not so. The Opposition do not condone those actions—as shown by headlines such as "Farmers Have Been Betrayed", which appeared in the *Western Mail* as early as 15 January 1998—but we should consider why farmers in Wales have felt that they had to resort to them.

My concern is that some will think that Welsh agriculture has been demoted at Westminster if it is made a responsibility of the assembly—where, undoubtedly, agriculture will be talked about at length. However, talking will not help the farmers. *[Interruption.]* Did an hon. Member want to intervene? No? So we will hear from Plaid Cymru only sedentary yells—but those also will not help farmers. Action will save farmers' livelihood.

We need a strong voice for Wales at the Cabinet table. In Europe, we need a strong voice fighting for Welsh and British farmers. Devolving responsibility for agriculture will diminish the weight of Welsh farming.

Mr. Wigley: I am pleased to accept the hon. Gentleman's invitation. Presumably it was the strong voice of the Conservative party at the Cabinet table in the past 18 years that landed Welsh agriculture in its current mess. How did he and the Conservative party allow that mess to occur if a strong voice in Cabinet and in Europe provides all the strength?

8.15 pm

Mr. Evans: With respect, the right hon. Member was doing better with sedentary interventions. Farmers regard the situation of 12 months ago rather more favourably than they do that under the current Government, who are—amazingly—supported in their actions by the nationalists.

Welsh and other farmers have recently held two demonstrations at the House. In those two demonstrations, because there were so many farmers, it was necessary to hold three meetings of the Welsh Grand Committee in Westminster Hall. On both occasions, farmers asked to speak to the Secretary of State for Wales—which I believe that they did—to make their representations. Under the new regime, to whom will they make their representations? Will it be to the First Secretary? If so, what powers will the First Secretary have to take the farmers' message to Government, where the real clout lies? Will the First Secretary get on the train—the 125—and be the messenger boy of the Secretary of State for Wales?

We fear for the Secretary of State's role in future. It will be a case of his sitting at the end of the Cabinet table and occasionally coughing to try to catch the Prime Minister's attention. It will most certainly be a case of being in office but having no power.

Big decisions will have to be made about the current situation and the future of Welsh farming. Let us first consider the current situation—such as the matter of claiming the European Union compensation package, for which many farmers have been asking. The assembly will not be able to pronounce on that matter, because representations by the Government will be necessary to claim such large amounts.

What of the prospect of Wales going it alone in seeking compensation that the rest of Britain would not receive? Such a plan would not be workable even if it were possible. What of the charges being faced by farmers and by renderers in traceability and hygiene schemes? The assembly will not be able to do anything about those farming matters. Action on those matters will occur only if the Secretary of State were to use his influence with the Ministry of Agriculture, Fisheries and Food to change policy.

The assembly would not be able to do anything about the Ministry of Defence's failure to source locally the meat that it buys. The Secretary of State for Wales, however, could use his influence with defence Ministers to try to ensure that that policy was changed.

What will happen with local education authorities? The assembly cannot dictate policy to local education authorities, because that would be reverse devolution, which is quite absurd.

Farmers face the problem of the pound's strength. Will that be the assembly's responsibility, or will it be a responsibility for national Government? As we have already heard that it will be a responsibility of national Government, the issue of transferring that power is a non-starter.

The hot air of debate will not save a single farm, but it will lead to conflict between the assembly, the Secretary of State for Wales and the Minister of Agriculture. That is all that it will do.

What of the Secretary of State's involvement in the common agricultural policy?

Mr. Ron Davies: Come on.

Mr. Evans: Huffing and puffing—as my right hon. Friend the Member for Devizes (Mr. Ancram) was accused of doing—is not one of the Secretary of State's endearing charms. If he will simply listen to what I am saying, I am sure that he will agree that farmers need a strong voice in Europe, ensuring that they are not disadvantaged. A strong voice for Wales on agriculture is needed.

Mr. Gareth Thomas (Clwyd, West): Does the hon. Gentleman accept that Welsh agriculture has distinct problems arising from its own distinctive features—such as the fact that so much of Wales is in a less-favoured area and is reliant on the livestock industry? In those circumstances, should not Wales have a distinct democratic voice? Will not such a voice enhance the role of agriculture in Wales?

Mr. Evans: There are distinct problems in Welsh farming—as there are in farming across the United Kingdom—and it should have a distinct voice. What the heck is the Secretary of State for Wales doing? He should be the distinct voice of Welsh farming. On two occasions, demonstrating farmers came to him to plead that he listen to what they had to say, that he recognise the problems that they were facing in farming in Wales and that he take the problems to the Minister of Agriculture so that Government policy could be changed. Although he has signally failed to be the strong voice for Welsh farmers, we do not want to remove responsibility for Welsh agriculture from him and give it to an assembly.

Mr. Ron Davies: I am grateful to the hon. Gentleman for giving way—perhaps he will be able to calm down and regain his breath. Can he explain why it is so important to exclude agriculture from the devolution scheme, but not to exclude health, education, the environment, transport or any of the other matters that will be devolved? Why does he single out agriculture? Does the fact that he is excluding only agriculture matters mean that he is satisfied with the other parts of the devolution scheme?

Mr. Evans: No, it does not. The Bill has a long way to go—through both Houses of Parliament—and there are whole chunks upon which we must pronounce. I have decided to pick on agriculture because of the European involvement and because of the importance of having a strong voice for agriculture at Westminster and within the EU. Hopefully, we can try to persuade the Secretary of State for Wales that he is in an advantageous position to speak up for Welsh farmers. Looking at the plight of Welsh farmers, one sees that he does not seem to be doing a good job on their behalf.

Mr. Davies: Why does the hon. Gentleman's argument not apply equally to education or health? The relationship that I have with my central Government colleagues is precisely the same; I have devolved matters, but I am also involved in the development of overall UK policy. The relationship is exactly the same. Why does the hon. Gentleman want to exclude agriculture from the advantages of direct democratic control, but apparently is content to allow education and health to be treated in that way?

Mr. Evans: We are not content with the Bill at all—I hope that the Secretary of State accepts that—but it has a long way to go. We are testing the water through various amendments, and we have seen how the right hon. Gentleman acts when his own Back Benchers try to persuade him. If we were to table amendments to every clause and schedule at this time, we would, no doubt, be accused by the Secretary of State of time wasting.

Mr. Davies: The hon. Gentleman has failed to answer the question, which I asked as reasonably as I could. In the light of his last comment, is he saying that, in the ideal world, he would seek to delete all of the functions listed in schedule 2?

Mr. Evans: We are trying to limit the powers that the Secretary of State for Wales is trying to give to the assembly. If it were my responsibility—and looking at what the people of Wales are saying—I would not transfer any of the powers from the Secretary of State to the assembly. We ought to make some progress before we deviate too far from the amendments. My comments seem to have caused the Secretary of State much excitement, as he rose to his feet three times. *[Interruption.]* I wish that the Secretary of State was as vociferous about the plight of the farmers as he is about the amendment.

Farmers need a strong voice for Wales, but it is needed here. The farmers are crying out for help, but are being offered cold comfort. The Secretary of State's inaction must not be misinterpreted as inability to act; unwillingness to act, yes. However, his unwillingness to act on behalf of the farmers will not be compensated by the assembly's willingness to talk.

Mr. Ieuan Wyn Jones: That was the most astonishing speech that I have heard during this debate by any Conservative Member. How could the hon. Member for Ribble Valley (Mr. Evans) come to this House with a straight face—it was a red face—and say that the Conservative Government, who had all the powers he claimed should rest with the Secretary of State, did everything to defend the interests of Welsh farmers? Does the hon. Gentleman realise that all his colleagues representing Welsh constituencies in the last Parliament represented rural constituencies? Does he recognise that every single one of them was swept out on 1 May precisely because he and his colleagues did not stand up for the interests of Welsh farmers?

Astonishingly, the hon. Member for Ribble Valley stated that this Secretary of State for Wales is not going to Brussels to defend the interests of Welsh farmers. How many times did Conservative Secretaries of State cross the threshold to go to Brussels to argue that case? How successful were Conservative Secretaries of State for Wales in influencing agriculture Ministers here in Westminster? I can tell him—they failed every time.

Let me give an example. In 1992, we were discussing the MacSharry reforms, which would have been emasculated under the original proposals by the then Minister of

[Mr. Ieuan Wyn Jones]

Agriculture, Fisheries and Food, who was proposing that the reforms go much further than Ray MacSharry ever wanted. The Minister rejected the principle that Welsh and other farmers should be supported in a particular way. However, the Secretary of State for Wales did not stand up for the interests of Welsh farmers. Ray MacSharry did more for Welsh farmers than any Conservative Minister, and that should be put on the record.

Mr. Evans: Let me interrupt the hon. Gentleman's tirade to remind him that the Conservative party got twice as many votes as the nationalists. Let that be a lesson to him. I wish to ask him a straight question. What difference would the assembly make for Welsh farmers—a practical example, please?

Mr. Jones: I will come to that in a minute. The Committee should have it on record that the hon. Gentleman is claiming that the interests of Welsh farmers were better served by the kind of Administration that he and his colleagues ran than they would be by an assembly. The reason why his colleagues were swept out of those seats in Wales was because they failed. My party now represents four rural areas in Wales. I can tell the hon. Gentleman that there was a dramatic shift in those rural areas away from the Conservatives towards Plaid Cymru, the Liberal Democrats and the Labour party.

Ms Jackie Lawrence (Preseli Pembrokeshire): Perhaps I could assist the hon. Gentleman in responding to the hon. Member for Ribble Valley (Mr. Evans). One definite way in which the assembly could have assisted farmers is that it would not have permitted the previous Secretary of State for Wales—the right hon. Member for Wokingham (Mr. Redwood)—to give £150 million back to the Treasury that could have gone a considerable way towards helping Welsh farmers.

Mr. Jones: That is absolutely right. The Welsh assembly will not transfer £150 million back to the Treasury when there are so many things that we could do with that money in Wales.

I am frankly astonished by the proposal that the Welsh assembly should not be discussing, or even looking at, agriculture. What will Gwilym Jones or Rod Richards be telling people on the doorstep before the assembly elections—because they will be standing for election? Will they tell people that the Conservative party does not want the assembly to talk about agriculture, and that the interests of Welsh farmers can be left to Conservative Secretaries of State for Wales? That is the point that the hon. Member for Ribble Valley is making. He has totally failed to understand what has happened in Wales since 1 May. The Welsh people rejected the present system—we want to move forward to a new kind of politics, where the people of Wales set the agenda.

The Secretary of State has indicated on more than one occasion that when the Welsh assembly has responsibility for agriculture, representatives of the assembly will have the opportunity to go to Brussels to argue the case for Welsh farmers. They will have an opportunity to influence events. During the MacSharry proposals, not once did the then Secretary of State go to Brussels to argue the case. Under the new proposals, the assembly will have the opportunity to have a real input into Welsh and European agriculture. Whether we are talking about the future of the common agricultural policy, the future of agri-environmental payments or an integrated rural policy—so desperately needed in Wales—the assembly will be setting the agenda.

Mr. Evans: I do not know whether the hon. Gentleman will go to the assembly, but what will he, his hon. Friends, the Secretary of State and his hon. Friends be doing here at Westminster? Surely they should be making representations on behalf of Welsh farmers.

Mr. Jones: That shows that the hon. Gentleman does not understand what happened on 1 May. The people of Wales decided that the system had to be reconsidered. The proposal in the White Paper was that agriculture should be a devolved responsibility, and the people of Wales have since decided that that should happen. Why should the hon. Gentleman tell us that it should not?

The assembly needs to develop agricultural and rural policies for Wales in an integrated, not a disparate way. We support farmers in one way, through the common agricultural policy, but rural development is supported in another, through European structural funds. The assembly will have an important role in developing the idea that some of the structural funds that currently involve no investment in agriculture could be channelled into an integrated rural policy.

8.30 pm

The National Assembly for Wales will have an opportunity to develop those ideas alongside others that are being developed elsewhere in Europe. Integration of agricultural and rural investment, probably through revamped structural funds, will give us a more coherent rural development policy. We need to develop along those lines because agriculture is so important for rural employment, and there is so much spin-off employment in other areas. I am sure that the Secretary of State will agree that, in order to achieve that, we must reject the amendment.

Mr. Swayne: The principal grief that afflicts farmers in my constituency and throughout the kingdom is the current valuation of the pound, which is a direct consequence of the Government's interest rate policy. Until the Welsh assembly has its own interest rate policy or its own currency, or until we all share a European currency, there seems little point in handing over responsibility for agriculture, the fate of which is so inextricably linked to the financial policy of the United Kingdom. There may well come a time when those circumstances prevail, in which case it will be proper to have the Order in Council to transfer responsibility to the assembly; but that has not yet happened.

The scenario painted by the hon. Member for Ynys Môn (Mr. Jones), of all kinds of structural funds being put to the advantage of agriculture in Wales, filled me with absolute horror. What most upset the farmers who came to London last week was the absence of what they called a fair playing field: the thought that farmers in the rest of Europe had access to reliefs and funds to which the British Government were not prepared to allow ours access, for various reasons attendant on the Fontainebleau summit.

The prospect of Wales having access to reliefs and funds to which the rest of the kingdom has no access raises the prospect of an absence of a fair playing field in agriculture within the United Kingdom. Frankly, I do not believe that it is technically possible for that to happen, because the member state at the table in Brussels remains the United Kingdom; but the very fact that such a prospect could be raised highlights the divisiveness of the measure. The amendment should be supported, and agriculture should not be handed to the Welsh assembly.

Mr. Öpik: Having awakened the mighty wrath of Her Majesty's official Opposition earlier, I shall tread carefully and try to repay the compliment by enlightening them on our views on Welsh agriculture. We feel that the Conservative amendment would send a negative statement to a large percentage of residents of rural Wales, and indeed to the geographical majority of the country. The last thing we need at the moment is to make it more difficult for the assembly to help rural Wales. Agricultural concerns need to be addressed directly, especially in the European context.

Environmental considerations have not been sufficiently emphasised. The Royal Society for the Protection of Birds recently pointed out that the kite country project in Powys, which has brought an estimated £5.4 million into the mid-Wales economy, supports 114 full-time-equivalent jobs. That is directly relevant to the creation of an integrated rural affairs policy, as mentioned by the hon. Member for Ynys Môn (Mr. Jones).

The assembly should have rural affairs in its remit, to allow it to support and develop such projects, not piece by piece, but coherently, strategically, in an integrated way, in the interests not only of the economy but of the environment of Wales.

The Bill will abolish the Development Board for Rural Wales and transfer its functions to a new format, under the overarching auspices of the economic powerhouse. That may have benefits or drawbacks, but it makes it all the more important that the assembly should have the specific authority to intervene in the actions of that powerhouse, to ensure that rural considerations are specifically included in its planning.

The amendment would deny the assembly the right specifically to consider issues relating to the rural economy and environment in mid-Wales. It would be a sad and rather irresponsible approach to tie the assembly's hands for a large tranche of its intended constituency of interest.

The hon. Member for Ribble Valley (Mr. Evans) made an interesting assessment of the competence of the current Secretary of State, but we can all agree that we should not create a political system based on an assessment of an individual's or an individual Government's performance. May I add that it was unhelpful of him to be so personal when we were debating much larger issues.

Whatever we set up should work regardless of the political persuasion of any future Government. It is logical to assume that whoever is elected to the assembly will have been put there by the democratic will of the people of Wales. Like it or hate it, we have to trust that will to decide who should be responsible for the governance of Wales.

Mr. Evans: I still want to know what the hon. Gentleman and other Welsh Members will be doing here, because the lead Minister will be the Minister of Agriculture, Fisheries and Food, both here and in Europe. I have seen the hon. Gentleman working with farmers and listening to their concerns; part of his duty is to take that representation from his constituents to the Minister of Agriculture, and not to devolve it away. My great fear is that farming will be isolated and pushed back into Wales, when it is a United Kingdom issue.

Mr. Öpik: The answer is obvious. There are plenty of precedents across the United Kingdom. How does a Member of Parliament interact with his or her local authority? Inevitably there is linkage and overlap. More to the point, there is the opportunity for synergy by operating consistently at different levels of government in the common interest.

Mr. Rhodri Morgan: Perhaps the true answer to the hon. Member for Ribble Valley (Mr. Evans), to use a crude, old agricultural expression, is that the proof of the pudding is in the eating. The only major area of economic activity in Wales that has chosen to devolve itself is agriculture. The break-away was only partial, but, in 1955, the Farmers Union of Wales split from the National Farmers Union. Everyone thought that it would collapse in a few years, but it has lasted 43 years. No trade unions have done it, except the Undeb Cenedlaethol Athrawon Cymru in education. Some voluntary movements have done it, but, in economic activity, only farming has decided to devolve. Is not that the ultimate proof that there is a Welsh dimension to farming? If it was not devolved, we would cut across the industry's own actions.

Mr. Öpik: I thank the hon. Gentleman for his insightful intervention. We have two further important examples in response to the question of the hon. Member for Ribble Valley. First, the Welsh Office has an agriculture department that mirrors what we are trying to propose, and, through the propositions of the Liberal Democrat and Plaid Cymru push forward. Secondly, the Farmers Union of Wales works with the National Farmers Union in the collective interest of Welsh agriculture. Those organisations overlap, but they work in the strategic interest. During the current crisis in particular, they have created a rural policy. There is no conflict in Westminster representatives discussing agriculture while the Welsh assembly has the authority to make representations, both in Wales and directly to Europe. If we have any faith in democracy, we must believe that good people will do a good job working together.

Mr. Laurence Robertson (Tewkesbury): Will the hon. Gentleman give way?

Mr. Öpik: I shall give way for the last time.

Mr. Robertson: Is there not a contradiction? As I understand it, Ministers will retain responsibility for ensuring that European legislation is implemented. As my hon. Friend the Member for New Forest, West (Mr. Swayne) said, agriculture is by and large controlled from Europe, but we are handing agriculture to the assembly. Is not that contradictory?

Mr. Öpik: I refer the hon. Gentleman to the concepts of synergy and a Europe of the regions. By synergy,

[Mr. Öpik]

I mean that there is no need to think of life in such a linear fashion. Surely he knows about the concept of networking and the benefits of informal contacts, especially between Wales and Europe—even those that exist now. Surely he knows of the desire of some of us to create a Europe of the regions with subsidiarity, through which nations can work together directly, as they do through Europe? I reassure him that, despite the fears of his colleagues—I am not sure whether he shares them—Europe is a project not to centralise power but to devolve it. The sooner Conservative Members recognise that, the sooner they can put to bed the monsters under their passports, their fears of a more coherent whole.

Let me conclude with the simple observation that much of Wales is dependent on the money that flows around because of agriculture and other rural industries. It would be not only a mistake to prevent the Welsh assembly from operating in agriculture, but an abdication of responsibility. More than that, it would be a snub to the many people who have maintained the Welsh economy and culture for so many decades. That is why we support making a clear statement to the people of Wales that we care about Welsh agriculture. We should enable the assembly to do the same.

Mr. Ron Davies: I congratulate the hon. Member for Montgomeryshire (Mr. Öpik) on his thoughtful and constructive contribution. Given the unprecedented onslaught on him during the previous debate, it was a speech of great clarity and vision. He is growing in stature by the hour as a parliamentarian of renown.

In an earlier debate, I laid down the general principles that underlie the Government's approach to schedule 2. I shall not go through it all again, but I shall touch on one element later. Schedule 2 lists the fields in respect of which I am required to consider functions for transfer to the assembly. The Opposition amendment seeks to remove agriculture, forestry, fishing and food from it. That would deprive the assembly of a major area of consideration of the transfer of functions.

When the hon. Member for Ribble Valley (Mr. Evans) introduced the debate, I asked him to explain why he had singled out agriculture when he was content, at least for the purposes of this amendment, to allow health and education to be devolved to the assembly. He gave no reason. He owed it to the House to explain why agriculture was singled out. Unfortunately, he did not. He tacitly admitted that he wanted all the matters in schedule 2 to be withheld. We must conclude that this is a wrecking amendment—another manifestation of the Opposition's inability to come to terms with the fact that there will be devolution, that the Bill lays down the process by which legislation will take place, and that schedule 2 highlights the areas that I will consider for transfer of power to the assembly. I shall try to assist the hon. Member for Ribble Valley and his colleagues.

Agriculture is partly devolved. *[Interruption.]* The hon. Member for Ribble Valley raised this matter. It would be a courtesy to the Committee if he would listen to my reply because he will presumably have to advise Members whether he wishes to pursue the amendment to a vote or withdraw it. I ask him to extend the courtesy normally expected in these circumstances.

Some agriculture is devolved to the Welsh Office. The expenditure for it comes out of the Welsh block. Many other aspects of agriculture are not devolved. The Minister of Agriculture takes the lead on matters such as reform of the common agricultural policy. There is no discretion at Welsh level to exercise those responsibilities differently in Wales from their exercise in England or Scotland. Schedule 2 deals with the devolution to the assembly of the matters for which I am responsible, not the wider ones for which the Minister of Agriculture is responsible. I shall give positive examples of where the assembly would serve Wales well in such matters.

First, I shall deal with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who, on Second Reading, asked about the extent to which the transfer order would relate to animal health and food safety. I said then that it was likely that the transfer order would not transfer my powers on animal health and food safety to the assembly. Last Wednesday, he raised the matter again. I am anxious that he should not be misled about the current position. The Government have not reached a final decision on the matter. We are discussing it, as I said earlier. As the Committee already knows, the general policy is that virtually all my functions should be transferred to the assembly. While there are sensitive and difficult questions relating to them, such as whether joint powers should be split so that the assembly can operate them separately for Wales, the present position is that the Government are considering transferring them to the assembly. There will need to be a concordat so that the powers are exercised in a manner sympathetic to their exercise at English level, by the Minister of Agriculture, and at Scottish level. I should be willing to consider any written representations from my hon. Friend or other hon. Members if they feel particularly strongly about the matter. I reassure him that we have not yet reached a decision.

8.45 pm

Mr. Rowlands: I am listening carefully to my right hon. Friend. When we discussed the matter on previous occasions, he was clear that the powers in section 16 of the Food Safety Act 1990, under which meat on the bone was banned, would not be devolved. Do I take it from his remarks tonight that he is rather more open on that possibility? I was curious to find out that a Secretary of State for Scotland may well have such powers under the Scotland Bill. A Scottish Parliament might not support a ban on meat on the bone. Is my right hon. Friend now less decisive than he was, because I thought that he had ruled out the possibility of food safety legislation becoming a devolved function?

Mr. Davies: I most certainly did not rule it out. If my hon. Friend looks at the form of words I used on Second Reading, he will see that I left the option open. His analysis of the Scottish position is quite right, because the Scottish Parliament could go its own way because the Scottish scheme of devolution is different from our own.

The general principle is that many of the powers relating to agriculture are exercised jointly between myself, as the Minister responsible for agriculture in Wales, and the Ministry of Agriculture, Fisheries and Food. We have to decide the extent to which such powers will either be devolved to the assembly or remain with that Ministry. We must also consider whether there are

circumstances when it would be better for those powers to be exercised concurrently, as we debated about four hours ago. There may be a case for that if it is felt that schemes operating in England and Wales on food safety or animal health should be exactly the same. The Government have not made any resolution on those matters yet, and we are considering them collectively.

It is my wish that any scheme for agriculture should be as clear as possible. If some relevant powers are devolved to the assembly, we need to establish a good working relationship between it and the Ministry of Agriculture, Fisheries and Food, or the Department of Health, to ensure that powers are used sympathetically and consistently in England and Wales. We are considering that at the moment.

Mr. Wigley: The right hon. Gentleman has said that there is a split in current responsibilities and that there is a need to clarify exactly what powers should go to the assembly and which should remain with the Secretary of State. That is an important consideration. He will be aware that if Welsh Members write to MAFF about dairy quotas or the sheepmeat regime—matters of great importance to Wales—those letters are directed to his office because he has responsibility for such matters in Wales. When those matters are discussed in Brussels, however, it is invariably the Minister of Agriculture, Fisheries and Food who negotiates on our behalf.

That is why it is important that the Secretary of State should confirm that Members of the National Assembly of Wales will be able to be part of the United Kingdom team in Brussels so that those who make representations on behalf of Wales are there to give evidence.

Mr. Davies: I hope that the right hon. Gentleman will forgive me if I do not respond immediately to that question. I will deal with the European perspective later.

Amendment No. 158, the terms of which the hon. Member for Ynys Môn (Mr. Jones) outlined, proposes that a new responsibility relating to rural affairs should be included in schedule 2. I listened carefully to the hon. Gentleman's argument, and I take it that the purpose of the amendment is to ensure that the internal architecture of the assembly either gives expression to the concept of an integrated approach to rural affairs or places a requirement on the assembly to ensure that it adopts a more coherent approach when delivering policy. I am entirely sympathetic to those objectives, but I believe that the amendment proposes the wrong mechanism by laying a duty on the assembly to establish a rural affairs committee or to make rural affairs a policy imperative. It is for the assembly to decide its policy, so I am minded to reject the amendment, although I share the hon. Gentleman's objectives.

I believe that the definition of rural affairs is too broad and it could cover a variety of functions to be included in schedule 2. It is difficult to conceive of all the functions that would be transferred under the terms of that definition. They could include, for example, town and country planning, the environment, agriculture, forestry and fisheries and food. We have already made provision within the schedule to transfer all those functions to the assembly; in that sense, the amendment is unacceptable.

The hon. Member for Ribble Valley moved amendment No.209 and asked what difference it would make if the term

"Agriculture, forestry, fisheries and food."

were left out of schedule 2. I should like to offer five such examples, which are important. He made great play of the current crisis facing agriculture. It is bit much for the Opposition, who were in power from 1979 to 1997 and who, I have no doubt, were responsible for the mounting crisis in British agriculture, to turn round and expect an incoming Government to resolve in six months all the problems that have been festering in agriculture.

The principal problem is BSE, and there is a good reason why I want to use it to illustrate my argument. I was heavily involved in scrutinising the orders that were passed under the Food and Environment Protection Act 1985. I am sure that if that secondary legislation had been subject to adequate scrutiny, public pressure would have been brought to bear, and the Government of the day would have been forced to listen to the case that was being made. Unfortunately, in the late 1980s and 1990s, the Government of whom the hon. Gentleman was a supporter were determined that there would be no public examination of the issues or proper scrutiny of the regulations relating to animal feedstuffs or the disposal of possibly infected animals. As a result of the Bill, all such orders issued under the 1985 Act would be dealt with by the assembly.

Those of us who represent Welsh constituencies were well aware of the widespread public concern about BSE long before it came to such a calamitous conclusion a couple of years ago.

Mr. Jenkin: The right hon. Gentleman was a Member of Parliament then. Why did he not do anything about it?

Mr. Davies: If the hon. Gentleman cares to go to the Library and asks for a printout of all the motions, parliamentary questions and debates that I initiated on BSE, he will discover that I was the first person to raise it on the Floor of the House, as early as 1989. He will also discover that many motions and questions pressed the Government to acknowledge the severity of the problem. When the hon. Gentleman has informed himself properly about my record on BSE, I will willingly debate the matter with him. I will not go into further detail on that because I want my remarks to keep strictly to the terms of the amendment.

Had we had the opportunity in a Welsh assembly to debate the orders issued under the 1985 Act, I have no doubt that the matter would have been subject to proper public exposure and the scandal of BSE would not have been allowed to develop as it did; the then Government were able to circumvent such scrutiny. That is one example and there are others.

Mr. Ancram: It was all done by order.

Mr. Davies: Of course it was done by order—that is precisely the point. The procedures of the British House of Commons failed to protect the public interest, because those orders could be smuggled through upstairs in Committee or pushed through in the Chamber late at night without the benefit of a vote, and that was what the Government of the day were minded to do.

Mr. Grieve: Will the right hon. Gentleman give way?

Mr. Davies: No, I want to develop my point. If those matters had been dealt with by a Welsh assembly,

[Mr. Davies]

there would have proper public scrutiny and that scandal would not have happened. That is equally true of the problem of radioactive contamination in Gwynedd, which would be better dealt with by the Welsh assembly, because the orders giving effect to powers arising out of the Food and Environment Protection Act are dealt with by means of secondary legislation.

The right hon. Member for Caernarfon (Mr. Wigley) raised the question of Europe. There are two important reasons why I resist his amendment. First, there are dozens—hundreds—of pieces of secondary legislation emanating from Europe, and the assembly will have the responsibility for seeing those through. It seems to me inconceivable—

Mr. Grieve: Will the right hon. Gentleman give way? It is a serious point.

9 pm

Mr. Davies: If it is a serious point, I shall give way, but the hon. Gentleman must understand that he cannot intervene until I have made my statement. When I have done so, he may have something with which to take issue.

There are hundreds of pieces of secondary legislation giving effect to European decisions and it seems to me inconceivable that the assembly should have responsibility for debating all except those relating to food, to the protection of animal health or human health, or to the implementation of the common agricultural policy. It is vital that the assembly be empowered to deal with those matters; if the amendment were accepted, it would be unable to do so.

Mr. Grieve: I am grateful to the right hon. Gentleman for giving way. I have the pleasure to serve on the Joint Committee on Statutory Instruments. The precise problem is that there is insufficient scrutiny of statutory instruments in this place. I accept that, but the problem will not be resolved by what the right hon. Gentleman proposes, because there can be no scrutiny of European statutory instruments and, whether scrutiny takes place in Wales or here, the quality will not improve. We have to look at procedures here.

Mr. Davies: I do not like to say this, but the hon. Gentleman is both ignorant and patronising. Scrutiny will be enormously improved if we in Wales have the forum to debate those matters properly. That is the purpose of devolution.

The other point raised by the right hon. Member for Caernarfon was the question of the delegation. There will be representation from the Welsh assembly within that delegation and, when matters relating to the reform of the common agricultural policy are being discussed, that delegation will be directly informed by the views of the assembly. There may well be a difference of political views, but nothing will be the worse for that. If the particular interests of Wales—upland farming, forestry or marine matters—are represented, that view can be fed in directly. The representative of the assembly will know precisely what is happening, the nature of the British Government's case and the responses of the other European countries; and all that can be reported back to ensure full and public debate in Wales. The amendment would deny us that opportunity.

There are many other examples, but let me conclude by giving just one—the need for the development of a coherent approach to the countryside, which was mentioned by the hon. Member for Montgomeryshire. A coherent approach means that the needs of the environment must be looked at in the context of agriculture; that the needs of rural communities—health and employment, and so on—must be looked at in the context of agriculture; that planning policies must be informed by the needs of agriculture; that our education and health policies must be informed by the agricultural dimension, which is so important to rural life; and that the development of transport facilities is looked at in the light of agriculture. The amendment would strip agriculture out of that, so that we would not have the opportunity to develop a coherent approach. It is important that we have a proper forum to resolve all those issues.

Let me refer the hon. Member for Ribble Valley back to our debate last week. The hon. Gentleman should pay attention, because I am going to quote him—it is not something I want to do very often, but I shall give him the pleasure on this occasion. He was taxed by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), who said:

"What the hon. Gentleman just said is absolute nonsense."

The hon. Member for Ribble Valley replied:

"It would not be the first time that I have spoken nonsense, Sir Alan, and I suspect that it will not be the last."—[*Official Report*, 21 January 1998; Vol. 304, c. 1045.]

Tonight, we have had living proof of that.

Mr. Evans: Of course, that was said with an air of jocularity—a sense of humour, which I pride myself on having, but which unfortunately does not appear to be shared by the Secretary of State.

I have listened carefully to the right hon. Gentleman, because the transfer of powers under schedule 2 and the crisis facing farming are vital issues. No one in the Chamber doubts that farmers are facing a crisis, with incomes falling by 50 per cent. and the pound strengthening and cheap imports being sucked in. Farmers are looking for help from the Government, but they are not getting it.

The problem is that the deficiency in the Government's policy is being translated into a need to transfer the powers to the Welsh assembly and away from the Secretary of State for Wales. I do not believe that that will serve them well.

The Secretary of State mentioned an interesting aspect of food safety: the possibility that the Government would devolve some food safety matters down to the Welsh assembly. That might, in certain circumstances, allow the Welsh assembly to decide that meat could be served on the bone in Wales. I should be delighted to give way on this point as I suspect that some people in Wales who have been listening to the debate will have understood that matter as I did. I know that the Secretary of State said that he was looking for a good working relationship between the assembly and the food safety policy decided by the Government. If there is a possibility that meat on the bone could be served in Wales, but not in England and Scotland, I should be interested to hear about it.

That reminds me of a story from I was a youngster living in Swansea. Our local authority decided to ban the film, "The Life of Brian", but Llanelli council decided to allow it to be shown. It may come as a surprise to the Secretary of State for Wales, but everyone in Swansea who wanted to see the film, did so; they all went to Llanelli. It was an absurd policy and Swansea gave up its control over the censorship of films. I urge caution on the Secretary of State if that is the sort of policy that he is seeking to devolve down to the assembly.

Does the Secretary of State agree with the answer that his right hon. Friend the Secretary of State for Scotland gave in a written answer to the hon. Member for Linlithgow (Mr. Dalyell)? The hon. Gentleman asked the Secretary of State for Scotland

"what advantages in Brussels have accrued to *(a)* Catalonia, *(b)* Andalucia and *(c)* Baden-Württemberg which are not currently available to the Scottish Office in Brussels; and if he will list the special arrangements which exist within the (i) European Commission and (ii) Council of Ministers for dealing with matters relating to devolved legislative entities within member states."

The Secretary of State answered:

"From the contacts I have had with the Catalonia and Baden-Württemberg offices, I conclude that these offices have contributed to improving the quality of information available to their regional governments and have helped those governments contribute to their domestic debate on European proposals. Although there are frequent informal contacts between devolved governments and the European institutions, there are no special arrangements for dealing with matters relating to devolved legislative bodies within the Commission and the Council."—[*Official Report*, 23 January 1998; Vol. 304, c.*704*.]

That is an important matter to take on board. If the Secretary of State for Wales agrees with his right hon. Friend the Secretary of State for Scotland, it means that he is trying to suggest that the devolved assembly will have more power than it really has. That is an extremely dangerous thing to do.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Livsey: I beg to move amendment No. 20A, in page 73, line 19, at end insert '2a. Broadcasting'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 155, in page 73, line 20, after 'culture', insert 'and the arts'.

No. 211, in page 73, line 28, at end insert—

'11A. Public Service Broadcasting'.

No. 212, in page 73, leave out line 35.

No. 221, in clause 33, clause 33, page 21, line 20, leave out

'do anything it considers appropriate to support'

and insert 'promote'.

No. 83, in page 21, line 20, leave out 'appropriate' and insert 'reasonable'.

No. 271, in page 21, line 23, after 'historical', insert 'or archaeological'.

No. 205, in page 21, line 24, after 'language,', insert—

'(ca) variants of the English language used in Wales,

(cb) other languages used in Wales,'.

Mr. Livsey: It is certainly our view that broadcasting is an important medium in Wales. In "My Fair Lady", Rex Harrison said that there were places where English was never heard; he was commenting on the situation in Wales. In Wales itself, there are even places where television is never seen, not even Welsh television. In my constituency, in the towns of Knighton, Presteign and the district of Painscastle, it is impossible to see television from Wales, whether public service television or private sector television. It is possible for farmers to go to the Royal Welsh show, win the prize with their bull and never be able to see that glory on television, because there is no reception. Indeed, my constituents have to watch what goes on in Lincolnshire, but they have not a clue about what happens in Wales. That is one reason why we need powers in the Bill to ensure that it is possible for people living in all parts of Wales to receive clearly, and participate in, television and radio. That is not the case at the moment.

Mr. Rogers: The hon. Gentleman should not have claimed such ridiculous powers for the assembly. Even in south Wales, where we have a far greater problem, in that far more people are affected by the inability to receive television transmissions, we do not believe that the assembly can resolve the matter. It is just a matter of providing some aerial masts. Indeed, throughout south Wales we cannot receive Channel 4 or Channel 5; we can receive only S4C, and many people living in our English-speaking areas resent that very much. If, like the Welsh nationalists, they were not well behaved, they would probably withhold their licence fees.

Mr. Livsey: The hon. Gentleman is involved in engineering matters, and he must realise that it should not be beyond the wit of the Welsh assembly to get hold of all the engineers and ensure proper reception of television and radio the length and breadth of Wales.

The arguments in this regard are clear. The media define attitudes, and help people to debate and participate in the formation of attitudes. One aspect of the referendum in Wales and the debate that preceded it was that many people who live in Wales, especially in eastern, southern and north-eastern Wales, have their televisions turned in other directions or cannot receive Wales television, and I think—

Mr. Swayne: It was deliberate.

Mr. Livsey: I think that that had an impact on the referendum result, because those people had no chance to listen to any of the debates beforehand. That is especially important.

Mr. Ancram: I am listening closely to the hon. Gentleman's argument. Is he suggesting in amendment No. 20A that the Welsh assembly should pay from its budget for S4C?

Mr. Livsey: No, I am not suggesting that for a moment, and the right hon. Gentleman should not take it that I said

[Mr. Livsey]

that—I did not. The Welsh assembly needs the power to take decisions relating to broadcasting, which is especially relevant with the onset of digital broadcasting. The continuing issues of television reception, Welsh language programming and future allocation of television and radio franchises are important.

Mr. Ancram: The hon. Gentleman said that the Welsh assembly should take decisions on broadcasting. Is he saying that it should take decisions but not be obliged to face the financial consequences for those decisions, which should continue to be borne by the Westminster Parliament?

Mr. Livsey: I understand what the right hon. Gentleman is saying, but, as we heard in a previous debate, the Welsh assembly cannot have tax-varying powers. It will be entirely reliant for finance on the Westminster Parliament, and I am certainly not suggesting what the right hon. Gentleman just said.

Why do we need the assembly to have some decision-making powers relating to, or at least functions of assisting in effecting a better standard of, broadcasting in Wales? Broadcasting affects Wales as a major employer, and operates in the public and private sectors.

The digital revolution was regarded as a solution for many Welsh broadcasting difficulties, such as continuing reception problems and the long-standing frustration that many people experience at being unable, as the hon. Member for Rhondda (Mr. Rogers) said, to receive Channel 4 in addition to S4C.

As many as 35 per cent. of Welsh viewers will not be able to receive digital services for at least four years after they start. In the early years, problems will be acute in rural areas. Those problems will need political solutions, which the Welsh assembly must be able to provide. For example, rural communities are generally deprived of cable services because operators are reluctant to incur the costs of laying cable in sparsely populated areas. Digital satellite may prove to be the only option, unless action is taken to accelerate the pace of digital terrestrial service provision.

9.15 pm

It is vital that the assembly has the power to pressure Westminster to ensure that viewers and listeners in Wales are not penalised. Welsh broadcasting is distinctive, not least because of the Welsh language. The assembly should have the ability to take decisions relating to Welsh language broadcasting and other broadcasting reflecting distinctive Welsh culture. That applies to English language broadcasting and television as much as to Welsh language output.

In 1993, 529 hours of Welsh language programmes were provided by BBC Wales for S4C, free of charge under the provisions of the Broadcasting Act 1990, and a total of 1,170 hours were commissioned from independent producers. The assembly must be enabled to protect and shape future broadcasting in Wales.

The amendment proposes not that the assembly assume responsibility for the funding or the setting of funding levels for broadcasting, but that it should have a recognised voice in matters relating to Welsh broadcasting. These are important issues, but I shall not detain the Committee much longer.

The assembly should also be involved in the allocation of licences for broadcasting, such as independent television franchises, to ensure that Welsh matters are discussed in the allocation process and that Welsh broadcasting remains distinctive. In that respect, our amendment is markedly different from the Conservative amendment, which refers only to public service broadcasting.

Broadcasting is at the core of the evolution of the Welsh language, its culture and co-existing cultures present in Wales. We will support the amendment tabled by Plaid Cymru to add the arts to the functions of the assembly. Broadcasting should indeed be included in the Bill. I apologise for the poor quality of my voice.

Mr. Rogers: We have just heard a typical Liberal speech, telling us what is needed and promising to provide this and that, but when it comes to delivering the goods, where will the money come from? The question is ducked completely, as in a typical Liberal party political broadcast.

The problems of television reception in Wales are engineering problems, and money must be devoted to them if they are to be resolved. No committee or working party will resolve them. I do not think that the hon. Gentleman was in the House when the Broadcasting Bill went through Parliament, and I do not recall that the Liberal party made any contribution to it.

I support part of the amendments, especially with regard to the Welsh language. The Welsh assembly will, I am sure, be controlled by the Labour party. I am pleased about that, because we will know that the Welsh language will be in safe hands.

I was a member of the old Glamorgan county council when it became Mid-Glamorgan, and a large section of the Welsh-speaking area of Glamorgan was taken away. Lord Heycock, who was the chairman of the education committee, and others had developed the Welsh language schools in south Wales, in the English-speaking areas as well as the Welsh-speaking areas of West Glamorgan. I venture to say that they saved the Welsh language in the English-speaking areas of south Wales. If there is to be any development, it will be in that area.

When Mid-Glamorgan was set up, it was the Labour-controlled council which spent the resources to develop the present Welsh school system. The daughter of my right hon. Friend the Secretary of State attends a school within it, as do my grandchildren, along with many others.

I should like to see the assembly play a more positive part and be responsible for the development of the Welsh language. It is only in the hands of the people of Wales that the Welsh language is safe. Similarly, it is only by implementing progressive policies and the application of resources that the Welsh language can be not only saved but developed as it now is.

It is no good saying that we would like to do this, that or the other. It is necessary always to devote resources. I wonder whether the hon. Member for Brecon and Radnorshire (Mr. Livsey) and his party would agree to the transfer of the £70 million that is presently provided

to S4C by the Department for Culture, Media and Sport. I wonder whether that will come out of the Welsh assembly budget. Is that what is wanted, or is there to be a transfer of resources?

I am sorry that the hon. Member for Brecon and Radnorshire has devoted so much time to an engineering problem that detracts from the main thrust of the amendments—that the Welsh assembly should have more say in the control and development of the Welsh language.

Mr. Wigley: I am glad to take up the most recent remarks of the hon. Member for Rhondda (Mr. Rogers). I agree whole-heartedly with much of what he said. I know that he has taken pleasure and pride in the past that his grandchildren are attending Welsh-medium schools, and are speaking the Welsh language.

I am willing to pay tribute to those such as Lord Heycock, who undertook much work on behalf of the Welsh language in Glamorgan. There were some areas where much progress was made, and others where progress has been slower. There is now, I think, an agreement across party on the Welsh language, and that is good. The issue has to that extent been taken away from some of the more acrimonious politics that existed perhaps two decades ago.

My colleagues and I support amendment No. 20A, for reasons that overlap those advanced by the hon. Member for Brecon and Radnorshire (Mr. Livsey). I take on board the point made by the hon. Member for Rhondda that there is a challenge of resources. Technical problems have to be resolved, and obtaining the necessary resources is part of the overall challenge. We would argue that the block of resources that S4C receives from the Department for Culture, Media and Sport should be transferred to the assembly. If there is a need for more resources, we would agree that there should be an available option to raise them from taxation. Unfortunately, that is not within the remit of the Bill.

There are things that can be done within the assembly even without the power to raise moneys from taxation. There seems to be an omission from the Bill, in that it contains no power of answerability for any dimension of broadcasting in Wales. I have read the contents of schedule 2, and I look forward to considering schedules 3 and 4. I look also to the powers that are set out in clause 73.

Are there any powers at all whereby the National Assembly can call people from the Broadcasting Council for Wales to answer on matters of public policy on broadcasting in Wales? That is perfectly reasonable. I know that my hon. Friend the Member for Ceredigion (Mr. Dafis) took part in consideration of what was the Broadcasting Bill of 1990, to which the hon. Member for Rhondda referred. Some important debates took place. I know also that the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) played a leading role in considering the Bill. There must be a role for the assembly in at least asking questions and initiating a debate on a subject that has an important all-Wales dimension.

I have taken note of some of the bodies that will have an answerability. There are United Kingdom bodies such as the British Tourist Authority, the British Waterways Board and the British Wool Marketing Board. In addition, there are the Environment Agency, the Meat and Livestock Commission, the Museums and Galleries Commission and the United Kingdom Sports Council. All those bodies have a degree of answerability. It seems, however, that the Broadcasting Council for Wales does not. If the Secretary of State wants to intervene to inform me that I am mistaken, I shall be glad to be put out of my misery.

Mr. Ron Davies: The right hon. Gentleman need not labour this point. I want to respond to him specifically when I reply. I think that he will be reasonably reassured by what I have to say.

Mr. Wigley: In that case, I shall not take up any more time on that matter, but instead wait to hear the Secretary of State's comments.

What about the provision of better English language broadcasting in Wales? We have moved the agenda forward considerably on the Welsh language television front, but there is a paucity of English broadcasting, particularly on television, from Wales to Wales, and non-Welsh-speaking viewers are right to complain about it. I would not like English broadcasting to develop at the expense of Welsh language broadcasting, but there is room to co-ordinate existing channels, and perhaps to develop it.

There is a technological revolution under way in broadcasting. There are arguments about the fibre-optic cabling of areas of Wales, which may be the vehicle to provide broadcasting in Wales in future. Offers are out for a fibre-optic link along the north Wales coast. Two companies have bid for Cheshire and bits of north Wales, but there is no strategic approach, and, unless the infrastructure is in place, whole communities will lose out on future technological opportunities.

Amendment No. 155—our amendment—refers to the arts, and is purely a probing amendment. Schedule 1 refers to

"culture (including museums, galleries and libraries)."

Culture goes way beyond those. It includes them, of course, but one could specify a realm of cultural issues if one were to be inclusive.

The term used by the Government is "national heritage". We have national heritage in Wales, but it does not appear to come through in any full way in the Bill. We tabled the amendment because the arts most certainly should be covered. We are aware that reference is made to the Arts Council of Wales in schedule 3, but I want to be assured that, when referring to culture, we mean the whole gamut of culture, not just a restricted part of it—museums, galleries and libraries.

I refer briefly to the amazing amendment No. 212, tabled by Conservative Members, which wants to leave out all reference to the Welsh language. We heard earlier that Conservative Members want to remove agriculture from the responsibility of the assembly. Now they want to remove the Welsh language.

Mr. Cynog Dafis (Ceredigion): The Conservatives also want to leave out the environment.

Mr. Wigley: We are seeing a deliberate, cynical approach, to try to undermine the assembly lock, stock, and barrel. When the referendum result said yes, albeit by a tight majority, some more enlightened Conservative Members—*[Interruption.]*—not those who are barracking

[Mr. Wigley]

from the Back Benches—said, "The people of Wales have made their decision. It's up to us to get the best assembly we can. We may not agree with it, but let's get the best possible animal to meet a legitimate all-Wales agenda." So they start by taking away agriculture, the environment—even the Welsh language. They want the Welsh language to be dealt with by Committees in this place, dominated by Conservative Members, no doubt, from English constituencies, as happened with the Welsh Language Act 1993.

That is the totally cynical approach of the Tory party towards the assembly, lock, stock and barrel. Let the electorate of Wales know that, when Rod Richards, Gwilym Jones and the rest become Tory candidates in the elections, their agenda will be to take everything away. If we are ever again unfortunate enough to have a Tory Government, that is what they will be up to, so the challenge for us is to ensure that the assembly is strong enough to withstand the danger of its being eroded in the way proposed by this cynical amendment.

Mr. Chris Ruane (Vale of Clwyd): I wish to address amendment No. 211, which the right hon. Member for Caernarfon (Mr. Wigley) has just discussed so vigorously.

My grandfather was a Welsh speaker; seven of his children, 35 of his grandchildren and all but one of his 130 great-grandchildren lost the language. The Welsh language has taken a hammering over the past 70 years, but it is making a comeback. I have been learning Welsh for some four years, and I pay tribute to my Welsh teachers—Margaret Williams, Nesta Ellis and Christine Roberts—for persevering with such a difficult pupil. The desire to learn Welsh is growing in Wales, and Welsh lessons are being held in the House of Commons. Conservative Members are welcome to attend those lessons—I know that they take a keen interest in Welsh affairs—every Thursday at 1 o'clock. It will be interesting to see how many take up that kind offer.

The Welsh language issue is of central importance to the government of Wales, and must be a key responsibility of the Welsh assembly. If it is to flourish, we need a strategic overview, which only the Welsh assembly can provide. It is too important to be left to a quango, a committee or one individual. Its rightful place is in the heart of government, the assembly and Wales. The amendment is an affront to the people of Wales, and it should be withdrawn.

9.30 pm

Mr. Evans: The right hon. Member for Caernarfon (Mr. Wigley) said that the Conservatives were cynically trying to wreck the assembly. We are not; we are trying to improve the Bill, which is what the Committee stage is all about. Hon. Members should not misinterpret our objectives whenever we table an amendment. We simply want to improve the legislation.

I am certain that, if Rod Richards decides to stand—he has made no announcement that he intends to do so—he and Gwilym Jones, who has announced that he will stand, will win seats, and will be joined by colleagues representing the Conservative party. More importantly, they want to ensure, on behalf of the three out of four people in Wales who did not support this legislation, that the Government are sensitive to the needs of the Welsh people, as the Prime Minister said on the steps of 10 Downing street the day after the referendum result. It is important that we get that absolutely right.

This group of amendments deals with broadcasting, the Welsh language, and Welsh arts and culture. Our friendly probing amendments seek clarification. Apparently broadcasting will not be the responsibility of the Welsh assembly, and we want to know the thinking behind that. We have been accused of trying to take responsibilities away from the assembly—*[Interruption.]* In time, I will swap places with the Secretary of State, who has just suggested that I take his place. Why is broadcasting being kept out when so much else is being transferred?

Mr. Ron Davies: There is a simple and straightforward answer: the principle that underlies the whole of devolution is that the powers that currently rest with me will be transferred to the assembly. I have no responsibility for broadcasting, so it follows that we have no proposals to transfer broadcasting to the assembly.

Mr. Evans: That is the first acceptable answer in our three-day debate. However, there is a conflict between responsibility for the Welsh language, which is transferred in schedule 2, and responsibility for broadcasting. As has been noted, we have tabled an amendment to that provision.

We must have clarification of this issue; otherwise, enormous difficulties will arise between the assembly and Sianel Pedwar Cymru. My right hon. Friend the Member for Devizes (Mr. Ancram) asked who will pay for Sianel Pedwar Cymru if the assembly controls it, as the Liberal Democrats would like. Many people would find it odd if the assembly was responsible for it, but did not take responsibility for the financial controls. That television station was set up in 1980 by the Conservatives, and it has been expanding its remit with digital television, which will shortly be upon us.

Before I go any further, I want to pay tribute to Lord Roberts, who is a former Minister. He was second to none in his promotion of the Welsh language throughout Wales. He managed that without raising the hackles of people who do not speak Welsh. The matter could have been divisive if it had been handled wrongly. We should not underestimate his gift for promoting the Welsh language, because, if handled improperly, it could be a problem. I pay tribute to his deft handling of the issue. We need his sensitivity for this legislation, because there could be conflict.

Mr. Rhodri Morgan: The hon. Gentleman has paid a well-deserved tribute to Lord Roberts. He asks us to support his amendment, which would prevent functions relating to the Welsh language from being transferred to the Welsh assembly. Does Lord Roberts agree with that proposal?

Mr. Evans: I spoke to Lord Roberts about five hours ago, and he was delighted when I told him that I intended to pay him that tribute. Yes, he agrees with the amendment. The Welsh language was afforded protection under the current arrangements without the help of a Welsh assembly. Lord Roberts supports the amendment

that we have tabled, and is happy with the way in which the House has promoted and protected the Welsh language. *[Interruption.]* The right hon. Member for Caernarfon (Mr. Wigley) may be privy to information that we do not have, but I am merely telling the House of the conversation that I had with Lord Roberts earlier today.

We are told that the assembly will be a cure for everyone's evils. I suspect that, in a short time, just as every household will be able to get all the television pictures it wants from wherever it wants, we will all be speaking Welsh.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): If the hon. Gentleman spoke to Lord Roberts five hours ago, that was during the debate, and I did not see him leave.

Mr. Evans: That was because the hon. Gentleman did not see me come into the Chamber. When he arrived, I was making some notes on the speeches that I shall make later. I am delighted that my every movement is being tagged by the nationalists. I assure the hon. Gentleman that I had that conversation.

It will be interesting to see whether the Welsh assembly will deliver what has been claimed for it. I urge the Government's supporters, the nationalists and the Liberal Democrats to be cautious and not to build up the assembly's reputation too much, or expectations will be so high that people will feel let down if it does not deliver on the central, key propositions.

The assembly could allow Sianel Pedwar Cymru or another station to broadcast its proceedings. That would no doubt fill the people of Wales with great anticipation. It would probably be more depressing than "EastEnders" and less transfixing than the test card. I suspect that the Government will not allow that function to be transferred, but we need clarification, particularly on Sianel Pedwar Cymru, because it wants to know about its future.

Mr. Ron Davies: The hon. Gentleman does not have to suspect: it is clear that the Bill contains no provision for such a transfer.

Mr. Evans: I am delighted that the right hon. Gentleman has clarified that. I suspect that the people who work at Sianel Pedwar Cymru also want to know that.

A conflict may arise because of the Welsh language content in Sianel Pedwar Cymru programmes. Does the Secretary of State envisage any conflict between Sianel Pedwar Cymru and the assembly, given that responsibility for the Welsh language is being transferred? How would such conflicts be resolved?

Mr. Ron Davies: I do not envisage any conflicts, so there would be no need to resolve them.

Mr. Evans: There are all sorts of things that the Secretary of State may think may not happen, but hon. Members should consider what will happen once an assembly has been set up with 60 members, including nationalists who may be operating on their own agenda. The Secretary of State and his hon. Friend the Minister must forgive me if we envisage a worst-case scenario in certain respects. It is all very well to sit here looking through rose-tinted spectacles and believing that everything will be all right when the assembly has been set up, but, unless we legislate with a view to the worst case scenarios, there will be horrific problems in the future.

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): Looking across at the hon. Gentleman, we are viewing the worst-case scenario.

Mr. Evans: I am delighted to hear from the Minister, but, if that is his only contribution, I should have preferred him to continue to sit where he is sitting and to say absolutely nothing, as he has for most of the debate.

I fear that there may be conflicts in the future, and I should like them to be sorted out.

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): What are the problems?

Mr. Evans: I have already described the problems that may affect Sianel Pedwar Cymru, with its Welsh language remit. A large proportion of what is broadcast is in Welsh, and, indeed, 61 per cent. of Welsh speakers spend half their time watching the channel. The Welsh assembly will see that it has an important role to play, and I hope that the Secretary of State will take that into account.

Amendments Nos. 221 and 83 are intended to tidy up clause 33, which gives the assembly carte blanche to support museums, art galleries, libraries, the Welsh language, the arts, crafts, sport, and so forth. We want the promotion of those places and activities to be clarified, and to be made reasonable.

Will the Secretary of State tell us what limitations there may be on the assembly in regard to future expenditure, and the actions that the assembly may take? If, for instance, the assembly decided to set up and sponsor its own lottery, operating only in Wales, to support some of the places and activities that I have mentioned, would it be able to establish such a competing lottery? If not, what would it be able to do for that purpose?

The financial aspects are important. We are told that the assembly will have no tax-varying powers—

Mr. Ron Davies: I can help the hon. Gentleman. The assembly will have no legislative powers, and will therefore not be able to legislate to create a statutory lottery like the one we now have.

Mr. Evans: As the Secretary of State will know, a lottery called Pronto has already been set up to support something. I want to know whether the assembly, with no legislative powers, would be able to back a lottery that would compete with the national lottery.

Will there be any limitations in the support of those activities? Local authorities in Wales will want to know. The assembly will be given money to hand to authorities; if it starts to take some of that money to itself, and to spend it to support such activities, authorities will have to make up the amount themselves somehow.

The Secretary of State has told us that the assembly will have no tax-varying powers, but local authorities may have to make up the shortfall by raising the council taxes paid by people living in Wales. Until the Secretary of

[Mr. Evans]

State can give us the answers, the people of Wales will fear that tax increases will be brought in through the back door.

Mrs. Betty Williams (Conwy): I oppose amendment No. 212 which proposes to leave out on page 73, "The Welsh language". To seek to remove that is a gross insult to the people of Wales, Welsh speaking or non-Welsh speaking, and to the intelligence of hon. Members. When I saw the proposal to remove the Welsh language from the functions of the Welsh assembly, I could not believe my eyes. Perhaps I am naive in thinking that the Conservative party has at last realised that the Welsh language exists, but if Opposition Members have come to that view, I applaud them.

Last week and today, we have spent many hours discussing social services, agriculture, health, rural affairs and many other issues. The one issue that is unique to Wales is the Welsh language. It is not a matter for Scotland, Northern Ireland or England and it is a gross insult to the people of Wales for anyone to suggest that iaith y nefoedd, the language of heaven, should not be a function of the assembly.

9.45 pm

I listened carefully to what the hon. Member for Ribble Valley (Mr. Evans) said about my predecessor, now Lord Roberts of Conwy. I do not accuse the hon. Gentleman of lying, but I hope that he and his hon. Friends paid attention to what Lord Roberts said in the past couple of weeks and that they will take his advice. I doubt whether Lord Roberts has said that he thinks that the Welsh language should not be a function of the national assembly of Wales.

In an Adjournment debate on Thursday, hon. Members spoke about the power cuts at Christmas and the central issue of communications. Hon. Members related the problems that were faced by the people of north Wales in trying to get people on the other end of the telephone to understand the problems and to recognise the parts of north Wales that were affected. Of all functions, the Welsh language is the one which should be included. I hope that the amendment will be withdrawn.

Mr. Swayne: The hon. Member for Brecon and Radnorshire (Mr. Livsey) presented an entirely one-sided picture when he spoke about a Wales in which hundreds of thousands of people were thwarted by geography and engineering problems and unable to satisfy their demand for Welsh television. Perhaps I could set the record straight by relating the experience of my family, which is as Welsh as any of those who are sitting below the Gangway. They hail from Y Fenni in Monmouthshire, but moved there from Abergwaun in Pembrokeshire.

The family are beset by all sorts of geographical and engineering problems, but of a different kind because they do not want to receive Welsh television; they want to receive television from the rest of the kingdom. They have used their ingenuity, initiative, skill and engineering ability to overcome the problems. They did not sit back and bleat in the expectation that an assembly with vast funds at its disposal would solve the problems for them.

Mr. Ron Davies *rose—*

Mr. Rhodri Morgan *rose—*

Mr. Davies: Perhaps my hon. Friend will seek to intervene if he feels the need to speak on this matter.

I listened carefully to the hon. Member for Brecon and Radnorshire (Mr. Livsey) when he moved his amendment. There is obviously a strong case for broadcasting to be included in the assembly's responsibilities. Broadcasting is important in Wales and there is a distinctive broadcasting agenda.

As I said to the hon. Member for Ribble Valley (Mr. Evans) in an intervention, the starting principle for devolution was the need to transfer to the assembly the powers currently vested in me. Broadcasting is not one of the powers invested in me, so the Government decided that it would not be appropriate to make that fairly substantial shift of responsibility from the Department for Culture, Media and Sport to the Welsh Office. That is why the Bill does not contain a provision for broadcasting to be transferred to the assembly.

I can tell the right hon. Member for Caernarfon (Mr. Wigley), who raised this particular point with me, that substantial broadcasting responsibilities will go to the assembly. For example, there will be a general power to debate, and that will extend to making representations. I have no doubt that the assembly will want to exercise that power in respect of the Welsh institutions of the BBC, S4C and HTV.

Mr. Wigley: Will the right hon. Gentleman clarify whether the general powers to which he referred will be fine tuned so that specific powers are given to the assembly to call people to give evidence or to answer questions? Will it be in the assembly's power to invite people from the world of broadcasting, especially from the Broadcasting Council for Wales, to give evidence before a committee of the assembly?

Mr. Davies: There will be a general power to invite any bodies or persons that the assembly sees fit to invite. *[Interruption.]* The right hon. Member for Devizes (Mr. Ancram) finds it amusing that people in Wales should want to consider the quality of our broadcasting. I assure him that it is an important matter.

Mr. Ancram *rose—*

Mr. Davies: I will give way in a moment, but first I want to reply in full to the right hon. Member for Caernarfon.

The power of summons will not be given, but the power to invite certainly will be. There will also be additional functions. My right hon. Friend the Secretary of State for Culture, Media and Sport will consult the assembly about broadcasting appointments in Wales, just as he consults me at present. It will be a statutory provision. We will introduce an order under clause 31 specifying the members of S4C and the BBC national governor for Wales as appointments about which the assembly must be

consulted. In addition, we will ensure that the concordat that will be agreed with the Department for Culture, Media and Sport will cover other broadcasting issues of special relevance to Wales.

Mr. Ancram: The right hon. Gentleman rightly extolled the virtues of Welsh television broadcasters. I understand that they do not presently fall within his remit or sphere of influence. However, he is talking about only the first draft order before the first elections for the Welsh assembly. Will he say whether, after that, he would be prepared to transfer broadcasting to the assembly?

Mr. Davies: Certainly I have no proposals, and neither do the Government, to do so. As the right hon. Gentleman knows, because we debated the matter at some length earlier, clause 21 provides a mechanism for that, if the Government of the day so wish. The assembly will be a substantial body. Broadcasting is adequately dealt with within the Department for Culture, Media and Sport and I have no proposals for it to be devolved to the assembly.

In view of the endorsement of our proposals in the general election and in the referendum, the Government cannot accept amendments Nos. 20A and 211. On amendment No. 221, the draft transfer of functions order rightly implies that the assembly should have responsibility for the Welsh language. It is of great importance in Wales and it is right that the assembly should have responsibility for it. Indeed, I was amazed by the Opposition's proposal that one of the specific functions that the Welsh assembly should not be given is responsibility for the Welsh language.

I listened carefully to the remarks of the hon. Member for Ribble Valley about Lord Roberts. I have to tell him that there is enormous admiration, on both sides of the Committee, for the work that Lord Roberts did in fathering the Welsh Language Act 1993 and piloting it through the House. If the hon. Gentleman wants to learn any lessons from Lord Roberts, one should be how to approach the question of devolution.

The hon. Member for Ribble Valley has accepted that the people of Wales have voted for devolution. He has accepted also that the House's role is now to ensure not that devolution is somehow blocked or frustrated but that we all combine as best we can to ensure that the legislation that ultimately emerges from the process is the best possible legislation and that the assembly, once established, is the best possible assembly. I have no doubt that if he discusses that with Lord Roberts, he will find that that is the one very clear message which Lord Roberts wishes to give to the Conservative party.

Mr. Evans: When the Bill goes to the other place, will the Secretary of State have a word with his noble Friends to ensure that they consider very carefully any amendments to the Bill tabled by Lord Roberts?

Mr. Davies: In the other place, unlike this Committee, everyone listens to what everyone else says.

I shall now deal with amendments Nos. 221 and 83. The wording of clause 33, on what the assembly can achieve, is realistic. The hon. Member for Ribble Valley asked about the use of the word promote. Using "promote" would lead to confusion. The word appropriate is the correct one in the context of the clause.

There may be many instances in which the assembly might be sympathetic to a cause and think it reasonable to offer support. However, it might remain inappropriate for it so to do. There are many worthwhile causes, such as health, education, social services and the environment. However, I suspect that without unlimited resources, which the assembly clearly will not have, it will frequently find itself in situations in which it considers it reasonable but not appropriate to support activities.

The hon. Member for Ribble Valley referred specifically to clause 33 and asked about limitations. The only limitation is the provision in the Bill that

"The assembly may do anything it considers appropriate".

"Appropriate" is an inherently limiting term. It indicates what a public body should do—for example, supporting an exhibition or purchasing a manuscript—and what it should not do, such as buying a front row for rugby games. Inserting "reasonable"—which is the point of amendment No. 83—misses the point.

The hon. Member for Ribble Valley asked about the lottery. Support includes financial support, but the cost of using clause 33 will fall to the assembly and will have to be met from the Welsh block. In direct answer to the question that he asked about a lottery, the assembly cannot establish a lottery. Operation of lotteries is strictly controlled by primary legislation. As I told him, in the absence of primary legislation, the assembly will not be able to sponsor a lottery.

Mr. Rhodri Morgan: I hope that the Minister will have time to deal with Plaid Cymru's amendment No. 205, which specifically refers to the need to support not only the Welsh language but those variants of the English language that are in common use in Wales. I am thinking particularly of dialects of the English language such as that used in parts of Swansea, where everyone says "clar-eye-fi-ca-tion".

Mr. Davies: I will reflect on that point, although I cannot guarantee that I will table an amendment to deal with it.

The hon. Member for Ribble Valley mentioned amendment No. 205, and the Committee considered also amendment Nos 155 and 271. All I can say is that schedule 2 lists the fields in which I must consider transferring functions to the assembly.

The only statutory function that I have in the arts—the issue raised by the right hon. Member for Caernarfon and other hon. Members—is specified in section 26 of the National Lottery etc. Act 1993, which concerns policy directions to the Arts Council of Wales on the use of lottery funds. I have a range of other functions, but that is the only statutory function.

There is provision in clause 33 for the assembly to do anything that it considers appropriate to support museums, art galleries or libraries; buildings of historical, architectural or archaeological interest; the Welsh language and arts; and crafts, sport and other cultural activities. I hope that that reassures the right hon. Member for Caernarfon. Clause 33 really is a very wide provision.

[Mr. Davies]

Clause 33(d), dealing with cultural activities, would cover any support that the assembly considered appropriate to foster languages other than the Welsh language that are in use in Wales. I am not sure whether the Swansea English dialect would fall into that category, although I have already assured my hon. Friend the Member for Cardiff, West (Mr. Morgan) that I shall closely examine the matter.

I hope that the hon. Member for Brecon and Radnorshire—who tabled the amendment—will reflect on the fact that we have had a reasonable debate. There are sound reasons why the Government have introduced the legislation as it is. The assembly is properly empowered, and I would not wish it now to be given the message that the Committee was divided on the extent of its powers to deal with culture and other matters.

Mr. Livsey: I have heard what the Secretary of State has said, particularly in relation to broadcasting in Wales. We have had a substantial and constructive debate, and therefore I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Wigley: I beg to move amendment No. 160, in schedule 2, page 73, line 19, at end insert—

'2B. Council of the Isles issues.'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss amendment No. 159, in schedule 2, page 73, line 22, at end insert—

'5A. European affairs.'.

Mr. Wigley: The amendment raises the question of the council of the isles, which has come on to the agenda since the Bill was published. I would be glad to know the Government's thinking on the matter.

It being Ten o'clock, THE CHAIRMAN *put the Questions necessary to dispose of the remaining proceedings on schedule 2, clauses 23 to 29, schedule 3 and clauses 30 to 44, pursuant to the Order [15 January] and the Resolution [20 January].*

Question, That the amendment be made, *put and negatived.*

Schedule 2 agreed to.

Clause 23

TRANSFERS: SUPPLEMENTARY

Amendments made: No. 137, in page 13, leave out line 23 and insert

'only with the agreement of, or after'.

No. 138, in page 14, line 31, leave out

'concurrence or subject to the consent or approval'

and insert 'agreement'.

No. 139, in page 14, line 36, leave out

'concurrence of or subject to the consent or approval'

and insert 'agreement'.

No. 140, in page 14, line 41, leave out 'Scottish Minister' and insert

'member of the Scottish Executive'.—*[Mr. Jon Owen Jones.]*

Clause 23, as amended, ordered to stand part of the Bill.

Clauses 24 to 29 ordered to stand part of the Bill.

Schedule 3 agreed to.

Clause 30

POWER TO IMPLEMENT COMMUNITY LAW

Amendment made: No. 141, in page 19, line 25, at end insert 'designating the Assembly'.—*[Mr. Jon Owen Jones.]*

Clause 30, as amended, ordered to stand part of the Bill.

Clauses 31 to 44 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave sit again.—*[Mr. Jon Owen Jones.]*

Committee report progress; to sit again tomorrow.

ACCOMMODATION AND WORKS COMMITTEE

Ordered,

That Mr. David Rendel be discharged from the Accommodation and Works Committee and Mr. David Chidgey be added to the Committee.—*[Mr. Mudie, on behalf of the Committee of Selection.]*

Protected Tenants (Rent)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jon Owen Jones.]*

10.4 pm

Ms Karen Buck (Regent's Park and Kensington, North): I begin with a brief disclaimer: if I live to be 100, and think of nothing else for the rest of my life, I shall never acquire the knowledge on the subject of my Adjournment debate that my hon. Friend the Minister has, so I introduce it with some humility. I hope that I do not make him cringe too much with any errors of fact, as I tread through a complex field of housing and law.

I appreciate the Government's awareness of the issue, both as a national concern and as it affects my constituency. I am grateful to my hon. Friend for the fact that he has met some of the people about whom I intend to talk, and has heard their concerns at first hand. I thank him for his interest in, and knowledge of, the subject. I congratulate the Association of Regulated Tenants Associations, and various other private tenants' groups and workers in this sector, who have helped many vulnerable individuals and documented their story.

I want to place on the record some of my constituents' experiences in Kensington and Chelsea and in Westminster, and to plead for sympathetic consideration of their plight. My constituency has one of the highest proportions of private sector tenants in the United Kingdom—they are heavily concentrated in places such as Maida Vale, St. John's Wood and Regent's Park—but there are 300,000 protected tenants throughout the country. I believe that there are about 85,000 pensioner households in London in unfurnished accommodation, many of which will fall into the category of protected tenants.

The sector undoubtedly has a major contribution to make to housing supply, but it has some severe weaknesses that need redress. As usual, what is true for the country as a whole is magnified here in central London. The value of privately rented accommodation is that it offers flexibility for people who need housing, perhaps because of changes in employment or personal circumstances, and for whom the permanence of a house purchase, for example, would not be appropriate. It also offers housing opportunities for those who may be unable to obtain a mortgage or who cannot access the social rented sector.

There is no doubt that renting a home in the private market is for many people an important, often an ideal, option. The problems on which I intend to concentrate tonight concern the substantial minority of tenants who have sought not flexibility but security in the private rented sector. Some sought security of tenure, as implied by their original leases or tenancy agreements, while others had a reasonable expectation of financial security when agreements were entered into, sometimes 40 or 50 years ago.

I want to draw attention to an injustice done to householders who entered into agreements in good faith. They believed that those agreements enabled them to invest and plan for the future and that they could build a family home; but those agreements have turned out to be effectively worthless, as rents have soared, sometimes by hundreds of percentage points. Investment in homes, sometimes running to tens of thousands of pounds, has counted for nothing.

Assurances given at the time of the Housing Act 1988 have been rendered null and void by practices adopted in recent years. That legislation had among its aims the transformation of the rented housing market. There was a clear expectation that rents would rise for new tenants, but that was balanced by the stated exemption for tenants who entered into agreements before the commencement of that Act, such as regulated tenants under the Rent Act 1977. In fact, the shift towards market rents for pre-1988 protected tenants has in recent years had a dramatic and devastating effect.

Not only have landlords forced the pace towards market rents for protected tenants, but rent officers—and especially rent assessment committees—have exacerbated the process. That has especially been the case since the Spath Holme judgment in 1995, which changed the basis of rent officers' determinations. As a result, landlords are requesting substantial two-yearly increases, which are often raised by rent officers. Ironically, sometimes rent officers raise rents to forestall excessive rises at the appeal stage. When cases go to appeal, further huge increases are often imposed by rent assessment committees.

Maria Eagle (Liverpool, Garston): Is my hon. Friend aware that such problems exist not only in London but in Liverpool and many other places? In one instance in my constituency, a rent officer accompanying a landlady, who was given the full 100 per cent. increase for which she asked, told her that she should be able to obtain more. As a result, the landlady appealed against the assessment, despite getting 100 per cent. of what she asked for, and got a further increase. The 85-year-old tenant, who had lived in the property all her life, has been in hospital ever since. The problem seriously affects vulnerable and elderly tenants.

Ms Buck: That is exactly the sort of the case that I shall discuss. My hon. Friend confirms my argument. She mentioned appeals. Of 703 cases heard in London in the first quarter of 1996, the rent assessment committee found in favour of the tenant in only 14 per cent. of cases. In more than 60 per cent., it increased the rent recommended by rent officers. It is hardly surprising that the rent determination process is viewed with the deepest cynicism by my constituents or that the secretive and unaccountable rent assessment committees are regarded as heavily loaded in favour of landlords.

I want to tell the stories of some my constituents, stories that are shot through with a sense of betrayal and anger, both at the role of landlords and at the rent assessment procedure, and with a great deal of human misery. A lady tenant of the Eyre estate in St. John's Wood wrote:

> "My husband, who is 77 and has Parkinson's Disease, myself and my two children have lived in this house for 29 years . . . from the beginning, we treated this house as our home; installed heating; rewired; put a new roof on the house . . . yet since 1980, the rent has increased by 900 per cent . . . It is definitely time for the market to come to a halt so people like us do not have to worry ourselves to the grave about rents".

Another gentleman wrote:

"In 1990, my rent was £4350 per annum. By 1994 it had increased to £8200. At the next registration the landlord asked for £11,600 and was granted this figure by the Rent Officer. Notwithstanding this the landlord still objected to the rent and I had to face the Rent Assessment Committee . . . At the hearing, the landlord asked for £35,000 per annum and the Rent Assessment Committee assessed the rent at £17,000."

My constituent says that he managed to cope, but many other tenants have not. They have been forced out, sometimes into old people's homes as many are pensioners.

To add appalling insult to injury, when tenants go, they are often landed with dilapidation charges, compounding their fears. One gentleman wrote to advise me of a 79-year-old neighbour who left his home because he could not afford the rent increases. He had two disabled children as well as a dependent elderly wife. The landlords demanded £35,000 from him on leaving the property.

The person involved in the final example out of many that I could have quoted wrote:

"When I first moved in in 1976, my rent was £1,600 per annum. It is now £13,650—a rise of 753 per cent . . . the high capital investment I have made, and the tough lease terms were acceptable at the time because we had the security of a protected tenancy, low rents, phasing in of rent increases and the right of my children to live in this house when I die. Without these advantages, I would never have taken the lease and invested all that time and money . . . No-one would have done so. It is, therefore, no surprise that we now feel cheated."

Again and again comes the message, "We have been betrayed."

The vulnerability of my constituents is heightened by the booming London property market, which adds both to market pressures on rents and to pressure to turn rental properties into corporate or holiday lets or sales. Last week, one private tenants' rights worker told me that she was about to represent a tenant in a block where the quoted market rents ranged from £515 a week to £1,350 a week. Another told me of a case where the rent was increased from £10,000 per annum in March to £17,000 in December following the decision in the Court of Appeal in the Curtis case.

The effects of such increases can be summarised simply—communities of rented homes are breaking up. The number of Eyre estate tenants in St. John's Wood has plunged below 100. Many of those communities are made up of people who moved in years ago, sometimes before the second world war. They are established communities which are part of London life, but they are being destroyed.

Properties are sold, often into the international property market because of the demands of that sector in central London, and they are being turned into corporate and holiday lets. That is helping to turn parts of the inner city into a desert. That is in direct contrast to the aims of our social exclusion unit, which seeks a mixed residential pattern in our inner cities.

Pensioners and others on fixed incomes are living in terror. They are unable to pay rent increases, but virtually unable to leave homes that they may have occupied for decades. Many of them are just above the housing benefit level and therefore have to absorb the full cost of the charges placed on them. However, many others are on housing benefit, so the excessive demands of landlords, supported by a rent assessment committee decision, is transferring much of that cost on to the public purse through housing benefit.

My hon. Friend the Minister has been asked to consider several options, including the use of section 31 of the Landlord and Tenant Act 1987 to restrict increases in rent. He has also been asked to consider a rent cap linking rent increases to the retail prices index plus a given percentage; a thorough review of rent assessment committees to ensure impartiality between landlords and tenants' interests; and the restoration of succession rights where they form part of the original lease.

I should greatly welcome any sign that my hon. Friend is able to give tonight as to the Government's thinking on the problems I have outlined and their possible solutions. Above all, I should welcome his recognition of the urgency of the matter. Every passing week results in more of my constituents being forced out of their homes. It is adding to the toll of families forced to leave their homes and of pensioners made homeless or living in constant fear of debt and homelessness. Those people are an integral part of the inner-London community and I hope that we shall soon be able to lift at least a portion of the burden that they bear.

10.16 pm

The Minister for London and Construction (Mr. Nick Raynsford): I congratulate my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) on securing the Adjournment debate and using it to raise such an important matter. She has highlighted a number of cases of steep rent increases, which have caused anxiety and hardship to people who have long been residents in her area. My hon. Friend the Member for Liverpool, Garston (Maria Eagle) intervened to highlight the extent to which it is not just a problem encountered in London, but in other parts of the country.

Both my hon. Friends will know that the Government are very concerned about the disproportionate increases that some regulated tenants have faced in recent years. My hon. Friend the Member for Regent's Park and Kensington, North has been in correspondence with my Department about the plight of some of her constituents and will be aware that we have been looking to see what can be done to help tenants who face such problems.

Before I outline the possible measures that we are exploring, it might be helpful if I summarise the background to the setting of fair rents and why they have increased significantly in recent years.

When the Housing Act 1988 introduced assured tenancies at market rents for all new lettings from January 1989, existing tenants' rights to security of tenure and rent control were not changed. Those regulated tenants and their landlords have the right to have a fair rent registered for the tenancy by an independent rent officer. Both also have a right to appeal to a rent assessment committee if they are dissatisfied with the rent officer's decision. The registered rent is the maximum rent the landlord can charge and it cannot normally be re-registered for two years.

When assessing fair rents, rent officers and rent assessment committees must follow the rules laid down in section 70 of the Rent Act 1977. That requires them to take into account the age, character, locality and state of repair of the dwelling but to disregard any premium resulting from a scarcity of similar accommodation in the area. A fair rent is therefore what a landlord could achieve in a market in which the supply of and demand for

accommodation are in balance. Rent officers cannot take a tenant's or a landlord's personal circumstances into account.

Until the introduction of assured tenancies, there was little evidence of open-market rents because of rent control, so rent officers and rent assessment committees tended in the past to determine fair rents using the evidence of their own previous decisions. Before 1989, when there was no evidence of decontrolled market rents, that was the only practicable approach. More recently, it has been possible to determine fair rents by starting from the market rent and subtracting any element due to scarcity.

The way in which rent officers and rent assessment committees determine fair rents was the subject of a Court of Appeal case in 1995—Greater Manchester and Lancashire Rent Assessment Panel *v.* Spath Holme. The effect of the judgment was to give more weight to the market rent less the scarcity method of rent determination. That approach has been reaffirmed in a series of subsequent judgments, most recently the Curtis case, which came before the Court of Appeal in October 1997. Changing to that method has caused fair rents to rise steeply. Increases in recent years have been well above increases in the retail prices index over the same period. In some areas, particularly but not exclusively in London, increases on re-registration have been more than 20 per cent. higher than the retail prices index for the same two-year period.

Most of the tenants affected could never have expected increases of that magnitude under a fair rent system. As my hon. Friend said, many regulated tenants are elderly and on fixed incomes. They have planned their affairs on the assumption that they would be able to remain in their present home and I know that these increases are causing some of them not only great hardship, but great anxiety as they face the alternatives of giving up their home of many years, or seeing their savings rapidly disappear.

I do not believe that landlords of regulated tenants expected such increases. Regulated tenancies have generally been acquired in anticipation of substantial capital gains when the tenancies come to an end. These tenancies have always traded at a discount to vacant possession value. The discount may have reduced in recent years, but even now those properties trade at some 30 to 45 per cent. below vacant possession value. Moreover, the landlords bought those properties in the knowledge that the rents were subject to fair rent controls and that potential rental yields would be lower than those obtainable from assured shorthold tenancies. Therefore, we feel that there is a strong case for considering Government intervention to moderate rent increases for the small group of existing tenants in that position.

What options are we considering? First, I must make it clear that we do not have it in mind to change either the existing system of fair rent determinations by rent officers and rent assessment committees, or the rent criteria in section 70 of the Rent Act 1977. That would require primary legislation and, in view of the many other pressures on parliamentary time, any opportunity for that would be likely to lie some way ahead.

A more attractive option, which may be possible through secondary legislation, is the application of a maximum limit to the size of the rent increase which could be imposed by rent officers and rent assessment committees under the existing system. We have in mind linking rent increases to the retail prices index, as a well-established measure of affordability, by way of an "RPI plus X" formula. However, there are some tricky issues to be resolved. We would need to ensure that we got the right balance between the interests of tenants and the interests of landlords. Another issue is that we do not want to discourage landlords from carrying out necessary improvements to their property; but, equally, we must be sure that any mechanism that allows rent increases to reflect those improvements does not simply provide the landlord with a loophole for circumventing the new limit.

There are difficult and detailed technical and legal issues which still need further study, but assuming that we can overcome these to our satisfaction, we shall issue a public consultation document setting out our proposals and seeking comments on the details. I cannot say precisely when that might be, but I can assure my hon. Friend that we are moving as rapidly as we can.

The principles and procedures for registering rents which apply to regulated tenancies under the Rent Act 1977 apply equally to tenants of registered social landlords whose tenancies started before January 1989. Rent officers register the maximum rent that may be charged. The rent officer cannot take into account the fact that RSLs are expected to charge rents affordable to people on low incomes, or that rents are expected to be below equivalent local private market levels. In recent years, in line with trends affecting other secure tenants, rent officers have recommended steep increases in RSL fair rents. Although, RSLs are not obliged to charge the full fair rent if they consider it too high, many do so.

The Housing Corporation has become increasingly concerned about rent levels within the sector generally and is taking steps to bear down on all RSL rents. Since April 1997, RSLs receiving capital grants for new development have been required to limit the increase in rents and service charges to RPI plus 1 per cent.

The corporation has recently consulted on further measures to limit increases for existing secure and assured tenants. Under the new performance standards for RSLs, to be introduced on 1 April 1998, RSLs will be expected to limit their overall rent increases to RPI plus 1 per cent. That figure will, however, apply to the total rent envelope of an association's stock rather than to individual rents. It will not prevent an individual tenant's rent from rising by significantly more than that figure.

The corporation has also been encouraging RSLs to develop rent policies aimed at setting rents that reflect the size, nature and location of the property rather than the nature of the tenancy or the funding regime under which it was developed. That would suggest a gradual process of convergence between secure and assured rents. However, it could seem rather inequitable to allow individual fair rents in the social rented sector to rise unchecked, if those in the private sector were subject to a cap.

We are therefore considering whether any proposal to limit fair rent increases for regulated tenants might also apply to secure tenants of RSLs, but within the rent control framework being developed by the Housing Corporation for all existing stock. RSLs would still be expected to develop rent policies that worked towards rent convergence, although that convergence might be slower if fair rent increases were limited. Clearly, we are trying

[Mr. Nick Raynsford]

to balance a number of issues here and we would not take any decisions about the way ahead without consulting all the interested parties first.

Concerns have also been expressed that fair rent levels are not consistent between rent office areas or between rent officers and rent assessment committees. The Government share those concerns and we are looking at ways to improve performance. We have already announced that we have decided to create a unified national structure for the rent officer service in England by establishing it as a next steps agency of the Department of the Environment, Transport and the Regions. That should ensure that a more consistent and accountable service is provided to the public. We are currently planning on the assumption that the agency will be established in October 1999.

We are also reviewing, in the light of the Nolan report and the code of practice for public appointments, the composition of rent assessment panels and the procedures for appointing members. In doing so, we are responding to the anxiety expressed by my hon. Friend about possible imbalances in the membership of rent assessment panels.

I have been concerned that members of the panel should be drawn from a broader constituency. The panels are now making greater use of lay members on their committees and tribunals. The Department has already started advertising annually for panel members to widen the catchment from which they are drawn. More information is now required from candidates for appointment and declarations of interest are required from members on both appointment and re-appointment. I know that panel presidents are very aware of the need to ensure that members do not consider cases in which they may have either a personal or professional interest. However, we are looking to strengthen the safeguards still further. We want to see greater openness in the appointment process, with tenants and landlords having ready access to information about the members considering their case. That is why I have asked the panels to look at how a register of members' interests can be made available for public inspection.

Another development that I can report is that a working group comprising members of the Institute of Rent Officers and rent assessment panels has been set up to consider, in the light of the recent fair rent court cases, how to achieve general consistency of approach to the registration of fair rents. I welcome that initiative and look forward to seeing the good practice guide that it proposes to issue in due course.

I know that the very fact that we are looking at the problem of unjustifiably high rent increases in the regulated sector has set alarm bells ringing in some quarters. Landlords' associations are suggesting that moderating fair rent increases could be the thin end of the wedge—the prelude to wider rent control. They are also predicting that it would scare away the financial institutions, which are at last beginning to show renewed interest in investing in private residential housing. I have to say, and keep on saying, that there is no rational basis for such fears. They are groundless. The factors that have led us to consider moderating fair rent increases simply do not apply in the deregulated sector of the market. We have no plans to change the legal framework for deregulated private tenancies, where rents and rent increases follow market trends.

I hope that my hon. Friend the Member for Regent's Park and Kensington, North is reassured from what I have said that the Government share her concerns about the plight of fair rent tenants. We are developing proposals to impose a maximum limit on the size of fair rent increases and we hope to be in a position to issue a public consultation paper shortly, setting out our proposals and seeking comments on the details.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Tuesday 27 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

TYNE TUNNELS BILL

Read a Second time, and committed.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Drug-resistant Tuberculosis

1. **Mr. Dalyell:** Pursuant to the letter from the Minister for Public Health (POH/3/5437/23) of 14 December 1997 on drug–resistant tuberculosis, what response Her Majesty's Government have had to its recommendation that while all patients should be closely supervised throughout their treatment, fully directly observed therapy is essential for those who are, or are suspected to be, poorly compliant with treatment, and for those with drug–resistant disease. [23413]

The Minister for Public Health (Ms Tessa Jowell): The Government have consulted widely on the best means to ensure effective treatment for people suffering from TB and particularly for vulnerable groups suffering from multiple drug-resistant TB. Both the interdepartmental working group on TB and the British Thoracic Society support the view adopted by the Government that directly observed therapy should be provided early in cases of patients suffering from drug-resistant TB where the patient is, for whatever reason, poorly compliant with treatment.

Mr. Dalyell: Why are we not supporting universal directly observed therapy for TB?

Ms Jowell: Ultimately, the judgment on whether therapy for people suffering from drug-resistant TB is provided is for the clinician. Clinicians decide whether treatment should be provided in this way.

Maternity Services (Wakefield)

2. **Mr. Bill O'Brien:** If he will make a statement on new hospital provisions in the area of the Wakefield health authority, with particular reference to maternity services. [23414]

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): I understand that Wakefield health authority is consulting local people about proposals to reshape acute and maternity services. As the issue may be referred to Ministers for decision, I am sure that my hon. Friend will appreciate that it would be inappropriate for me to comment at this stage.

Mr. O'Brien: I thank my hon. Friend for that reply. As he knows, my constituents' major concern is the suggested closure of the maternity unit at Pinderfields hospital in my constituency. It is a first-class unit, highly efficient and most secure. It can offer a back-up service to any mother or child in danger or with problems. Does the Minister accept that there is much concern, especially in my constituency, but generally throughout the Wakefield area, about the threatened closure? Does he accept that there is a fair amount of unjust concern in respect of the health authority and major concern among my constituents? Will he visit the unit to see for himself its efficiency and the way in which it helps people? I have witnessed that, and I would like him to join me in experiencing it.

Mr. Boateng: Any invitation to visit my hon. Friend's constituency is almost irresistible. I will certainly look at my timetable to see how we can accommodate his helpful suggestion. He is a doughty fighter for the NHS in his constituency. He understands that, in considering anything that comes to us from the health authority, we will ensure that his constituency and its surrounding area enjoy a high-quality, up-to-date NHS providing in a modern and responsive setting the treatment to which his constituents are entitled. He has my warm assurance on that.

Pharmaceutical Prices

3. **Mrs. Virginia Bottomley:** If he will make a statement on the future of the pharmaceutical price regulation scheme. [23415]

The Secretary of State for Health (Mr. Frank Dobson): The present pharmaceutical price regulation scheme ends in September this year. We are considering what the future arrangements should be. Our twin aims will be to keep down the cost of drugs for the NHS while helping to sustain the international success of the British pharmaceutical industry.

Mrs. Bottomley: Does the Secretary of State intend that the renegotiation be completed, and the revised arrangements be in place, by October?

Mr. Dobson: It is our intention—we may not succeed, but it is our intention.

Mr. Blizzard: Community pharmacists who serve neighbourhoods in my constituency are under threat from applications to site pharmacies in out-of-town supermarkets. If such applications succeed, those community pharmacies will go out of business and, if they do, many people without cars in those neighbourhoods will be disadvantaged, especially the elderly and lone

parents. Will my right hon. Friend please look into the problem and try to help community pharmacists to withstand that threat?

Mr. Dobson: We are certainly aware of the problem, but there is a balance to be struck. We want to retain as many local community pharmacists as possible and to encourage trained pharmacists to make a greater contribution to the national health service than they are making at present.

Mr. Ian Bruce: This is all waffle—the Secretary of State should look at his Government's Competition Bill.

Mr. Dobson: If the hon. Member for South Dorset (Mr. Bruce) shuts up for a minute and listens, he will hear me say that there are substantial numbers of people who find it convenient to obtain the drugs they want when visiting the supermarket. The balance is one between two different types of convenience and it will have to be struck.

Rev. Martin Smyth: I appreciate that the Secretary of State wants to defend the pharmaceutical industry, but he must also bear in mind the fact that some of the supermarkets might pick and choose the type of drugs they want to sell, which would endanger the overall spread throughout the country. Will he bear that in mind when making his evaluation?

Mr. Dobson: I will certainly bear in mind those very points, because they are the points that we have been making in our discussions with the various interested parties. However, as I said, there is a balance to be struck. We want to maximise the convenience of all potential users of pharmacies, and to encourage and extend the contribution that trained pharmacists can make. At the moment, I do not think that they are getting a great deal of job satisfaction out of some of their work and we are not getting a return on the substantial investment in their lengthy training.

Staff Morale

4. **Mr. Sawford:** What proposals he has to improve staff morale in the NHS. [23416]

Mr. Dobson: The election of a Labour Government committed to the national health service that we founded was a great start in raising morale in the NHS. Since being elected, we have—unlike the previous Government—listened to the people working in the NHS. Their views and experience are reflected in the proposals in our White Paper, "The New NHS", which will make the NHS modern and dependable. Working with staff, we are combating assaults on staff, introducing family-friendly employment policies, combating racism and promoting health and safety at work. We have also lifted the gagging clauses on staff which were imposed under the previous Government.

Mr. Sawford: Is my right hon. Friend aware that staff morale in my local health authority has been immensely improved this winter, due to the £1.6 million that the Government found for local health services? In Kettering, we have benefited from £93,000 for the expanded intensive care unit, which I had the great pleasure of formally opening the other week; £35,000 for extra staff in accident and emergency; £35,000 for the medical assessment unit; and £56,000 for the surgical assessment unit. Those are all positive developments which have affected staff morale in my local hospital. Will my right hon. Friend tell the House in what ways he will further involve local staff in all decision-making processes within the local health authority and the NHS?

Mr. Dobson: I should start by paying tribute to all the hard work done by people working in the NHS in maintaining services during the Christmas and new year period and during this period, as winter pressures build up. We are determined to ensure that the staff working in the health service—the people who have developed a vast amount of precious experience—have their say in how things go on in future. That is why we are to establish a new task force to look at how to improve staff involvement, drawing on the direct experience of people currently working in the health service and also, quite properly, drawing on the experience of other, private sector businesses which have a good success rate in staff involvement.

Mrs. Roe: What does the Secretary of State believe the effect on staff morale at the Whittington hospital in North London has been following the publication in last Saturday's *Daily Mail* of an article headed:

"How the NHS betrayed my Mum"?

The article contained a description of the appalling treatment of a woman patient. Delays in her admission and diagnosis had culminated in her death, amid squalor, noise and broken equipment.

Does the Secretary of State agree that it is a disgrace that the chairmanship of that NHS trust hospital has been vacant for nine months—since 1 May 1997, when Baroness Hayman resigned to take up her post as a Labour Minister in the House of Lords? Is this not an example of the Labour Government's contempt for staff and patients?

Mr. Dobson: It is nothing of the sort—and the chairman's post has been filled.

The treatment of some old people in acute hospitals has proved to be indefensibly bad. That is why, before Christmas, I asked the health advisory service to conduct a survey of the way in which old people are treated in acute hospitals, a move which was welcomed by every organisation campaigning on the issue. We will take whatever answers the survey comes up with very seriously.

If the hon. Lady will give me details of the case that she cited, I will pursue the matter. The Whittington hospital serves people in my constituency, and—whatever fall from grace may have been revealed by the report in the *Daily Mail*—most of my constituents who have to go there tell me that they receive a good service from the staff.

Mr. Sheerman: Is my right hon. Friend aware that staff morale has improved a great deal since the Labour victory on 1 May? However, all those in the national health service feel better when everyone is pulling their weight. Is my right hon. Friend aware that there is increasing discontent among staff and patients about the fact that doctors who are supposed to be national health service consultants spend far

too much time—more than their contract allows—doing private work? That means a long wait for those whom they should be treating in the national health service.

Mr. Dobson: It is certainly the case that the previous Government introduced what they called a full-time contract for consultants, which allowed them to work less than full time in the national health service.

Mr. Simon Hughes: The pressures on the health service—there are longer waiting times, and it was reported today that 10 per cent. of patients had waited for four hours on trolleys in accident and emergency—reflect the staff shortage that the Secretary of State knows exists. We are talking about 8,000 nurses, 1,500 hospital doctors and 1,000 GPs. Will the right hon. Gentleman tell the House that his Department, he as Secretary of State and the Government will, in the near future, take the one step that, more than anything else, will guarantee good morale in the health service? Will they accept, in full and without phasing, the recommendations of the pay review bodies, so that the NHS can get back to work and do its job, and so that doctors and nurses do not lose theirs?

Mr. Dobson: The hon. Gentleman does not know what is in those recommendations, and he does not know what the Government's response will be. No one would wish to play down the significance of people's pay in relation to their morale, but—as staff tell me time and again—there are other important considerations, and we are addressing those important considerations.

Mrs. Mahon: Is my right hon. Friend aware that the casualty watch survey, to which the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) referred, got it wrong about the four patients in Halifax? They had not waited 17 to 24 hours. They were in an assessment unit in proper beds, being treated by proper nurses and proper doctors. The community health council has now admitted that it was wrong.

Mr. Dobson: My hon. Friend refers to inaccuracies in the report relating to Halifax. We take any reports of such happenings extremely seriously. I have made it my business to investigate them all. One of those to which the British Broadcasting Corporation gave great publicity this morning referred to someone who, the BBC claimed, had waited 65 hours on a trolley at East Surrey hospital. That woman had come off an aircraft at Gatwick. She was believed to be suffering from malaria and was put in a separate room, which happened to be in the accident and emergency department, because it was believed by the people running the hospital that that was the best place for her to be isolated from the rest of the patients—to protect the patients and her. I do not know whether the BBC has given similar publicity to acknowledging that it was wrong.

Mr. Nicholls: With reference to the reply that the Secretary of State gave the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) some moments ago, does the right hon. Gentleman realise that when ward nurses compare their salary with his, they will be profoundly insulted? If he wants his earlier replies to be taken seriously, the one step that he could take today to improve morale in the national health service would be to respond to the call made last week by the Royal College of Nursing to accept the recommendations of the independent review group, when they come, as they were accepted by the previous Government. Does the right hon. Gentleman agree that such an assurance should be given today, or when it comes to nurses' pay, is it all generalities and humour?

Mr. Dobson: When it comes to staging pay increases, the Tories are old stagers. They have been doing it for years. I do respond to certain calls from the Royal College of Nursing. The first speech that I made in this job to the RCN annual conference made it clear that we would abandon the previous Government's crackpot arrangement whereby there was a national agreement, and then staff and management had to negotiate about whether the staff would get 0.8 or 1.1 per cent. in a local agreement. That was a waste and totally stupid, as everyone had told the previous Government. We got rid of the arrangement, which is why I got a standing ovation at the RCN annual conference.

Hospital Waiting Lists

5. **Mr. Ian Bruce:** What is the current trend in hospital waiting lists. [23417]

9. **Mr. Viggers:** If he will make a statement on progress in reducing hospital waiting lists. [23421]

Mr. Dobson: As I have said before, the Government will ensure that by the end of this Parliament, hospital waiting lists are shorter than the record levels that we inherited from the previous Government—record levels that were rising faster than at any time in the 1990s.

Mr. Bruce: My question was a short one, and that was not the answer to it. The right hon. Gentleman and his team hit the ground running when they took over the Department of Health, but surely he has realised by now that he is running in the opposite direction to the one in which he said he would go. Waiting lists are going up to record levels, and we had a report overnight about what was happening in accident and emergency departments, even though there is no flu epidemic as there was last year. The right hon. Gentleman has announced in the past week that he wants more people to go back into mental hospitals, and that he wants abortions to become easier, but he does not have the money needed because of the inflation that his Government have caused. What will he do about bringing down waiting lists now, not in five years' time?

Mr. Dobson: I apologise to the hon. Gentleman if I did not refer to "the current trend" in waiting lists. I thought that I had explained that we inherited a record level, and that waiting lists were then rising faster than they had ever risen before. They are no longer rising faster than they have ever risen before. As I have said to the hon. Gentleman before, waiting lists are like a supertanker: it takes time to slow down the increase, it will take longer to stop it, and it will take even longer to turn waiting lists round, but turn them round we will.

Mr. Viggers: May I remind the Secretary of State of the Labour party manifesto, which included the very simple promise:

"We will . . . End waiting for cancer surgery."?

Will he take this opportunity to apologise to the woman who, this week, had to wait 27 hours on a trolley while needing renal dialysis? Will he apologise to the women who need operations for breast cancer, who now have to wait twice as long for their operations under the national health service than patients in private medicine? Above all, will he apologise to all the people who voted Labour because they thought that the Government would be capable of fulfilling their promises?

Mr. Dobson: I will not apologise for any of the things that the hon. Gentleman mentioned, and I certainly will not apologise for abandoning the eighth round of GP fundholding and transferring the £20 million that the previous Government had earmarked for the bureaucracy of fundholding, or for diverting £10 million into improved breast cancer treatment for women and £5 million into improved children's intensive care.

Mr. Truswell: On the question of tackling waiting lists, will my right hon. Friend and his team accept the thanks of my constituents for the part that they played in progressing the planning process affecting the future of Wharfedale general hospital? However, will they acknowledge the increasing anger of local people at the way in which services at the hospital are being run down, including the proposed withdrawal of 60 acute beds? Will my right hon. Friend and his team do their utmost to ensure that Wharfedale general hospital continues to be a genuine general hospital, providing a wide range of services to the surrounding communities?

Mr. Dobson: As my hon. Friend knows, I met a delegation from the Wharfedale general hospital recently. Although I am not supposed to issue edicts about the future of hospitals from the Dispatch Box, I think that I can safely say that it is unimaginable that that hospital should cease to be in Otley and cease to provide a wide range of services for local people. Those who are putting around stories to the contrary are misleading the local people.

Miss Melanie Johnson: Does my right hon. Friend agree that we should not keep it a secret that his Minister of State has a 40th birthday today? I am sure that the House will join me in congratulating him on his birthday.

Does my right hon. Friend agree that Dorset health authority has had substantial extra funds? I understand that these are an additional £401,000 for intensive care for children, and an additional £1.7 million for winter pressures. Does my right hon. Friend agree that that is tackling the problems faced by the health service in a way in which the previous Government certainly did not?

Mr. Dobson: I can confirm that my hon. Friend's figures for the extra funds that have been found for Dorset are as accurate as her recognition of the 40th birthday of my hon. Friend the Minister of State.

Mr. Maples: I join in congratulating the Minister on his birthday. I think that it makes him 10 years younger than the health service. I wish that I could say the same of myself.

If certain London hospitals knew their future, would not that help to reduce waiting lists in London? The Turnberg report has, I believe, been sitting on the Secretary of State's desk for several weeks. Why is he hiding its conclusions from the public?

Mr. Dobson: I certainly received the report of the Turnberg review. I have been discussing it with my colleagues and hope shortly to publish both the report and our considered response to it.

Mr. Maples: Is not it the truth that the Turnberg committee was set up to resolve the Bart's problem and that it has not done so? It has not given the Secretary of State a convenient solution, so he will have to make up his own mind about it, but, because he is having great difficulty in making up his own mind, he dare not publish the report. May I remind him, while he is thinking about the Turnberg report, that when he set up the committee, he promised a moratorium on further rundowns and closures of London hospitals? Since then, Queen Mary's University hospital, Roehampton, and Edgware Community hospital have been run down to the point where they have effectively been closed as district general hospitals. How many more London hospitals do the Government propose to close?

Mr. Dobson: As I wrote that policy commitment, I can tell the hon. Gentleman that we promised that there would be no hospital closures during the Turnberg review. There have been no hospital closures. I have read the Turnberg report and I have a good idea of the Government's response to it, but all I can say to the hon. Gentleman and his eager colleagues is watch this space.

Prescription Fraud

6. **Mr. Dobbin:** What proposals he has for tackling prescription fraud in the NHS. [23418]

The Minister of State, Department of Health (Mr. Alan Milburn): On 7 January, I announced a comprehensive programme of action, which includes plans to create a specific criminal offence of prescription charge evasion, improvements to prescription form security, the establishment of a hotline and internet websites for reporting suspected fraud and the forthcoming appointment of a fraud supremo to spearhead this initiative.

Mr. Dobbin: I thank the Minister for that reply. Is he aware that the national health service loses £90 million to £100 million a year through prescription fraud and that had the NHS had access to those funds, it could have carried out something like 14,500 heart bypass operations, 68,900 cataract operations or 22,200 hip operations? To put that in a local context, my local health authority, Bury and Rochdale, did not spend anything like £100 million on setting up a health aid line for patients. Does he agree that those who are defrauding the system represent a tiny minority and that the vast majority of health workers, doctors and pharmacists are doing a sterling, honest and realistic job and deserve our help and support?

Mr. Milburn: My hon. Friend is absolutely right about the scale of the problem which is cheating the national

health service of some £100 million every year. He is also right to say that the overwhelming majority of patients and NHS professionals are decent, law-abiding citizens who are simply doing an honest job. That is why we are determined to bear down on the few rotten apples who are not. Their activities not only defraud the taxpayer, but rob patients of resources that they deserve.

Dr. Brand: Does the Minister agree that one of the ingredients for tackling fraud, especially prescription fraud in the NHS, is to have a thriving chain of community pharmacies? Will he give the House an assurance that his Department will consider a remuneration package for community pharmacists to replace the threatened abolition of retail price maintenance in respect of over-the-counter medicines?

Mr. Milburn: In addition to their role in dispensing medicines, community pharmacists have an important role to play—for example, in helping to crack down on prescription fraud. That is why we are entering negotiations with the pharmacy profession on introducing a new scheme whereby pharmacists are rewarded appropriately when they spot counterfeit or stolen prescription forms. We want to enhance their role in that and other respects.

Dr. Fox: I am sure that the Minister will agree that a simplified prescribing system would enable us all to crack down on prescription fraud. At the moment, those who benefit from free prescriptions in one area of medicine are able to do so in others. In other words, someone who requires one life-saving medicine can claim all prescriptions free, irrespective of his or her income. How much does that cost the national health service in a year?

Mr. Milburn: I do not have the figure, but I am happy to write to the hon. Gentleman. The current system of prescription charge exemption is extremely complex and, in some cases, difficult to understand. The hon. Gentleman will be aware that, as part of the comprehensive spending review, we are considering how we can make the system easier to understand and simpler to administer. In addition, later this year, we shall be launching a major publicity campaign to try to get across the message to patients—who sometimes simply get it wrong—about who is exempt and who is not. In the meantime, the Government will not stand back idly and allow those who are defrauding the system to get away with it. They are cheating the system and robbing taxpayers and patients of money that should be going into patient care.

Mr. Campbell-Savours: Would the introduction of a national identity card scheme help to root out fraud?

Mr. Milburn: Following the efficiency scrutiny report on prescription fraud, we accepted that patients who turn up and claim an exemption from the prescription charge should prove their entitlement to that exemption. That is important, and we hope that, through our discussions with the pharmacy profession, we shall be able to introduce those checks at the point of dispensing before too long.

Access to Treatment

7. **Sir Robert Smith:** What plans he has to ensure that the same access to treatment under the health service is available to every NHS patient. [23419]

Mr. Boateng: We said in our manifesto that when people are ill, the national health service will be there to help, and that access will be based on need and not on the ability to pay. We meant that, and the steps set out in our White Paper, "The New NHS" will improve consistency. We shall work with the professions to produce national service frameworks and clinical guidelines, and we shall challenge and address variations not based on the health needs and wishes of local people. This gives maximum national consistency, while still allowing appropriate local and individual responsiveness.

Sir Robert Smith: I thank the Minister for that answer. Is he is aware that next week Age Concern is launching an age discrimination awareness campaign, specifically on the problem of health discrimination and access to health care for the aged? Will those guidelines ensure that, regardless of age, people will have equal access to treatment under the NHS?

Mr. Boateng: I welcome Age Concern's work in this area. Our senior citizens are a valuable asset. They must be nurtured and cared for, and we are here to ensure that the NHS does just that.

Ms Walley: I welcome the steps that have been taken so far. Is the Minister aware that people in some parts of the country have worse ill health than those in other areas? There is particular concern about the health of the people in Stoke-on-Trent and North Staffordshire compared with the whole of the west midlands. Will he consider carefully North Staffordshire's application to become a health action zone, so that we can ensure that people have fair and equal access to the national health service?

Mr. Boateng: Health action zones will, indeed, help address the real problems of inequality in our society. They are new and innovative, and will ensure that we focus on the failure of previous Governments, especially the last Government, to tackle inequality. The Conservative Government banned civil servants from using the word "inequality". Civil servants can now talk about inequalities in the NHS, and, more than that, this Government will do something about them.

Mr. Tredinnick: Does the hon. Gentleman accept that an increasing number of patients are turning to complementary therapies, because they find them effective? Does he also accept that there is a problem, because only a small number of general practitioners understand alternative and complementary medical treatments? Does he have any plans to rectify that? Is it true that the Department is about to set up an alternative health register, following the Secretary of State's discussions with the Prince of Wales?

Mr. Boateng: We very much welcome the increasing developments in the field of complementary medicine.

We believe that such treatments have a role to play, but it is important that people get good, reliable information about them. We shall help to ensure that they get just that.

Ms Beverley Hughes: Does my hon. Friend agree that equal opportunity for good health is as important as equal access to treatment? Does he share my concern about the gross inequality between different regions in morbidity and mortality; the chance of life itself? Will he confirm that, unlike the previous Government, one of this Government's top priorities is to tackle the health consequences of poverty?

Mr. Boateng: We shall, indeed, tackle the health consequences of poverty. There is no doubt that a lack of jobs and poor houses contributes towards ill health. Sadly, the previous Government did nothing about that. The Minister for Public Health will shortly produce a Green Paper on this subject. I assure Opposition Members that it will address the issues that have been raised.

Bureaucracy (Essex)

8. **Mr. Bob Russell:** What plans he has to reduce bureaucracy in *(a)* North Essex health authority, *(b)* Essex Rivers Healthcare, *(c)* North Essex Mental Health Trust and *(d)* New Possibilities Health Trust. [23420]

Mr. Milburn: In December 1997, I announced that, in 1998-99, an £80 million saving will be secured from reductions in management costs for investment in front-line patient services. Regional offices will shortly set targets for all health authorities and trusts to reduce management costs.

Mr. Russell: May I suggest to the Minister that further savings could be made if quangos were abolished and those trusts were amalgamated and brought under some form of local accountability—thereby releasing thousands of pounds into the front-line services that he mentioned? We have also the nonsense in which trusts operate side by side. I draw his attention to, for example, Colchester general hospital, which operates from a cramped site because the next-door NHS trust is busily selling off that site. Why do we not bring back the NHS under one control, so that it is the people's NHS?

Mr. Milburn: That is a very radical approach for the hon. Gentleman to take, and a useful policy initiative at which we shall take a good, close look. Meanwhile, as he is aware, a process of trust mergers is under way across the country. However, those mergers will occur as a product of local discussion and local agreement rather than because of national edict. If local discussions are occurring in his area and if they produce a trust merger proposal that results in improvements in patient care, Ministers will examine the process very carefully. The acid test, however, is whether that type of structural change leads to improvements for patients.

Mr. Ruffley: Does the Minister understand that—although he talks tough on cutting costs—he is proposing to add a new dimension of bureaucracy with the White Paper's primary care commissioning units? What will be the cost of that new bureaucracy? Has his Department calculated the cost? If so, what is it?

Mr. Milburn: The answer is that we shall be cutting bureaucracy by £1 billion during the course of this Parliament.

NHS Trusts

11. **Angela Smith:** What proposals he has for promoting shared responsibility between NHS trusts for local services. [23423]

Mr. Milburn: The plans in the recent White Paper "The New NHS" herald the end of competition within the national health service. We plan to introduce a new statutory duty of partnership that will clearly set the requirement for NHS trusts to work together with each other, with other health service organisations and with other local agencies responsible for promoting good health.

Angela Smith: I welcome my hon. Friend's answer. However, does he share my concern that the South Essex health authority—despite the extra £17 million that the Government have given to it—is still implementing wide-ranging cuts in front-line services? If health authorities and trusts will follow the line described by the Minister, they could raise the necessary money by efficiency savings and not by cuts.

Mr. Milburn: When any of those issues are discussed locally, it is important that the consequences for patient care are thoroughly investigated. The Government want big improvements in efficiency and quality in all parts of the national health service—which is why we will be bearing down on bureaucracy and why we are introducing a new performance framework to measure how individual trusts and health authorities are performing. In short, we will be expecting trusts to be comparing rather than competing.

Mr. Rowe: Is the Minister aware that the Kent and Canterbury hospital in east Kent has developed services with two other hospitals—William Harvey hospital, in Ashford, and Queen Elizabeth the Queen Mother hospital, in Margate—which have reached a standard that the Royal Colleges greatly applaud? Is he further aware that the East Kent health authority now proposes to destroy the central hospital in that co-operation? Will he give an assurance that when, as is certain to happen, the community health council applies to the Secretary of State for a review, he will take those admirable developments—which he commends in principle—into account?

Mr. Milburn: As the hon. Gentleman is aware, consultation is currently under way in east Kent, led by the health authority. If, as he expects, any of the area's community health councils object to the results of that consultation and they land on Ministers' desks, of course we will take a proper and full assessment of the consequence for patient care.

Hospital Waiting Lists

12. **Mr. Skinner:** When he expects to announce the results of the review of the NHS with particular reference to waiting lists. [23424]

Mr. Milburn: On 18 November, my right hon. Friend the Secretary of State announced a wide-ranging programme of action to ensure that fewer patients are waiting for admission to national health service hospitals

by the end of this Parliament. The review of the NHS, to which my hon. Friend referred, is part of the Government's comprehensive spending review. In his statement to the House on 11 June, my right hon. Friend the Chief Secretary to the Treasury advised that the review would take around 12 months to complete.

Mr. Skinner: Does my hon. Friend agree that, to turn this supertanker around, he will need money? Does he accept that, over the past few months, the NHS has received money over and above that included in the Tory spending limits—which I recommend as a good idea? Will he ensure that, in order to get waiting lists down, he takes account of the fact that there is already an extra £10 billion of tax income in this financial year? Will he tell his right hon. Friend the Chancellor of the Exchequer that the NHS wants a big slice of that? While he is talking to the Chancellor about using some of the money, will he also tell him that, instead of phasing in pay awards for nurses and others, he should pay them, like Members of Parliament, in one fell swoop?

Mr. Milburn: I am sure that my right hon. Friend the Chancellor is aware of my hon. Friend's views. My hon. Friend will be aware that, since the general election, the Government have invested an extra £1,500 million in front-line patient care. As he is also aware, the Government are committed to real-term increases in NHS funding not just next year but each and every year.

Mr. Nicholas Winterton: The Minister is well aware that it has been increasingly difficult to get people who suffer from mental illness into hospital for appropriate care. It has been even more difficult to get people into hospital who require long-stay care for the treatment of mental problems. I congratulate the Secretary of State on the courage that he has shown finally to change the policy on community care for those suffering from mental health problems and disability, which is so often associated with mental handicap. Will the proposals that he hopes to put forward, which I appreciate will cost money, enable people with appropriate problems to gain access to hospital care and long-stay care if they need it—totally in accordance with the wishes of organisations such as SANELINE, which campaigns so well for the mentally ill?

Mr. Milburn: I am grateful for the hon. Gentleman's kind words about the recent announcement by my right hon. Friend the Secretary of State. Sometimes, there has been naivete about the potential benefits to all patients of care in the community. Of course, for some patients, the policy works, and works extremely well. But for others, it does not, has not and will not work. That is why we must strike an appropriate balance between care in the community, intermediate care, 24-hour nurse care, and, where it is needed, acute care in hospitals for severely ill patients.

Mrs. Anne Campbell: Is my hon. Friend aware of the sort of situation that was described to me by a consultant in my local hospital? He told me that he had to refer 300 patients back to their doctors for foot and ankle treatment because, under the guidelines laid down by the previous Government, he was simply not allowed to increase the waiting time for such patients. Is he aware that that means that there is a huge unmet need, which is one of the reasons why the Government will have many problems in trying to reduce waiting lists? Should not we really be blaming the Conservatives for not meeting the demand when it was needed?

Mr. Milburn: My hon. Friend is absolutely right. The Government inherited a very difficult position on waiting lists, which, as we have made clear from day one, will take time to remedy. We are committed to having fewer people waiting for hospital treatment by the end of this Parliament. In addition, we shall make progress year on year towards achieving that objective. For example, by the end of March, we shall eliminate the need for anyone to wait more than 18 months for hospital treatment. We shall then set further targets for improvement. There will be incremental improvement every year towards our objective of having fewer people waiting for treatment.

Community Hospitals

13. **Mr. Breed:** What are the Government's plans for developing community hospitals. [23427]

Mr. Dobson: We want to promote a health service close to home. In some places, that will involve community hospitals providing a wider range of services. However, they must have high standards and they must provide good value for money. Our White Paper proposals will make it possible for primary care groups to run such local hospitals if they decide that that is best for the patients in their area.

Mr. Breed: I thank the Secretary of State for that answer. Does he accept that there continues to be widespread concern throughout Cornwall about the health authority's proposal to close four community hospitals, which are a vital part of health care provision in a largely rural area? They provide good quality care that is accessible to a large proportion of the population.

Mr. Dobson: I understand the concerns of people in Cornwall about the health authority's proposals to close four community hospitals. At one point, the health authority, with the support of the Liberal Democrats, said that the problem was caused by the Government keeping the authority short of funds. In an outburst of honesty, the chief executive then admitted on television that he would like to close the hospitals whatever the level of funding. I cannot issue any pronunciamento on the future of those hospitals. If the community health council decides to object, the decision will be a matter for me. I have made it clear that we would like to promote community hospitals because we want people throughout the country, not just in Cornwall, to be able to turn to an efficient, effective, high-quality health service that is close to home. We do not want people to have to travel vast distances for relatively straightforward treatment.

Mr. McNulty: Will my right hon. Friend take this opportunity to correct some misinformation given out by the Conservative Front-Benchers during this Question Time? Far from being in doubt, the future of Edgware hospital is secure. Does my right hon. Friend agree that the 120-plus organisations and individuals who took part in the Edgware review, which has been sanctioned by the

Department of Health, deserve our congratulations? Edgware will be a model community hospital for urban areas and the community will stay involved while the plans are being implemented.

Mr. Dobson: I entirely agree with my hon. Friend. I pay tribute to all those involved locally and in the Department, including the 40th birthday boy, my hon. Friend the Minister of State, who has contributed to sorting the issue out. A trail-blazing effort has been made in Edgware to create a community hospital in an urban area providing first-class services that local people want.

Mr. Brazier: Does the Secretary of State agree that the views of the community, particularly those of the primary carers—the general practitioners—should play a particularly important role in his decision on the future of the Kent and Canterbury acute hospital and the Whitstable and Tankerton community hospital? Does he further agree that the community has every reason to have sent me 630 letters already, which I have sent on to him, on the future of the two hospitals?

Mr. Dobson: I shall bear all representations in mind, but there are a few crocodile tears from Conservative Members. Most of the closure proposals come from boards dominated by chairmen and non-executive members appointed by the previous Government. I am glad that some of them are no longer there.

Nurses (Primary Care)

14. **Mr. Pond:** What proposals he has for boosting the role of nurses in the National Health Service (Primary Care) Act 1997 pilots. [23428]

Ms Jowell: The National Health Service (Primary Care) Act personal medical services pilot scheme offers considerable opportunities to boost the role of nurses in the development of primary care and community health services. For the first time, nurses can lead in the delivery of primary care services, including employing general practitioners.

Mr. Pond: I thank my hon. Friend for that answer. Will she confirm that this is the first time in the history of the national health service that nurses have been given the green light—by the new Labour Government—to run primary health care in that way, as in the new minor injuries unit at the Gravesend and North Kent hospital in my constituency? Does she agree that giving nurses that major role will result in an improvement in the quality of primary care services?

Ms Jowell: My hon. Friend is right that the measures taken by the Government in approving pilot schemes under the National Health Service (Primary Care) Act put nurses in the driving seat. That is good for nursing and good for patients. It would not have happened had it not been for the insistence of those who are now in government, when they were in opposition, that the provision be extended to nurses. It was the joint efforts of the present Government, when in opposition, together with nursing organisations, that delivered that good deal for nurses, which is also a good deal for patients.

Mr. Lansley: *The Observer* tells me that I have the honour to represent the healthiest constituency in Britain, and I would like to keep it that way.

Madam Speaker: I am your constituent.

Mr. Lansley: Indeed, Madam Speaker—an example of good health, if I may say so. In that respect, we especially value the role of nurses, including those employed in the community health trust to provide health visiting and school nursing services. In advance of the publication of the Green Paper on public health, will the Minister act to prevent redundancies next week in that community health trust, because they would diminish the universal screening services that it provides, which we regard as of considerable importance to the maintenance of public health in the area?

Ms Jowell: The hon. Gentleman will be aware that at the request of my hon. Friend the Member for Cambridge (Mrs. Campbell), I recently met staff and representatives of the Lifespan trust to discuss some of the difficulties that they were facing. I understand that the trust has recently announced that although it has accepted some requests for voluntary redundancy, the need for compulsory redundancies has been averted through staff turnover and redeployment. The trust has reviewed children's health services and is implementing a new model that will be responsive to identified clinical needs.

Social Exclusion Unit

15. **Mr. Watts:** What action he is taking to support the work of the social exclusion unit. [23429]

Mr. Boateng: The work of the social exclusion unit is being supported right the way across Government, by all Departments. Our Department is working closely with the unit as it tackles its initial priority areas, and many other departmental initiatives within the Department—those relating not only to health but to personal social services—have a direct bearing on the wider issues of social exclusion. We shall continue to work on those and to take matters forward with the health action zones, and with our work on drug and alcohol misuse and on family support and early intervention. That is all about tackling the underlying causes of social exclusion, which were too long neglected by the Conservatives.

Mr. Watts: I thank my hon. Friend for that reply, but may I draw to his attention the fact that my constituents in St. Helens have been left with a legacy of Tory Government reforms that mean that they now have a two-tier health service, with whole areas of poverty-stricken communities excluded from really good health services? What action does the Minister intend to take to ensure that resources are made available to communities such as St. Helens?

Mr. Boateng: We recognise the needs of communities such as St. Helens. Indeed, I was up in my hon. Friend's part of the world only last Friday, and what is happening

there is that we are beginning to see the spirit of co-operation replacing the ethos of competition and division that characterised the Conservatives' period in government. It is all about co-operation, not competition. The Government will take forward that agenda, which is welcomed by the people of this country.

Mr. Clappison: Does the Minister agree that ambitious public health targets are of the greatest value to the poorest and neediest people in society? Will he therefore give an assurance that his Government are not considering any watering down of the ambitious public health targets under "The Health of the Nation" strategy established by the previous Government?

Mr. Boateng: We need no lectures from Conservative Members about public health. They did sweet FA about public health when they were in government. We are tackling the issues.

Mrs. Ellman: Does my hon. Friend agree that poor health in constituencies such as mine is the result of poverty, unemployment and poor housing? Will he applaud the initiatives already taken in my constituency, and especially in the Vauxhall area, where health and social services workers are making joint efforts to improve health? Will that encourage him to award Liverpool the status of a health action zone?

Mr. Boateng: The sting is in the tail. We must indeed bear down on inequality across Government, focusing the activities of Departments and recognising that when one Department takes a lead others will have a role to play. That is what it is all about. My hon. Friend the Minister for Public Health is promoting the work of the social exclusion unit, right the way across the ministerial team, recognising that our work needs to be linked with the good work done by other Departments. That is how the Government will take forward the agenda.

Points of Order

3.30 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton): On a point of order, Madam Speaker. In Social Security questions yesterday, in response to my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith), the Secretary of State said:

"We sought and considered the advice of the Government Actuary . . . and we changed the rebates . . . we sought that advice and acted properly on it."—[*Official Report*, 26 January 1998; Vol. 305, c. 5.]

I raise the matter because it is now clear that she misled the House, no doubt inadvertently. The Government Actuary's report recommends rebates higher than those announced by the Government, who also announced greater reductions in the contracted-out money purchase schemes than were recommended.

It is clear that the Government did not in fact follow the Government Actuary's advice. Have you, Madam Speaker, been informed by the Secretary of State that she intends to come to the House to put the record straight and, if not, can you advise me, as I am a new Member, what action can be taken to correct the record?

Madam Speaker: Indeed I can. I heard the hon. Gentleman out because I believe that he is not raising a so-called point of order facetiously but is quite serious, whereas most points of order that I hear are not serious. I want to tell him very clearly that it was not a point of order. *[Interruption.]* It is very important. It was not a point of order. Hon. Members may no doubt often disagree with what Ministers say and with the answers that they give, but I cannot rule on the matter that the hon. Gentleman has put to me. He, and any other hon. Members who are concerned about Ministers' answers and think that they are misleading, should use the Order Paper to bring the matter to the attention of the entire House and of the media. It is not a point of order, because it is not a matter on which I can rule. I hope that I have been helpful.

Mrs. Alice Mahon (Halifax): On a point of order, Madam Speaker. For good reasons, I am sure, the shadow Secretary of State left Health questions halfway through, and I am certain that he made his apologies; but he has commented in the past to his fellow Conservatives that their party could not win when it came to the national health service. Given the low priority that they give to questions, leaving only one shadow Minister on the Front Bench, I wonder whether Conservative Members have approached you requesting a shorter Question Time.

Madam Speaker: The shadow Secretary of State for Health had another appointment, and he apologised to me quite properly because he had to leave the Front Bench.

Mr. Simon Hughes (Southwark, North and Bermondsey): On a point of order, Madam Speaker. Again on a health matter, could you be like others who chair our courts, such as magistrates, and help Back Benchers to hold the Government to account a bit more? We were clearly told through the general press and through direct information from the Department of Health that we were to have the statement on public health today.

Madam Speaker: By the press?

Mr. Hughes: First, by the press, and secondly by civil servants in the Department. In the event, we are not having a statement. Sometimes, quite understandably, there are delays, but I ask you to be more like a magistrate who, when the Crown Prosecution Service suddenly finds that it cannot proceed with the work of the day, must at least come and explain why the matter has been put off to another occasion.

Madam Speaker: The hon. Gentleman and the entire House know when statements are to be made because they are on the annunciator screen soon after 12 o'clock. He should not worry about the press or anything else. When a Minister is to come to the Dispatch Box and it is on the annunciator screen, the House knows that there is to be a statement.

Mr. Ian Bruce (South Dorset): On a point of order, Madam Speaker. I am sure that hon. Members from all parties currently have large postbags about the Road Traffic Reduction (United Kingdom Targets) Bill and the Breeding and Sale of Dogs Bill, both of which are to be debated on Friday this week. I have been trying for some time to get copies of those Bills, so that I can write to my constituents about my views on them. Unfortunately, neither has been printed yet—the Bills are not available. [HON. MEMBERS: "They are."] I wonder whether you can make inquiries as to why we still do not have them.

Madam Speaker: That is not a matter for the Chair, of course. It is the hon. Member promoting the Bill who produces it for printing. There are murmurs in the House that these Bills are ready. Perhaps the hon. Gentleman might like to check again, but I will do so as soon as I am able to leave the Chair. It is for the hon. Member who has the Bill to see that it is printed and made available to others.

Mr. John Wilkinson (Ruislip-Northwood): On a point of order, Madam Speaker. You may not have heard, but the Under-Secretary of State for Health, the hon. Member for Brent, South (Mr. Boateng), used what I thought was a most inelegant abbreviation; inelegant at the best of times but, in terms of parliamentary conduct, thoroughly unbecoming of a Minister of the Crown. Could you rule whether "sweet FA" is parliamentary language?

Madam Speaker: I am not certain whether it is unparliamentary, but it is certainly most undesirable. I hope that hon. Members, and particularly Ministers of the Crown, will use better language in the future in the House.

Home Zones

3.36 pm

Mrs. Helen Brinton (Peterborough): I beg to move,

That leave be given to bring in a Bill to enable highway authorities to make provision in residential areas for the designation of highways where pedestrians and pedal cyclists have priority in the carriageway over mechanically powered vehicles, for the purposes of promoting safety and of improving the environment; and for related purposes.

A home zone is a street or group of streets where pedestrians and cyclists have priority and cars travel at a top speed of 10 mph. Drivers have to give way to pedestrians, and cyclists, and are normally responsible for any injury caused to them. The change in the status of the road is clearly indicated through signing, traffic calming measures and landscaping features such as seating, other street furniture and plants.

In some streets, parking is rearranged to make better use of space—especially if the residents are part of a community car-sharing scheme. I should emphasise to the House that residents must be in favour of creating a home zone and should be involved at the design stage. There are at present no home zones in this country, but they have proved to be popular and effective on the continent of Europe, in Austria, Denmark, Germany and the Netherlands.

In December, I was pleased to host an event in the House, sponsored by the Children's Play Council, when we were treated to a presentation of what home zones looked like by a speaker from the Netherlands. It was clear to me—and to everyone there—that they are most attractive places, which are of benefit to the whole community; not just the people who live there, but visitors. They improve people's quality of life, by creating safer, healthier public space, which promotes good community relations.

More people are encouraged to go out into the streets, leading to less street crime and burglary. It is safe for young children to go out beyond their own front door—a freedom that older hon. Members will remember from their childhood, but which is denied to our children today.

Article 31 of the United Nations convention on the rights of the child, ratified by the United Kingdom in 1991, recognises the right of the child to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts. Obviously, that is healthier for children than staying indoors, and it is more environmentally sustainable than requiring parents to drive them to further-flung physical activities. It encourages the perception of physical activity as part of the routine of everyday life, starting as young as possible, which will also help to reduce dependence on the car in future generations.

There has been a great decline in the number of children walking to school. In 1971, about 70 per cent. of children aged seven walked to school; by 1990, the figure had declined to less than 10 per cent. Of 10 and 11-year-olds, in 1971, more than 90 per cent. walked to school, but in 1990 the figure was down to slightly more than 50 per cent.

The United Kingdom has the worst record in western Europe for child pedestrian accidents, most of which happen within a very short distance of the child's home.

In home zones, children have a chance to learn about traffic without risk of injury—and, by the way, there is no evidence that when they then go into ordinary streets, they are more at risk than they would otherwise have been, as has been asserted.

Older people and people with a disability find it safer to walk in the street in home zones.

In December 1997, at the event in the House of Commons that I mentioned, we heard from residents of a self-contained group of Victorian streets, the Methleys, in Leeds, where there is already overwhelming support for its becoming a home zone—even to the extent that resident drivers undertook a two-week trial of a 10 mph speed limit. I found it especially moving and touching to hear those children describe in the House the difference that the trial made to their lives and all the activities that they could now safely engage in. They could actually use those expensive bikes and rollerblades that all our children today demand and then hardly ever use because it is not safe for them to use them. I am very glad to see in his place my hon. Friend the Member for Leeds, North–East (Mr. Hamilton), who represents those residents.

Research conducted by the Joseph Rowntree Foundation in 1996 found that estates with traffic calming and good space in the front street provided the best environment for children. Nearly one child in four engaged in all kinds of healthy activity in such areas—three times the level in poorly designed estates. The authors of that report concluded that streets in estates should have a speed limit of 10 mph.

I shall now briefly outline the law as it stands. Section 84 of the Road Traffic Regulation Act 1984 allows the imposition of variable speed limits, indicated by traffic signs. For non-trunk roads, the power rests with local authorities, but all proposals by them for areas to have speed limits below 30 mph must be approved by the Secretary of State.

Under current departmental guidelines, draft applications for reduced speed orders must include several features, including the following. There should be engineering measures, such as road humps and narrowed gateways into the zone. The emergency services must be consulted. Usually the distance from any point in the zone to the boundary of the zone should be no more than 1 km.

To date, those provisions have been used to create 20 mph zones, but the same legislation would enable lower speed limits to be established. I believe that 20 mph zones have been very successful; nearly 300 schemes are in operation.

I understand that Ministers intend to issue new regulations to make it easier for local authorities to set up such zones, and that the new rules may be in place by the summer. I should welcome that move.

Highway authorities also have powers under the Traffic Calming Act 1992 to introduce measures such as buildouts, pinch points, gateways and rumble devices. Highway authorities can use traffic regulation orders to control traffic, to avoid danger to persons or other traffic using the road; to prevent use of the road by vehicular traffic in a manner that is unsuitable to the existing character of the road; to preserve the character of a road that is especially suitable for use by persons on horseback or on foot; or to preserve or improve the amenities of the area through which the road runs. They can also introduce 20 mph zones under the legislation.

[Mrs. Helen Brinton]

However, highway authorities cannot reverse priority on a road from vehicles to pedestrians. The only provision in law for according such priority is on a pedestrian crossing. Even in pedestrianised streets, pedestrians enjoy priority not as a legal right but in a de facto fashion, as relatively few vehicles are allowed to use such streets at any one time.

Under section 29 of the Road Traffic Regulation Act 1984, as amended in 1991, local authorities may prohibit or restrict vehicles using a street so that it can be used as a street playground, and that is probably the closest equivalent that Britain has to a home zone. However, if a local authority tried to make an order under those provisions to replicate the features of a home zone, its decision would be open to legal challenge, as it would be hard to demonstrate that the zone was being used primarily as a playground for children.

Therefore, we need clear powers to reverse the priority to pedestrians from vehicles. Primary legislation would be required to do that and to give local authorities the power to define which roads should be covered by such a provision.

My Bill seeks to enable the creation of home zones where residents want them. That power will be welcomed by local authorities and the general public.

We all know that most residential streets today are blighted by motor traffic. Too many people are driving too fast along streets that were never designed to accommodate so many cars. Parallel issues on rural roads need to be addressed at some point, but 80 per cent. of the population live in built-up areas.

Madam Speaker: Order. The hon. Lady's 10 minutes are up.

Question put and agreed to.

Bill ordered to be brought in by Mrs. Helen Brinton, Mr. Bob Blizzard, Mr. Geraint Davies, Mr. Fabian Hamilton, Mr. Neil Gerrard, Mr. Lindsay Hoyle, Dr. Brian Iddon, Mrs. Diana Organ, Mr. Lembit Öpik, Mr. Jonathan Shaw and Ms Joan Walley.

HOME ZONES

Mrs. Helen Brinton accordingly presented a Bill to enable highway authorities to make provision in residential areas for the designation of highways where pedestrians and pedal cyclists have priority in the carriageway over mechanically powered vehicles, for the purposes of promoting safety and of improving the environment; and for related purposes: And the same was read the First time; and ordered to be read a Second time on Friday 6 March, and to be printed [Bill 113].

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Act:

Education (Student Loans) Act 1998

Opposition Day

[6TH ALLOTTED DAY]

Protection of the Countryside

Madam Speaker: I have selected the amendment standing in the name of the Prime Minister. I have also had to limit Back-Bench speeches to 10 minutes. More than 30 hon. Members wish to speak, so I hope that Front-Bench spokesmen will note what I have said and not deprive Back Benchers of time.

3.47 pm

Mr. Tim Yeo (South Suffolk): I beg to move,

That this House deplores the recent decisions by the Government to allow large-scale development in the countryside; is deeply concerned that the protection of the green belt and green spaces may be further weakened by the Government in the future; and urges the Government to strengthen protection for the countryside, while encouraging the renewal of towns and cities, by increasing the share of new housing which is built on previously developed land.

In the past few weeks, public concern about the threat to our countryside from new development, and particularly, but not exclusively, from housing, has been mounting. The instinct of the people, their alarm that much of our green and pleasant land is about to be covered in concrete, is right. That threat is the direct result of the actions taken by the Government since 1 May.

Even in the days since the Conservative party announced the subject of this afternoon's debate, there has been a slight greening of the Government's rhetoric. Alas, their actions belie their words. The Secretary of State's latest newspaper article shows that he still does not understand the issue. For more than half the Cabinet, comfortably housed at taxpayers' expense in official residences, the problem may not seem very immediate. Ministers who have just squandered £60,000 of our cash on wallpaper may not need to look out of the window.

For the rest of us who have never authorised the spending of £100,000 of public money to cover the annual cost of our flat, the threat is a reality brought home day after day by one Government blunder after another. Those blunders show that Labour does not understand why the countryside should be protected. They show that Labour does not know how to protect the countryside and does not even care about the consequences of not protecting it. The Prime Minister may speak of hard choices; the Secretary of State makes only concrete choices.

The Government's housing mistakes cannot even be explained by their hostility towards rural areas. Starving the countryside of cash to reward Labour's strongholds in the urban north is bad enough; indeed, it is what we are coming to expect of a Government who put a Minister whose tax affairs are reported to be the subject of investigation in not one but two countries in charge of the Inland Revenue. However, while some parts of the Government seem to adopt the standards of a banana republic, until now at least there has usually been some rationale behind their actions.

When it comes to housing and planning, even that has disappeared. Covering the countryside with houses is not only bad for the people who live, work and play there and for the environment that they have cherished for generations; it is equally damaging for our towns and cities. Whenever the Secretary of State allows new homes to be built in places previously thought to be protected, he destroys the incentive to regenerate our urban heartlands.

Mr. Ian Taylor (Esher and Walton): Does my hon. Friend agree that people in the borough of Elmbridge in Surrey, which has met all the policy planning guidance criteria for a green belt and which is already under development and infrastructure pressure, are alarmed about the casual language used by the Government? That will inevitably increase development pressure and speculation in Elmbridge, which covers my constituency.

Mr. Yeo: My hon. Friend is absolutely right. I was shocked earlier today when he told me about the alarm in Elmbridge, but I entirely understand why it has arisen. Each time the Secretary of State inflicts new homes on countryside that is miles away from places of work, he adds to the congestion on our roads and increases carbon dioxide emissions.

Dr. Brian Iddon (Bolton, South-East): Is the hon. Gentleman aware of the Birtenshaw Hall farm development on the fringe of Bolton, for which the local Labour council refused permission, only for it to be granted by the Secretary of State in the previous Administration, much against the wishes of almost the entire local population? Is he further aware that in the past few weeks Bolton metropolitan council has had to donate £1 million to Barratt as compensation for trying to protect that land?

Mr. Yeo: As I shall explain to the House, under the previous Conservative Government, the target for the number of homes being built on previously developed sites rose from 38 to 50 per cent. in the past decade, which is a substantial achievement.

For half a century, the choice of where to build new homes has been shaped by a planning system understood by builders, implemented by local councils, accepted by the public and respected by Ministers. In just nine short months, the Secretary of State has undermined that system. He has attacked the role of local authorities and condemned huge tracts of countryside to the bulldozer. [HON. MEMBERS: "Where is he?] As my hon. Friends point out, he has not even had the courtesy to turn up to the debate on the havoc that he has caused.

Mr. Nicholas Soames (Mid-Sussex): Is my hon. Friend aware that the Deputy Prime Minister has overturned the exhaustive public examination conducted by an inspector on West Sussex county council and insisted on adding further homes to an already extraordinarily high target, to make a total of 50,000 homes? That is unachievable. Will he condemn out of hand that callous move and acknowledge that West Sussex does not have the infrastructure to take those new houses?

Mr. Yeo: My hon. Friend is right to draw attention to that, and will be glad to learn that I intend to deal with it later.

The Government have permitted developments that prove that the Minister for the Regions, Regeneration and Planning spoke the truth last September when he said that the

"green belt is up for grabs."

The Government have refused to accept the need for a higher target for the proportion of new homes to be built on previously developed sites beyond the 50 per cent. that is currently being achieved. They have displayed contempt for the local councils responsible for planning and ignored the advice of independent planning inspectors and of their own chosen panels of planning experts.

Three new schemes show how little the Secretary of State cares for the green belt. Earlier this month, he gave the go-ahead for 10,000 new homes on green belt near Stevenage, a scheme opposed locally by the Conservatives. The scheme was steamrollered through Hertfordshire county council by a shoddy conspiracy between the Labour and Liberal Democrat parties cooked up to prevent the issue from even being voted on by the full council. Does the Minister agree with the Labour leader on North Hertfordshire district council, who said:

"We feel very let down. The Government claims to be committed to protecting the environment and regenerating urban areas and now we have them supporting plans to rape 2000 acres of Green Belt"?

Mr. Barry Sheerman (Huddersfield): Will the hon. Gentleman cast his mind back to the Thatcher Government, of which I believe he was a member? It became the rule for every local authority that the 15 per cent. of planning application appeals that were allowed under the previous Administration went up to something like 50 per cent. It became impossible for local authorities to defend their green belt because the market philosophy dominated 18 years of Conservative rule and Conservative country planning.

Mr. Yeo: The hon. Gentleman is off message. The Government have been trying to say that they believe in the market philosophy. The debate is about where homes should be built. Our concern is that under this Government, they are being built more and more often in the wrong place.

The second recent decision was when the Secretary of State, only last week, approved 2,500 more homes in the green belt outside Newcastle despite the existence of 4,000 empty homes in one part of the city alone. Does he agree with the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that that decision will accelerate the decline of inner-city areas such as his?

Thirdly, last August, after dithering for months about the industrial development of 150 acres of farmland in the green belt in the constituency of my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), the Secretary of State finally overruled the independent planning inspector who had recommended that the development should not be permitted. The land in question just happened to be owned by Labour-controlled Birmingham city council. The decision was sneaked out in the first week of the summer parliamentary recess.

Mr. Jim Cousins (Newcastle upon Tyne, Central): The hon. Gentleman has quoted with approval my remarks about the Newcastle green belt, which it is

[Mr. Jim Cousins]

certainly my intention to defend and to go on defending. Does he agree that what is needed now is a tax on speculative green-field development?

Mr. Yeo: Once again, I am not sure whether the hon. Gentleman is on message. It is certainly true that the old Labour solution to every problem is, "Let's have a tax increase," but, judging by some of what I have read in the newspapers, I thought that there was at least some prospect that the solution to the problem might be a tax cut, in the form of a cut in VAT on conversion work. We shall see.

Mr. Dominic Grieve (Beaconsfield): Is my hon. Friend aware that one of the problems with the Government's change in policy is that even land that the Government say should never be developed immediately acquires a premium? In my constituency, the result is that those interested in creating the Colne valley park find that they cannot buy land for that park, because—even if the land is zoned to be green belt until kingdom come—those willing to sell say that there is a premium on the land, as it may be capable of being developed hereafter.

Mr. Yeo: My hon. Friend has put his finger on another important point—that the malign consequences of starting to weaken the protection of the green belt go extremely wide.

Different factors applied in each of the three cases that I described, but the outcome was the same: building was allowed when it should have been prevented; building will occur on sites that were previously protected; and building will go ahead solely because of a decision by the Labour Government. The power lay with the Secretary of State; he exercised it and, in each case, he made the wrong choice. Instead of covering acres of newsprint with misleading green claims that will not save a single blade of grass, he should stop covering acres of countryside with new houses.

Mrs. Jacqui Lait (Beckenham): Is my hon. Friend aware that, under the Regional Development Agencies Bill, the Secretary of State arrogates to himself even greater powers to make such decisions, thereby entirely ignoring the views of elected local councils, such as my local council in Bromley?

Mr. Yeo: I am glad to be able to assure my hon. Friend that I shall table amendments to that Bill, which is in Standing Committee next week, to try to reverse those powers.

The purpose of the green belt is to prevent urban sprawl—the sort of sprawl the Secretary of State seems so keen to encourage. Perhaps his ambition, as he cruises home in his gas-guzzling, chauffeur-driven Jaguar, is to see urban sprawl along every mile of the A1. Perhaps what he means by an integrated transport strategy is to build more and more homes on each side of every road in country. Whether or not that is his ambition, it is likely to be his achievement, because what he has done is to invite developers to dust down every planning application that they have not pursued for years because it had so little chance of success. He has warned councils not to bother to waste staff time and taxpayers' cash to fight applications on the green belt, because the Secretary of State will allow them through anyway. He has kicked in the teeth every protester who wants to save his or her own environment. As Simon Jenkins wrote in *The Times* last week:

> "The effect is to abandon all green-belt zoning round London and other cities . . . Mr. Prescott has forged that most crushing of planning tools, a precedent."

Mr. Bob Blizzard (Waveney): Does the hon. Gentleman regret the decisions of the former Secretary of State, Mr. Nicholas Ridley, who allowed all sorts of developments all over the place in the open countryside, contrary to all sorts of recently developed local plans, especially in my constituency? Does he regret that, when councils complained to Mr. Ridley, his response was, "The more they squeal, the more I know I'm right"?

Mr. Yeo: No, I regret nothing about my former right hon. Friend.

The green belt is only one part of the picture. The countryside contains huge areas that have never enjoyed green-belt protection, and those areas are also in danger. At present, half of all new housing is built on previously developed sites—a proportion that has risen from only 38 per cent. in 1985. That was good progress under the Conservative Government, but it was still not enough. The present consumption of green-field sites is unsustainable, which is why at the election we pledged to build more than 60 per cent. of new homes on previously developed sites. We believe that the target should be two thirds—a target which is attainable and realistic.

Last year, the present Minister for London and Construction told *Planning Week* that our target was "a recipe for disaster". Does the Secretary of State read *Planning Week*, I wonder? Has he talked to his ministerial colleagues? The Secretary of State now says that he wants to do better than 50 per cent. What is the Government's target now, and do they understand that, whatever it is, it will be credible only if it is backed up by decisions that are consistent with it?

New homes will be built on previously developed sites only if the Government send out the right signals. Developers respond to what the Government are doing, not to what they are saying—and what the Government are doing is removing old protections and destroying the countryside where people go for walks and enjoy beautiful landscapes, and where sometimes there is silence during the day and darkness during the night.

Mr. Hilton Dawson (Lancaster and Wyre): Amid all the rhetoric, does the hon. Gentleman recognise that in 18 years the previous Government did nothing to reform a planning system which was deeply centralised, which was top-down in principle and which offered nothing to local people who wanted it to reflect housing need, and the need for environmental sustainability and capacity in their communities? Does he also recognise that the present Government have sound policies, which offer, at regional level, an opportunity to make the system "bottom-up"? The previous Government sold the pass on

planning development and housing development; this Government are taking major steps to democratise the system.

Mr. Yeo: Is there a 10-minute rule for interventions as well, Madam Speaker?

Madam Speaker: No, but I can ensure that hon. Members who make long interventions are not called to speak.

Mr. Yeo: I am grateful for that, Madam Speaker.

Let me tell the hon. Member for Lancaster and Wyre (Mr. Dawson) that it is not rhetoric when 10,000 homes are built on green belt in Stevenage. It is not rhetoric when 150 acres of green belt in the west midlands are covered by industrial development. It is not rhetoric when 2,500 homes are built on green belt outside Newcastle. Those are facts, not rhetoric, and they are facts which result from this Government's decisions.

Mrs. Angela Browning (Tiverton and Honiton): My hon. Friend has heard Labour Members mention the needs of local communities. Is he aware of the proposal for a new town at Broadclyst to house some 8,000 people? That proposal is on the agenda because Labour-controlled Exeter city council refused to carry out full audits of its brown-field sites. It has nothing to do with the community in my constituency; my constituents are happy with things as they are. The aim is to impose the requirements of city dwellers on those in the countryside.

Mr. Yeo: That is a powerful example of the way in which an urban-based Labour-controlled council is riding roughshod over the interests of people in the countryside and the long-term environmental interests of the area.

The Secretary of State has claimed that he wants

"to decentralise decision-making on many issues—including the regional provision of land to meet regional housing need."

He recently wrote:

"Planning will remain clearly under local democratic control."

In practice, yet again, the Secretary of State's actions belie his words.

My hon. Friend the Member for Mid–Sussex (Mr. Soames) referred to West Sussex. The county council concluded that 37,900 homes could be accommodated by 2011—a view which was shared by the panel of experts appointed by the Secretary of State himself to examine the matter. Suddenly, the importance of local democratic control and the wish to decentralise decision making flew out of the window; the Secretary of State decided to inflict an extra 12,800 homes on the county.

I wonder whether the Minister agrees with the Labour leader of West Sussex county council, who said:

"This is the starkest possible illustration that the Government has no intention of trying to provide a greater share of the . . . new homes said to be required by 2016 on brown field sites rather than on green field sites in the countryside."

Mr. David Heath (Somerton and Frome): Does the hon. Gentleman accept that the basic problem for many rural areas such as Somerset, which I represent, is the methodology used to predict housing need, and the "predict and provide" philosophy that has been the on-going policy of both the previous and the present Government?

Mr. Yeo: No, the hon. Gentleman is wrong. Regardless of whether the Government have a "predict and provide" philosophy, they will undermine the system if they bust apart the protection of the green belt, overrule their own expert panel and the all-party agreement on a county council, and force more and more housing. It is nothing to do with "predict and provide"; we must get the principles of the planning system right.

Mr. Tim Loughton (East Worthing and Shoreham): Is my hon. Friend aware that in the case of West Sussex and the examination in public, the results of which the Secretary of State unilaterally ripped up, the work and effort of the councils and environmental groups that went into that examination in public were described as trail-blazing, innovatory and of a very high level of technical competence?

Mr. Yeo: My hon. Friend points out what a disgraceful decision it was on the part of the Secretary of State to overrule that agreement.

The Secretary of State has claimed that the Government want to move away from the old "predict and provide" philosophy. Will he put his money where his mouth is and admit today that that is what he wants to do? He was utterly wrong at every stage in the case of West Sussex. Or is his claim that he wants to give up that system just so much green chatter dictated to him by the Prime Minister's office—words whose meaning he does not even understand?

Mr. Andrew Tyrie (Chichester): Is my hon. Friend aware that in addition to all that bad news about West Sussex, the decision taken means that 60 per cent. of those houses will be built on green-field sites?

Mr. Yeo: My hon. Friend is right to point out that that could well be the consequence of the decision.

I urge hon. Members from all parts of the House to join us in the Lobby, and to remember the views and needs of their constituencies. I urge Labour Members in particular to reflect on whether No. 10 shares the views of the Secretary of State. Might there perhaps be a change of policy just around the corner? Has the Prime Minister got wind of the possibility of a Conservative party campaign on the issue? Is this another example where the bumbling and confusion of the Minister responsible has forced the Prime Minister to step in?

The green belt is important. It serves both town and countryside. It will be destroyed at our peril, and the Conservative party will defend it. The countryside is important. It is not there to be covered in concrete. How can a Government who claim to govern in the interests of all the people be so consistently contemptuous of the views of those who live in rural areas?

The towns also are important. The people who live there deserve consideration, too. All those interests coincide.

Mr. Mike Hall (Weaver Vale) *rose—*

Mr. Yeo: Too late.

[Mr. Yeo]

Allowing developers a free rein damages town and country alike. The Government have made a disastrous start to their planning policy. They have already done irretrievable damage, but a change now would be better than nothing.

The choice was put simply last week by a Labour peer, the noble Lord Rogers, who asked:

"Are we going to revitalise our run-down cities by building in them or are we going to start abandoning them and building in the countryside?"

The Government could give the right answer to that question this afternoon, by admitting their errors and reversing their decisions on Newcastle, Hertfordshire, the west midlands and West Sussex.

The Government must give three assurances without qualification: first, that they will not weaken the protection of the green belt in any way; secondly, that they will raise the target for building new homes on previously developed sites to the Conservative party target of two thirds; and thirdly, that they will not again interfere with or overrule the decisions of independent planning inspectors or of local authorities seeking to protect their environment.

All those assurances are needed, whether the projected number of new houses is 2 million, 3 million. 4 million or 5 million. They will be needed, even if the old "predict and provide" method is scrapped. Those assurances are needed now. The Government can start to regain credibility on this issue only if they accept the Opposition motion, which I commend to the House.

4.14 pm

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"recognises that it was a Labour Government that created the planning system which has done so much to protect the countryside and promote sustainable development; welcomes the Government's continued commitment to protecting the countryside, including green belts, and to regenerating towns and cities; recognises that the Government is shortly to announce its decisions on the way forward on planning for housing; is confident that the interests of all citizens, both the 80 per cent. and more who live in towns and cities, and those living in the countryside, will be considered; welcomes the importance that the Government attaches to revitalising towns and cities and making the best possible use of brownfield sites and existing buildings to meet housing demand; and believes that the regional planning conferences should be given greater say in reaching decisions on the most sustainable solutions for providing decent homes in line with the Government's recently announced policy for modernising the planning system and using regional planning to find integrated solutions to the problems of economic development, housing and transport.".

For the past nine months we have heard nothing but scaremongering from Her Majesty's loyal Opposition, and today we have had to listen to the complete hypocrisy of the Opposition junior spokesman on the environment, the hon. Member for South Suffolk (Mr. Yeo).

If Conservatives are such defenders of the countryside, why did they lose so many seats last May in the general election? The reason is simple: people do not trust them. It was the Conservative Government who let the housing market collapse. It was the Conservative Government who left us with the legacy of urban sprawl, out-of-town shopping, derelict inner cities and building on the green belt. They failed to protect the countryside, and they know it.

Whole areas of open space in urban and rural areas have been devastated in the name of the free market. Let us get the facts right. We did not set the 50 per cent. target for new house building on brown-field sites, or the household projections. It was the Conservatives. We did not force counties such as Berkshire, Kent and Bedfordshire to increase the housing figures in their structure plans. It was the Conservatives. It was not this Government who axed social housing and let homelessness increase to a deplorable level. The Conservatives did that when they were in power. The fact is that poverty and deprivation have increased in the countryside under the Tories, and they did nothing about it in 18 years in government.

What we should be getting from Opposition Members is not a rant about protecting the countryside but an apology to the British people for failing to provide decent housing in rural and urban areas. The Conservatives did not plan ahead. They did not give two hoots about how we can achieve a proper balance between housing need and protecting the countryside.

The hon. Member for South Suffolk should look back at what he and his colleague, the right hon. Member for Sutton Coldfield (Sir N. Fowler) were responsible for when they were in government. Why have not the Conservatives put up their top man for the debate? This is their debate. They were trumpeted on Radio 4 this morning as the great defenders of the green belt. Where is the main man from the their team? Where is the shadow Secretary of State?

We had hoped that the Conservatives would tell us their policies, as this is their debate. In fact, their policies change daily. I think that they advocated a two-thirds build on brown-field sites on Radio 4 this morning. They advocated 60 per cent. yesterday. Why not go for broke, and go for 100 per cent? They are in opposition, and they will stop there for many years to come, because they have changed their policy three times in nine months. Quite honestly, they set the incredibly low standard of 50 per cent., but they did not reach that in 18 years in government.

Mr. Edward Garnier (Harborough): The Minister is being uncharacteristically unreasonable in his remarks. Does he applaud the setting up of the all-party future development group, which met last week and was co-chaired by my right hon. Friend the Member for Bridgwater (Mr. King) and the hon. Member for Stroud (Mr. Drew)? Does the Minister agree with the remarks of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), who said at that meeting that to stop rural sprawl we must stop urban rot? Does the Minister not realise that urban rot is under the control of Labour city councils?

Mr. Caborn: The urban rot is there because of the previous Government's policies, which ran down councils and took all the powers from local authorities. The Opposition are the great defenders not only of the green belt but of local authorities—great transformations have happened in the past nine months.

The problem is that the Opposition have opted to give us the monkey and not the organ grinder to speak in this important debate. The House knows that the right hon. Member for Sutton Coldfield is an expert on this subject, as he has said so many times. If this is such a priority for the Opposition, why has he stood aside? Has there been a reshuffle on the Opposition Front Bench that we have missed? No, there has not.

I can tell the House why the right hon. Member for Sutton Coldfield is not speaking today. It is not because he is too busy. Indeed, he is in his place. It is because he has a declared interest. One has only to glance at the Register of Members' Interests. The right hon. Gentleman cannot speak in today's debate because he is a non-executive chairman of the National House Building Council and a non-executive director of Aggregate Industries plc, a building materials and quarrying company. The right hon. Gentleman cannot speak in the debate because he has vested interests. It is disgraceful.

Sir Norman Fowler (Sutton Coldfield): I can speak in the debate, and of course I would declare my interests. The National House Building Council is not a building company. The Minister knows perfectly well that it is a standard-setting consumer body. Although I would declare my interests, I could still speak in the debate. However, I am leading the next debate on London Underground and transport.

How can the Minister accuse me of not speaking when the Secretary of State is not even here to listen to the debate? How can the Minister have the total hypocrisy to make such an allegation? Let me refer him to one particular issue. Why did he overrule the independent inspector's report in the west midlands and allow industrial development on 150 acres of green-belt land in my constituency? Why did he not have the courage to announce that decision in the House instead of doing so in the first week of the August recess?

Hon. Members: Answer the question.

Mr. Caborn: As the right hon. Gentleman has made such a long intervention, I hope that he will not be called to speak in the debate.

The right hon. Gentleman knows that his colleagues are being economical with the truth when they suggest that all or most of the new housing will be in the countryside. He knows that the green belt is protected. I am proud to say that previous Labour Governments laid the foundations of the planning system and the countryside protection that we have today.

Sir Norman Fowler *rose—*

Mr. Caborn: I am not giving way. The right hon. Gentleman should not be so arrogant. I shall give way in a little while.

Previous Labour Governments created the national parks, extended the green belt and laid the foundations of the planning system that protects the countryside. Those foundations were laid down by the Attlee Government in the Town and Country Planning Act 1947.

Fifty years ago this week, Attlee's Minister of Town and Country Planning, Lewis Silkin, who represented Peckham—a good inner-city constituency like my own—set out the principles for today's planning system. On this very spot, he said that Labour had a duty to protect the countryside and provide decent housing for rich and poor alike. He said that it falls to us

"to secure a proper balance between the competing demands for land, so that all the land of the country is used in the best interests of the whole people".—[*Official Report*, 29 January 1947; Vol. 432, c. 947.]

We reformed the planning system to protect the countryside, and we shall do the same again on the same principles.

Mr. Soames: The Minister accused my right hon. Friend and my party of scaremongering. Does he understand that a decision by the Secretary of State to overturn a faultless and scrupulous public examination of west Sussex county council's structure plan has caused great anxiety? Furthermore, does he understand that that decision already undermines the green-belt principles?

Mr. Caborn: If the hon. Gentleman listens, I shall explain how we shall address those issues. As I said, we inherited from the previous Administration a system of imposition from the centre. We have been following that system, but we shall alter it. Indeed, we have already started to modernise it.

The Conservatives had 18 years to deal with the weaknesses in the system: we began that process on 15 January. We have produced a consultation document on regional planning guidance. In a few weeks, we shall set out a new approach to household growth and sustainable development.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Will the hon. Gentleman give way?

Mr. Caborn: No, I must make progress.

I do not wish to pre-empt the statement that my right hon. Friend the Deputy Prime Minister will be making on housing and the countryside.

Mr. Sayeed *rose—*

Mr. David Ruffley (Bury St. Edmunds) *rose—*

Mr. Caborn: I assure the House that we shall take an integrated approach, and we shall put in place new planning guidance and policies that not only protect the countryside, but benefit our towns and cities.

Unlike the previous Government, we are determined to make our towns and cities better places in which to live. That means proper, co-ordinated redevelopment and the release of empty spaces and properties at prices that people can afford.

Mr. Bernard Jenkin (North Essex) *rose—*

Mr. Ruffley *rose—*

Mr. Caborn: I shall not give way. *[Interruption.]* The Opposition have just asked for the debate to continue for an extra half an hour, and now Conservative Members are trying to intervene. They want to extend the debate, and I am trying to enable them to do that.

Sir Norman Fowler: It is our debate; we decide.

Mr. Caborn: Absolutely.

[Mr. Caborn]

It is a simple equation: what is good for our towns and cities is good for the countryside. Urban and rural areas are not separate, but interconnected and interdependent. It is no use dealing with the symptoms of urban sprawl: we must address the causes. We intend to do just that, by using a mix of planning guidance and new policy tools. We have no intention of ducking our responsibilities on housing need, and no intention of removing the safeguards on the green belt. We want to strike a better balance.

Mr. Jenkin: I have conducted a survey in my constituency on attitudes towards the green belt. People do not take a Luddite approach: they realise that some green-field sites will need to be developed. Would it be unreasonable to suggest that development on green-field sites should be held back until brown-field sites have been exhausted? It is cheaper and more profitable for developers to develop green-field sites before brown-field sites, which are often more expensive and more problematic. Will the Minister give that undertaking?

Mr. Caborn: All those suggestions and ideas have been considered, and the Deputy Prime Minister will make a statement.

Mr. Yeo: The Government do not know.

Mr. Caborn: It is not because we do not know, Tim. *[Interruption.]* I am sorry, Madam Speaker, I thought that I was in Committee. I have seen that much of the hon. Gentleman in Committee. He knows that we are consulting, and will respond to the consultation document that the Conservative Government issued before they left office.

Mr. Chris Mullin (Sunderland, South): I welcome the assurances that my hon. Friend has just given. Will he ensure that the message reaches councils in the north-east? In Sunderland, we have acres of period listed buildings that are sliding towards dereliction, while all around us local authorities, all of which are Labour-controlled, are busy granting planning permission for green-field sites. It will take intervention from his Department to ensure a change for the better.

Mr. Caborn: My hon. Friend is absolutely right. He knows as well as I do that we inherited that problem. It was caused by the underfunding of local authorities, which were starved of the cash and the power to intervene.

Three things will help us to achieve our objective. First, we will move away from the old "predict and provide" philosophy for housing. We have already done that for road building. We do not believe that patterns of the past should dictate the future, and we propose a new approach for translating household projections into regional planning guidance.

There has to be much more flexibility at the margins. The Government have every intention of ensuring that the new planning system offers the most sustainable options in meeting local housing needs. We have already stated how we plan to modernise the planning system to meet those objectives, and we will further elaborate on the matter in our forthcoming statement.

Secondly, we want to introduce a new system in which Whitehall will not impose its figures on local councils. Instead, we should like local authorities to work in partnership with the Government and to take responsibility for assessing their own housing needs. We want to decentralise power, so that local people can have their say in decision making on the provision of land to meet local and regional housing needs.

Thirdly, we want to avoid unnecessary building in the countryside by protecting the green belt and maximising the use of brown-field sites. The previous Government set a target that half of all new house building should be on brown-field sites. This Government, who have been in office for only nine months, are determined to do better than that. The previous Government were in office for 18 years and did not manage to reach their 50 per cent. target, and that was a poor performance.

Several hon. Members *rose—*

Mr. Ruffley: If all that is true, can the Minister explain why—on 27 July 1997, in an informal briefing to *The Sunday Times*—the Minister for London and Construction said that he wanted to release for green-field site development areas such as Dorset and Suffolk? Is that true or not?

Mr. Caborn: My hon. Friend the Minister for London and Construction will be replying to this debate, and can be asked that question directly. However, his statements and mine have been exactly the same.

Mr. Yeo: *The Sunday Times* was wrong?

Mr. Caborn: I said that my hon. Friend and I have been misquoted, not only in *The Sunday Times* but—on the Radio 4 interview—in this debate by Opposition Front Benchers. If the hon. Member for Bury St. Edmunds (Mr. Ruffley) believes that his question adds substance to the debate, he is wrong.

Mr. Sheerman: May I congratulate my hon. Friend on those three points? Like me, he probably realises the absolute hypocrisy of the right hon. Member for Sutton Coldfield (Sir N. Fowler), who was part of the gang round the Thatcher Administration, who ruined so much of the English countryside. They failed also to tackle an incentive system to promote building on brown-field sites, whereas this Government will put their hand to achieving one. Is it not true that we will not develop the estimated half million acres of brown-field sites unless we make it more economic to do so?

Mr. Caborn: My hon. Friend describes extremely well the previous situation, which epitomises the previous Government's hypocrisy. I remind the House that—in contrast to what Conservative Members have been saying in this debate—88 per cent. of England's population live on only 12 per cent. of the land mass, and that 90 per cent. of—*[Interruption.]* If Conservative Members want to dispute those figures, would they please stand up and do so?

I repeat that 88 per cent. of England's population live on 12 per cent. of the land mass, and that 90 per cent. of that population is in urban areas. It is therefore vital that we focus our efforts on using as much brown-field land as possible.

Sir Peter Emery (East Devon): The hon. Gentleman talks about protecting the countryside, although about 100,000 new homes are projected for Devon, increasing its population over 15 years by between 45 and 47 per cent. Does he not realise that—if we are to protect the south-west's environmental benefits—such an increase is an impossibility? For the benefit not only of the countryside but of people from urban areas who want to come to the countryside, he must realise that it is impossible.

Mr. Caborn: If the hon. Gentleman had listened to what I said, he would know that all those factors will be put into the equation. Conservative Members have obviously not listened to what has been said. Fundamental changes have been made in the way in which we deal with household growth. Moreover, local authorities are now allowed to use capital receipts to renovate rundown housing and to concentrate resources on areas of greatest need. Those changes are making a difference.

Mr. David Heath: I welcome much of what the Minister has said over the past five minutes or so about change of policy. Does he agree that the inevitable logic of that is to halt the structure plan process, which is occurring in counties across the country at the moment and which is reaching examinations in public in Somerset, for example, while new policy areas are brought into play, so that structure plans relate to new policy and not old policy?

Mr. Caborn: I do not think that the hon. Gentleman quite understands the system. *[Interruption.]* If he knew the system, he would know that it is a rolling programme and that it is reviewed every three to five years. Any mistakes that are made or any changes that take place can be factored in. A projection has been made over 25 years, and any new Government policy will be factored in.

We must improve the flow of information and intelligence at regional and local level on the number of potential brown-field sites. In our forthcoming statement, we shall be looking at how we can more effectively and accurately address the scope for brown-field site development. We shall also be looking at options for introducing new economic instruments and financial incentives to bring more brown-field sites into play.

The Government are committed to protecting the green belt and enhancing the quality of life in both town and country. Part of that means a good-quality environment. It also means decent homes, jobs and access to services. We cannot protect the countryside at the price of a poor environment for people who live in our cities. We are not going to do that. Our approach links urban regeneration with the protection of the countryside; that is bottom up, not top down.

Such an approach is getting overwhelming support. The Countryside Commission and the House-Builders Federation have welcomed what we are doing. This week, even the Council for the Protection of Rural England—which some Opposition Members have been using as a campaign front—said that our approach to housing and the green belt is to be welcomed. Irrespective of what Conservative Members have been saying, people are starting to understand that we are looking at the bigger picture: how to create more sustainable towns, make better use of brown-field sites, and protect the countryside and the green belt.

It helps no one, least of all those who live in the countryside, to pretend—as Conservative Members have in this debate—that hard choices about how and where people live do not have to be made. We all have responsibility for ensuring that the framework for achieving sustainable development is right, and that people are made aware of the choices that have to be made.

We are committed to protecting the countryside, but the countryside cannot be frozen in a time warp. People in the countryside need homes and jobs. With what we have heard from the Conservative Front-Bench spokesman, the art of lies, damned lies and statistics has sunk to a new low. Let us hope that Back Benchers' speeches are a little more considered.

4.37 pm

Mr. Tom King (Bridgwater): I have in my hand the paper from the examination in public of the Somerset structure plan, which I attended last week. I commend attendance at such an event to any hon. Member. The experience leaves one in no doubt about the need for improvement and change in the process. I listened for three hours to what the Minister for the Regions, Regeneration and Planning, the hon. Member for Sheffield, Central (Mr. Caborn) might refer to as lies, damned lies and statistics on migration into Somerset.

Somerset faced an allocation of 50,000 extra houses, of which two thirds were not to meet the needs of the household formation of the people of Somerset, but were based on projections of the forward requirements of people—the net difference between those leaving Somerset and those wishing to move in. That convinced me that the present approach cannot be sustained. It is one of over-provision in advance and of over-allocation and licensing of sites. That is why I would be opposed to a green-field tax, which would allow development of green-field sites.

I have had the same responsibility as the Minister for urban policy and trying to regenerate our cities. I carried through the legislation on urban development corporations. All Governments and councils have a continuing responsibility to ensure more urban regeneration and development of brown-field sites.

The Council for the Protection of Rural England has pointed out the failure to address the issue of windfall sites. The number of brown-field sites is not static. They are not simply the relics of the Victorian or later ages. They arise continually with new developments. To ensure urban regeneration and to protect our countryside, we must have a greater concentration on the development of every brown-field site.

I was pleased to hear the Minister confirm what the Secretary of State said in *The Times*: that, in two or three weeks, there will be a new statement of policy. I understand that it will propose a retreat from the current "predict and provide" policy, and will change the emphasis in the process from top-down to bottom-up.

[Mr. Tom King]

That calls into question the comments of my Somerset neighbour, the hon. Member for Somerton and Frome (Mr. Heath). I listened to the chairman, who was conscientiously carrying out the examination in public. I felt it almost impertinent to intrude on a discussion between professionals under specific subject headings in the structure plan. It was very difficult for a lay person to intervene, even though I was trying to speak on behalf of my constituents and with the support of the other Somerset Members.

The chairman of the inquiry, together with the inspector, drew on Government circulars and on advice from the Government office for the south-west, which was represented at the structure plan hearing, about what he was allowed to do. Nobody in Somerset is under any illusions about the process being bottom up. Representatives of adjoining counties were also present at the public examination of the structure plan. Their main interest, it seemed to me, was to make sure that Somerset did not change anything, in case there were implications for them.

The structure is rigid, and needs greater flexibility. I have seen how the process has developed. I have also seen how strong the public reaction has become to announcements of future housing projections. There is a need for greater public consent and involvement in the process. We all know that nobody likes houses being built next door, and that there will always be opposition to any development, but there must be some broader public understanding.

Ministers of all parties have been trapped by a system that rolls on remorselessly. I accept that I have been part of that. I had responsibility for planning as the structure plan system developed. It is very difficult for ordinary people to plug into the process. There is a public gallery at the public examination, but the number of days that the inquiry sits, the hours that it sits and the division of the subject headings do not lend themselves to public involvement and understanding.

That results in a situation such as that which I have experienced. We had a public meeting at North Petherton—a village between Bridgwater and Taunton—protesting against the proposal to built 1,500 houses in what are euphemistically called two new villages. The proposal would effectively join Bridgwater and North Petherton. Together with another proposal to join North Petherton and Taunton, it would result in virtually 10 miles of continuous development in the heart of what is meant to be a rural county.

The county planning officials helpfully explained the background. The people tried to make it clear that the proposals were not acceptable to them. The officials were perfectly happy to explain the proposals, but said that they had all been decided on two years before and determined in the structure plan process. By the time the issue arrived in the sphere of consciousness of the local residents, they had no opportunity to achieve any change.

We are dealing not just with the present proposal for 4.4 million homes, but with a process which, unless altered, will presumably require another 4.4 million for the next 25-year period and another 4.4 million for the 25-year period after that. That will rapidly become unsustainable. We are aiming for the competing objectives of good housing in our towns and cities and an attractive rural environment.

We must move away from "predict and provide" and towards a shorter time scale. We should phase the processes forward to maximise the impact on brown-field sites and not allow a larger allocation of green-field sites, which, as my hon. Friend the Member for North Essex (Mr. Jenkin) pointed out, are cheaper to develop and will always be developed ahead of brown-field sites.

The article by the Secretary of State contained many points that command widespread support, but he did not deal with approaching the issue on a shorter time scale, with a greater focus on brown-field sites. Rather than indulging in too much ribaldry about targets, I hope that all hon. Members will sign up to two thirds. What is wrong with a target of three quarters? We can at least strive for it, and create pressure for it.

The harbourside development in Bristol and the Bridgwater docks did not involve public money. They were developed because developers saw the opportunity to turn them into attractive urban environments. Urban regeneration need not always be expensive, and it can produce attractive urban living conditions.

4.47 pm

Mr. Ivor Caplin (Hove): I was appalled by the comments of the hon. Member for South Suffolk (Mr. Yeo). His brazen attacks on Ministers did a disservice to politics and had nothing to do with the subject of the debate. He and his party should be ashamed.

My constituency has the downs to the north and the sea to the south. I asked the Council for the Protection of Rural England where we should build houses. It did not have an answer. There is no answer in my constituency. I should like to address the issue for some colleagues in West Sussex, who have been moaning about the decision. With the exception of the hon. Member for Mid-Sussex (Mr. Soames)—he is no longer the hon. Member for Crawley—they were not around in 1994–95, when I was leader of Hove borough council and was trying to develop a harbourside site in Hove.

The problem that we had with infrastructure was simple. West Sussex county council, run by the Conservatives, was not interested in discussions about the development of that site. Over the past few years, it has blocked every opportunity to create a development there, time and again.

Mr. Loughton: Will the hon. Gentleman give way?

Mr. Caplin: Yes, I should like to hear an explanation from a newcomer to the area.

Mr. Loughton: I am grateful to the hon. Gentleman—also a newcomer to his seat—for giving way to me, because I could not allow him to get away with the complete nonsense that he was talking. Does he not acknowledge that the reason why Shoreham harbour, most of which is in my consistency, has not been developed is that he and his colleagues have said, "One more lorry? Over my dead body"? They have not allowed any more transport to get to the site, and, without that transport infrastructure, nothing can be built.

Mr. Caplin: That proves who is in charge and who is responsible for the environment. We say that we do not

want any more heavy goods lorries, and the hon. Gentleman says that he does. [HON. MEMBERS: ""Yes, you do."] No, we do not.

I shall now talk about housing and retail superstores, which I notice Conservative Members have not mentioned. When I asked the Council for the Protection of Rural England the other day where we should go to build houses, the first thing to which it referred me was the 1995 document, "Where shall we live?"

That document was generated by the Conservative Government, and mentioned the total of 4.4 million new homes that the Minister has already mentioned. However, it did nothing but ask a question. It had no suggestions about how to deal with the issues. The Conservative spokesman, the hon. Member for South Suffolk, did not give any explanation either about how the Tories proposed to deal with them.

Mr. John Gummer (Suffolk, Coastal) *rose—*

Mr. Caplin: I have only 10 minutes, so it had better be short.

Mr. Gummer: May I remind the hon. Gentleman that in that document and in the material accompanying it we said that we would build at least 60 per cent. of the new homes on brown-field sites, and that I said further that we would hope to build 75 per cent. of them there. The fact that the Government have now stuck to a target of 50 per cent. means that my hon. Friend has had to say that when we are returned in four years' time his target will have to be downgraded, simply because, over the next four years the Government will not have done what we promised we would do, and were doing.

Mr. Caplin: I do not know which document the right hon. Gentleman has been writing or reading, but it is not "Where shall we live?" What he says is not in that document, I am sorry to say. Let me remind him and his hon. Friends that what the Conservative spokesman said earlier is that in 18 years of Conservative Government the figure rose from 38 to 50 per cent. He never accepted until this afternoon, or until the "Today" programme, or wherever he has been appearing, that the target should be higher for house building on brown-field sites. After all that time, the right hon. Gentleman has obviously got mixed up.

In my constituency, the problem is that we have a high level of homelessness, so we need to build new homes, but we cannot build them because we do not have the space. No one has the answer, and the neighbouring Conservative council is trying to block any development ideas.

Mr. Loughton: Nonsense.

Mr. Caplin: Let me tell hon. Members what happened in the past. There was a proposal to dig up green land in Hove and build a superstore. Along came the developers with their ideas, and the local Labour party, of which I was leader in the late 1980s, objected. Even the local Tories objected with us. Then along came a Secretary of State and said, "Of course you can knock down the golf course and build a superstore". That was the Tories' policy, and they cannot deny it, today or ever.

What we have heard this afternoon has been not only hypocrisy but the arrogance that got the Conservatives kicked out on 1 May. It is still there now that they are in opposition, and it is about time they had some humility before the electorate and admitted their gross mistakes over the past 18 years, when they allowed concrete to be generated all over the United Kingdom. They alone were responsible for the developments in that time. Now, as in so many areas of policy, the Labour Government have to come along and clear up the mess.

The other day, I went to a meeting chaired by the right hon. Member for Bridgwater (Mr. King), with my hon. Friend the Member for Swindon—

Mr. David Drew (Stroud): Stroud.

Mr. Caplin: Sorry, Stroud; it is somewhere close by.

I was appalled by the comments made at the meeting. It was an attempt by the Conservative party to use the Council for the Protection of Rural England, a respectable organisation, as a front. I say clearly to the CPRE, "Don't be used by the Conservatives."

Mr. Loughton: What about Lord Rogers?

Mr. Caplin: Lord Rogers was there making a point, and he was perfectly entitled to make it. The hon. Member for East Worthing and Shoreham (Mr. Loughton) was not there.

Mr. Loughton: I was.

Mr. Caplin: Well if he was, he certainly did not contribute.

The CPRE was being used by the Tories for their own ends. The House must stand up against such action. *[Interruption.]* I hope that if the hon. Member for South Suffolk sums up later, he makes a better speech than he did at the beginning—and if he does, he may like to comment on what I have said.

There are always tough decisions to take when one is in government, whether central or local. That has always been clear to people. Local authorities are capable of taking decisions in their localities. However, far too often they pass difficult decisions to the Government.

In modernising the planning process, we have a duty, as I hope the Minister who replies will say, to allow local authorities to make decisions and not to pass them up the line. If they pass decisions to the Government, often a bizarre inspector comes in and makes a ridiculous decision.

I shall give the House an example. About two years ago, an appeal was lodged concerning a golf driving range on an area of green land abutting my constituency. I went to the meeting as a councillor, to represent my constituents. Two applications had been made, one for a golf driving range, which would have been a tremendous development, and the other for a car park.

That was while the Tories were in power, and the inspector said, "You can't have a golf driving range, but you can have a car park." Yet today the Tory party is trying to persuade us that it cares for the environment. It is all pretence. The Tories never have cared for the environment, and they have concreted over more of the United Kingdom than the Labour party ever will.

4.56 pm

Mr. Matthew Taylor (Truro and St. Austell): I start by congratulating the right hon. Member for Bridgwater (Mr. King) on his comments. They were well reasoned, and brought a better tone to the debate than that provided by the two Front-Bench speakers. The right hon. Gentleman took a strong stand on the subject even before the general election and opposed some of what the previous Government were doing, so, on that ground alone, he displays a measure of consistency, which is welcome in the debate.

Not many statistics have caused as much recent turmoil as the Conservative Government's adoption of the projection—accepted so far by the new Government—that by 2016, a total of 4.4 million new homes will be needed for newly created households.

I shall deal with those numbers first. The Opposition Front-Bench spokesman somewhat sidestepped them. However, there are real doubts about the housing projections, and those doubts must be addressed, because once land is released for development it will be almost impossible to retrieve it from the developers if the numbers turn out to have been wrong.

I shall give one important example. There is undoubtedly a rising number of people living alone in Britain, for reasons such as divorce, and the facts that young people leave home earlier and old people live longer independently. However, the Council for the Protection of Rural England has rightly pointed out that the effect of a related trend, cohabitation, has been seriously underestimated.

During the 1980s, the number of unmarried couples choosing to living together more than doubled, yet the Government predict that over the next 25 years the number will remain virtually static. Given the fact that nine out of 10 people who leave marriages go on to cohabit with someone else, the Government's projection is, to say the least, conservative. It should be re-examined, because such figures make an important difference. If, over the next 25 years, the rate of increase in cohabitation continues along the 1980s line, 1.4 million fewer homes will be required.

Of course, even if the problems with housing predictions are resolved, it is likely that a substantial number of new homes will still be needed. I do not believe that anyone argues against that.

With development on such a scale, it is essential that the right kind of housing is provided: housing that meets the requirements of new householders. I believe that current policy is fatally flawed in that regard. The Environment Select Committee considered the issue last year and said:

"developers will naturally wish to build homes which will maximise their profits and . . . there may therefore exist a dynamic which will effectively inhibit the building of homes which are affordable by those on low incomes."

Conservative Ministers would not accept that point at the time, because they believed that the market, combined with councils requiring developers to include some social housing, would be more than adequate. I believe that they were wrong.

The Institute of Housing, in a submission to the Select Committee, said that it was vital that the figure of 4.4 million should not simply be taken as a green light to developers, but that proper consideration should be given to where houses should be built, what types of houses are needed, and what local services and businesses should be located around them, to make the house a home in a successful, functioning community. Those powers no longer rest with the local authorities and are not exercised by Government.

On close consideration of the type of household that will develop in the future, it should be obvious that estates of big houses in the most beautiful areas of the countryside may well meet part of the demand for housing and satisfy developers' need for profit, but they will certainly not meet housing need, which is a different issue. That is especially the case for social housing: homes for the elderly and for single young people on low incomes, which will not easily be provided by the housing market.

Rural people are genuinely concerned about the loss of green-field sites around their towns and villages, but most are not NIMBYs. They accept that there will be changes in the character of the countryside, but reject the idea that the answer to housing need is to allow companies to build rows of large detached houses around every village. In Cornwall, there is certainly real support for homes for local people—every village survey has shown that—but not for ever more suburban semis catering to incomers and ... rich retired.

The Conservative Members who still represent rural areas have been very agitated recently about development in the countryside, but the figure of 4.4 million was the product of the Conservative Government, who allowed huge rural development, and especially out-of-town shopping centres, often despite local refusals, and even overturning planning inspectors' reports.

Cornwall, including my constituency, suffered many such cases. I say suffered because, in an area in which many town centres are filled with struggling businesses, shoppers are being lured away. That is bad not only for the town centre business but for the countryside, because the more derelict town centres become, the less people want to live in them; so the move out into the countryside is encouraged. The new Government started to create policies to put that right, but, frankly, they shut the stable door long after the horse had bolted, and the existing permissions will be taken up for many years to come.

We must consider whether the fact that many people want to leave urban areas and have a different life style is a sign of the attractions of living in the countryside—despite the hours of commuting to which many people subject themselves—or of the policy in cities and towns going wrong.

Urban areas can and should be places where people want to live, even when they earn a larger salary. Indeed, some of the most expensive and desirable housing in the country—in Kensington or Bath, for example—is inner-urban and developed to an extent that would not be allowed by planners, who would say that it was too dense.

Improving derelict town centres, reducing traffic congestion and crime, and ensuring that schools and other services deliver high standards are steps that are necessary to slow out-migration and stop the creation of urban ghettos with a poor quality of life; yet much that the previous Government did achieved precisely the opposite. Conservative Members would carry more conviction if they acknowledged that they made those mistakes.

The Conservative Front-Bench spokesman missed the opportunity to unite opinion across parties and put real pressure on the Government to make policy changes and call a halt to some of their recent decisions.

Regenerating urban areas is necessary if we are to relieve pressure on green-field sites by using land that has already been built on. The Secretary of State's promise in *The Times* yesterday to do better than the previous Government's target of 50 per cent. of new houses on brown-field sites is very welcome; but how far will the Government go, and when?

Dr. Ian Gibson (Norwich, North): Does the hon. Gentleman agree that, if there is to be development on urban sites, land must be decontaminated, and that the initiative of councils such as Norwich city council in cleaning up the land where once proud factories stood is important and should be taken up more widely? Should not we compliment councils that do that and use biotechnological techniques to clean up land?

Mr. Taylor: I agree; we should. That is another issue which the Select Committee considered last year. I intend to propose one way in which we may release further funding to help local authorities with that process when there is no business that they can charge.

It would be easier to accept Ministers' recent decisions to allow development in the countryside if the Government had their policies in place; but they do not. Figures are being thrown around: not long ago, we heard that the figure of 4.4 million new homes might rise to 5.5 million; then it was back down to 5 million, and now Ministers say that they may drop targets altogether; and the 50 per cent. target for brown-field development might rise to 60 per cent., but, then again, it might not. The uncertainty undermines the attempts of local councillors, pressure groups and Members of Parliament to play their critical part in the development of sound policy.

There is a straightforward package of measures that the Government could adopt to stop unnecessary development in the countryside and revitalise our towns and cities. From what the Minister said today, and from the article by the Secretary of State that I read yesterday, I believe that the Government are heading in that direction, but they are again letting the horse bolt before they close the stable door.

When the Government's target for the proportion of homes on brown-field sites is finally set, we believe that it should be far nearer to the round table on sustainable development's recommendation that three out of four houses should be built on previously developed land. Incidentally, I commend the round table's study to any hon. Member who has not read it, because it not only sets the target but explains how to achieve it.

Development companies should be encouraged to invest in the clean-up of polluted areas, as the hon. Member for Norwich, North (Dr. Gibson) said, so that local people can once again put them to good use. Perhaps the most obvious measure of all, filling empty properties, could release 800,000 homes that are currently boarded up.

Such action cannot stand alone: it must go together with the regeneration of the town centre. Problems facing urban areas must be urgently addressed, as there is no point in building homes in places where no one wants to live. The Conservative party must consider its record on the problem of dereliction, if it wants to correct it.

We must recognise that building new homes is big business. When areas of land in beautiful countryside are released for development, that is where big business will go. We cannot change the fact that rural locations are attractive to developers, but we can discourage them from cherry-picking such sites—which are now both cheaper to build on and easier to sell—at the expense of urban regeneration.

Building on green-field sites is positively encouraged at present, because no value added tax is charged on new development, while the refurbishment of empty homes and offices carries the full rate. That financial incentive for concreting the countryside makes no sense. A green-field development levy is one way in which we could remove the financial advantages of building on the countryside and discourage unnecessary rural development. The money raised could be used to fund social housing and improvements in urban areas, encouraging people to choose to live in them. Indeed, it could fund the remediation needed to restore derelict land for development or could help to cut VAT on the renovation of old buildings.

Another sensible measure would be the rewriting of planning guidance to create a new development hierarchy. First preference must be given to restoring existing buildings for occupation; then we must develop brown-field sites; and only after that should we allow green-field development. That should be made clear not only through tax and financial incentives but in hard-nosed planning guidance that councils can use, in the knowledge that inspectors will back them up and Ministers will give them the ultimate support that they deserve.

Mr. Drew: Part of what the hon. Gentleman is saying is covered by the sequential principle. The difficulty that I have experienced—as have other hon. Members who have been councillors—is that an agreement is signed with one developer who then goes on to do a deal with a second developer, and that is where things go wrong. The policy must include a suggestion to make the agreement hard and fast, so that developers stick to the principle that has been agreed.

Mr. Taylor: The hon. Gentleman speaks with knowledge. The influx of councillors into the House at the general election may have done a lot of good, because their perspective is not always to follow what Ministers say is the reality, as against what they find the reality to be when they have to deal with it.

We must make the town a place where people not only come to for work, but want to live in. Many people depart for the country because they are sick of the fear that their homes will be broken into and are afraid that local schools will deliver poor results for their children. Making town centre living more attractive can be done by putting back green spaces, helping inner-city schools meet the highest standards, making public transport a far easier way than the car to get around town, and improving crime prevention.

The previous Government set a budget projection for regeneration which, for 1999–2000, was even lower than for 1998–99—and that figure was £300 million lower

[Mr. Taylor]

than the figure for 1997–98. They planned a £300 million cut in urban regeneration which would help people to stay in towns. The policy was not working.

The new Government have provided an extra £100 million, but have not restored the funding to where it was for 1997-98. They have looked hard at the work that is needed to invest in the cities and towns of this country to make them more attractive to live in. The biggest single task for the Government is to restore existing buildings and town centres, not to create new ones. Liberal Democrat policies of social investment are well designed to achieve that; Labour's steps in that direction—although welcome—are still too small.

We must put an end to the kind of situation that has outraged the people of West Sussex—about whom we have heard so much. The local authority studied housing need in the area and was backed up by an independent study. However, the Deputy Prime Minister overrode the decision and ordered the council to build 20,000 more homes than local people, responsible to their community, had shown were needed.

It has been pointed out in the debate time and again that the Government are falling into the trap of a long-term national target based on dubious assumptions. To say that a change later will solve the problem of the structure plans is simply not true. We will have to put up with years in which developers buy land that they earmark for development, but which perhaps they will not develop. However, the local authority is entirely unable to remove the developer because it could not possibly afford the compensation that would be involved if the Government realised that their policy was wrong.

As the debate has demonstrated, the issues surrounding urban development over the next 25 years are far from resolved. The Government's intentions are unclear and are causing a great deal of concern both to residents of rural areas and to those trying to find a decent place to live in Britain's cities.

The Secretary of State's article in *The Times* yesterday, entitled:

"The Green Belt is safe with us"

is a case in point. While saying that he wanted to keep the presumption against development in the green belt as strong as ever, he nevertheless saw "no need" to intervene in the plan to build 10,000 homes on green belt land around Stevenage, or again in Newcastle. We cannot judge that against the new Government policy, which we are told is on the way, because we do not know what the new policy is.

A complete moratorium on permitting major new developments in the countryside or green belt should be put in place until the Government have resolved their policy, which is, we are told, weeks or months away. Indeed, the Minister kept referring to a policy paper that the House has not seen. If the Government are serious about that—and I believe that they are—and if they want to protect green spaces around our towns and cities, the go-ahead for permissions on previously undeveloped land in the countryside and on the green belt, which their new policies suggest would not be given, should not be given now in the weeks running up to the publication of the new policy. That is a simple thing for the Government to announce, and it would take the tension out of the debate. If they wanted to take the pin out of the hand grenade that the Conservatives believe they have on this issue, that would be the way to do it.

My county of Cornwall fought and won the argument against a proposed 10,000 increase in house building, which came from the Government. The previous Government argued against the county, but the county won. It persuaded the inspectors who looked at the debate that the migration figures did not add up. We showed that the figures on which the present Government are still basing their policy certainly did not apply in Cornwall. I have no reason to believe that they apply anywhere else. The figures are not right. Ministers know it, the Opposition know it—so why allow these major developments to go ahead now?

5.14 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): The speech by the hon. Member for South Suffolk (Mr. Yeo) was an important contribution to the debate because, in effect, he turned his back on decades of policies by the previous Government, which favoured planning free-for-alls. We are now struggling with the consequences of that. The fast buck has finally rebounded on the executive barn conversion.

We should remember that green-belt policies were devised by Labour politicians to protect the interests of Labour cities. The green belt was designed to preserve the city. That is the purpose of the green belt—to enable development and to create incentives for development in the cities themselves. The Conservative party should appreciate that during their 18 years in government, the opposite occurred. A tax and development system bled the in-town in favour of the out-of-town. It is with the consequences of that we are now grappling. Sprawl and rot go side by side, hand in pocket.

I took some comfort from what my hon. Friend the Minister said, because he indicated an important change in the emphasis of policy. However, it is important that we are clear that that change of emphasis has to be definite and quick because there is now too little time left to us to reverse the consequences of the planning policies of the Conservative Government. It is now essential that we tax green-field development and spend it on the inner city. The proceeds of that green-field tax must go to the inner city. Unless we do that, we cannot grapple with the consequences of the planning decisions that have already been made.

When I put that issue quite directly to the hon. Member for South Suffolk, his policy, I am afraid, was St. Augustine's policy:

"Give me chastity . . . but not yet."

The hon. Gentleman would not accept the case for the tax on speculative development in the green fields. Without that, we cannot make progress with the policy.

My city of Newcastle is a strong case in point. It is time to make planning strong and to impose tough choices on developers and speculators. I hope that the new Government will make it clear that no houses will be built on the area now allowed for development in the green belt in the city of Newcastle unless and until the taxes on that development are in place, unless the public transport corridors are in place with the finance committed and until polices about which we can be convinced lead towards the restoration of the inner city are in place and, beyond any mistake, seen to be working.

Newcastle's historic centre is in a state of decay. There are hundreds of thousands of square feet of 19th-century commercial property—property that is capable of conversion into precisely the sort of housing that young single people would wish to live in. But there is a price tag for that and unless we make the economic incentives strong enough, it simply will not happen. In many ways, Newcastle is a city divided, rather than united. It has examples within in it of some of the highest quality of city living anywhere in Britain, and some of the worst.

Unless those problems are looked at together, we shall not make sense of this. Some inner-city neighbourhoods in Newcastle are popular, and people wish to live in them. In other inner-city neighbourhoods, which are running down, owners cannot find buyers, landlords cannot find tenants and the city council is engaged in a policy of clearing its own property. In the past five years, 1,000 social houses in the council sector have been pulled down.

Shortly, the Government are to take us forward into new health, education and welfare policies. We must see the links between those changes in policy and in the planning policies that we are discussing. Newcastle has 8,000 empty properties—4,000 in the inner-city west end of Newcastle alone, part of which I represent. Figures announced yesterday show that for results Newcastle is in the bottom six of local education authorities. There is a link between those two things. Those things can be tackled. They can be changed—indeed reversed—but powerful policies across the board are needed to do so. Please let us see the links between different types of policy.

Newcastle is a great party city, but some parts of my constituency have the highest crime rates in England and some of the highest insurance costs, which go with them. Those two things are linked. Those problems can and must be tackled. More than one in four households in Newcastle are workless. The Government propose to tackle that issue, and when they do so, and are seen to do so, we shall have viable inner-city neighbourhoods.

Twenty thousand people in the city of Newcastle receive incapacity benefit. Newcastle is fourth from the bottom of the league for incidence of cancer. Death rates for young men in Newcastle are increasing because of dangerous life styles, the impact of drink and drugs and the lack of secure prospects. Those critically affect the welfare of certain neighbourhoods. If we address that problem—if we tackle sprawl and its economic underpinning, the rot of our social and human infrastructure—we can make cities viable, and if we do so we shall never need the proposed building on the Newcastle green belt.

However, while money is made too easily by sprawl, rot will continue to spread. I hope that my Government will take it upon themselves to have planning policies in the bold colours of both red and green. Those colours should go together if we are to allay people's fears. The answer to these planning problems is to bring new heart, hope and life back into the inner city.

I hope that the Government will say clearly, in the debate and in the statements that are to follow it, that they will lift from the brow of Labour's inner cities the crown of unnecessary sprawl, and that they will lift urban neighbourhoods, which need and deserve support, from their cross of growing greyness. Housing policy can play an important part in Labour's policies of welfare reform and environmental protection, but unless the links between those policies are made we shall continue the policy of sprawl. I urge the Government to defend the green belt, not in the interests of the countryside—although that may well be necessary—but in the interests of the cities.

5.23 pm

Mr. John Gummer (Suffolk, Coastal): I heard much in the speech by the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) with which I would agree, but I find it difficult to understand why it is a satisfactory solution to the problems to tax, rather than stop, development on green-field sites. I should much prefer it if we started by asking ourselves whether development should take place.

I do not blame the Deputy Prime Minister for not being in the Chamber today; the speech of the Minister for the Regions, Regeneration and Planning would have been as painful for him to hear as it was for many hon. Members. However, he was not here for another reason: as far as we can tell, the decisions with which we profoundly disagree were taken by the Minister for the Regions, Regeneration and Planning, and I am sorry that the latter is not now in the Chamber to listen to what I hope will be an explanation of why those decisions were so arbitrary and so harmful.

It would be quite possible for us to carry the whole debate by blaming one another—going back over the past 20 years, looking forward and thinking about this, that and the other—but the fact is that, during the past four or five years, no one would have given permission for 12,000 houses outside Stevenage, joining Stevenage with its nearest town. This is a new kind of policy. Perhaps the Government intend to change that policy now that they have discovered that it is incredibly unpopular, but it is a new kind of policy.

Similarly, the hon. Member for Truro and St. Austell (Mr. Taylor), who spoke so much sense, mentioned that Cornwall had been able to prove to an inspector that the figures that had been handed down were wrong, and the Government upheld the inspector. In the case of West Sussex, that did not happen. The council, on an all-party basis, proved to the inspector that the figures were far too great. The Government turned the inspector down and, as their supporters said, betrayed the Labour party locally.

Therefore, I do not think that it is unfair to say that the case that the Opposition are making is not about yesterday or about the Town and Country Planning Acts or numbers of houses, but is based on the actual decisions taken by the Government in the nine months in which they have been in power. Even if the Labour party hates everything that the previous Government did, it must also be worried—if it is being fair in any way—by the decisions that the Labour Government have taken.

I found the article by the Deputy Prime Minister in *The Times* yesterday very difficult in one sense. I yield to no one in the praise that I have given the Deputy Prime Minister for his support of the environment internationally. He has been kind enough to reciprocate, but his policy has in fact been a continuance of a policy and a bipartisan policy and I am very pleased about it, so in a sense I am sorry that I must criticise the Deputy Prime Minister on this issue.

[Mr. John Gummer]

However, it is no good writing articles in *The Times* in which one pledges to defend the green belt when one has just agreed to a large series of buildings in the green belt round Newcastle, when, in the delicate way in which the hon. Member for Newcastle upon Tyne, Central put it, that is quite difficult to justify, given the number of empty houses that there are in the middle of that green belt.

I believe that the Labour party has failed to understand how the market works. Developers will not develop the inner cities if they have the chance to develop outside; that is the fact. Previously we did not have a target of 50 per cent; that was the figure that we were reaching from 38 per cent. I said clearly that we would do 60 per cent., but when the round table on sustainable development said that it felt that we could do 75 per cent. and produced the figures, I said that if that stood up I would go for 75 per cent. It is on the record that that is what the Conservative Government said.

I am happy for Labour Members to say that we did not achieve that, but it does not help their case because, until the article in *The Times*, they said that they would not even try. They did not have a policy of 60 or 75 per cent. *[Interruption.]* The Minister for the Regions, Regeneration and Planning is constantly saying that he is misquoted. To be misquoted once may be considered an accident; to be misquoted twice and one begins to wonder whether he was ashamed of what he said and wished he had not said it.

Again and again, the Government have said that they accepted what they referred to as the previous Government's target of 50 per cent., and it is no good their now pretending that they have not. The article in *The Times* makes precisely that point. The Deputy Prime Minister now says that the target is 50 per cent., but that they hope that they will do better. Therefore, there has been a change of tack on that.

If the private developer is to do the job that we want him to do, there must not be an easy option. Governments will not find good places in inner cities to build houses by having great lists of brown-field sites, changing every day, as the Council for the Protection of Rural England rightly said that they should. Governments will not achieve the building in that way. The people who find such sites will be the people who will make profits out of them. It must be made profitable for them to do so, and that will not be achieved by allowing profits to be made more easily in another area.

That is why it is important to set a high target and not to argue about the figures. I wish that I could have suggested figures below 4.4 million. It is in the Government's interests to have a lower figure. I accepted the figure of 4.4 million because, having looked at all the opportunities for reducing it, I could not truthfully suggest that a lower figure would be likely. But that does not affect the argument, because we will have more homes than we would wish to accommodate. Therefore, it is important to ensure that the majority of them at least are built in the inner cities.

We have two problems—inner-city deprivation and dereliction, and the need for more homes than we would like to build. Those two problems can solve each other. It is perverse that so far the Government have not tried to solve those two problems but have exacerbated them by agreeing to build in the green belt, which the Conservative Government would not have done and did not do. The Government have changed the policy.

But the situation is worse than that. The Minister for London and Construction gave it away. He will talk as if protecting the green belt and the countryside is a selfish activity by people who are lucky enough to benefit from it. That is what he has said and his articles have shown it again and again. *[Interruption.]* I am careful not to accuse him of the things that he plainly has not said. That is why he put the finger on Dorset and Suffolk.

Some Labour Members are even more adamant than that. One day, I spoke with the leader of Stroud district council on the telephone and I asked him why he wanted to build in the beautiful Painswick valley—the only access to Stroud which is so far unspoilt. He said that everybody else has had to have houses, so he did not see why they should not have some houses as well. Despite living in an area of outstanding natural beauty, they felt they should have the houses as well.

Dr. Howard Stoate (Dartford): Will the right hon. Gentleman give way?

Mr. Gummer: No, I am about to sit down.

If we want sustainable development, we do not want a Government who change the policy; we want a Government who force people to build in the town.

5.33 pm

Ms Christine Russell (City of Chester): I have never before listened to so much phoney outrage and pious untruths as I have heard in the past hour and a half. Where have Conservative Members been for the past 18 years?

Since May 1980, I have chaired a local planning committee. It was the build-anything-anywhere planning policies of the previous Conservative Government which led to acres of green land going under a sea of concrete. It was the Conservative Government's policies which led to the destruction and the desecration of our city centres and to the dependency on the motor car. It was the Conservative Government's policies which impoverished our countryside.

In Chester, with the support of local people, Labour councillors consistently opposed out-of-town retail parks and leisure complexes. We turned them down only to find, months later, that the Government-appointed inspector carrying out Conservative Government planning policies allowed the appeal and there was absolutely nothing that we or the local people could do about it.

It was not only the green-field sites on the edge of the city that were affected. We have spent 18 years and a lot of public money—so far, fingers crossed, successfully—defending the Sealand basin, a valuable green space in the heart of the historic city of Chester which has been nibbled away round the edges. It is not only the green fields on the outskirts of our cities that need planning protection; we must also tighten planning protection for the valuable green spaces in our city centres.

I was born and brought up in the countryside, and the previous Government's disastrous policies affected the rural areas, too. The enforced sale of council houses and the complete unwillingness of the Conservative Government to invest in social housing have led to most

Cheshire villages nowadays being little more than dormitories for better-off commuters working in Manchester or Merseyside. Gone are the village schools and shops and the sense of community.

The household growth timebomb has been known about for a long time. The right hon. Member for Suffolk, Coastal (Mr. Gummer) knew about it. He spoke about it several years ago at a conference that I attended. But the Conservative Government did nothing about it. A roof over our heads is a basic human right and I am sure that most experts would agree that, whatever the figure of potential new households—be it 1 million, 2 million, 3 million or 4 million—probably 40 or 50 per cent. of those people will need social housing.

One of the Conservative Government's worst legacies is the 5,500 people on the housing waiting list in the fairly affluent city of Chester. That is hardly a good testament to their Government.

Mr. Andrew Rowe (Faversham and Mid-Kent): Will the hon. Lady give way?

Ms Russell: No.

If we do not grasp the nettle, poorer families will continue not to have a roof over their heads because house prices will spiral.

The new Government have made a good start. We have released £800 million of capital receipts, but in my city and in most other cities the state of the housing stock is so appalling that most of that money will have to be spent on repairing and renovating existing stock, not on creating new units.

After 18 years on a planning committee experience, I firmly believe that the system is too rigid. We need more flexibility and I hope that the Government will consider the possibility of a use-class order for social housing. At the moment, we have no mechanism for controlling the type and tenure of housing.

I was pleased to hear that the Liberal Democrats support the idea of reviewing the tax position. If concrete is poured over green fields, the development is VAT free, whereas if one converts an old building for residential use, the full tax rate is payable. Given that this Government's hallmark is fairness in taxation, I hope that Ministers will at least be prepared to consider removing that anomaly.

Local authorities have been criticised in a number of quarters. Chester local authority has carried out a brown-field audit and has innovative plans to regenerate the inner city—to build on the old gasworks and put houses on the old canal basin. There is enormous potential, as there is in many of our cities, to re-utilise the floors above shops for housing. They may not be suitable for families, but they are certainly suitable for young people, particularly students. They are ideal for single-person households.

I have read all the Government's documents and believe that we face enormous challenges. We cannot deny that the number of new households will grow. How are we to accommodate them? As my hon. Friend the Member for Newcastle upon Tyne, Central asked, how will we create safer, more vibrant city centres where people want to live? How will we support sustainable, living communities in our countryside? How will we protect our wonderful built and natural environments?

We cannot walk away from those challenges, and we cannot repeat the mistakes that the Conservative Government made in the past 18 years. The key to meeting those challenges is improving and modernising the planning system. I am delighted that the Government will take an holistic approach—the system has been crying out for it for years—by bringing together economic development, transport, housing and the environment. The Labour party laid the foundations for modern planning 50 years ago and has always believed in planning. Some 10 years ago, I spoke at a planning conference when a previous Conservative Minister of State said that he did not believe in planning at all. He is still a Member of this House, although he is rarely seen here now.

Fifty years later, I have every confidence that the new Government will create a new co-ordinated planning system, which will improve the quality of life for everyone in the 21st century.

5.42 pm

Mr. Kenneth Clarke (Rushcliffe): When I heard the Minister of State introduce the debate, I realised immediately that policy in this area was on the move, but was unclear about where it was moving to. There were occasional protestations of good intentions, but, by and large, I had the impression that there was no policy at the moment.

I read what the Deputy Prime Minister said in the newspaper yesterday, and realised that most previous statements on that subject were now inoperative. We are told that, in a few weeks' time, some further announcements and guidance will be issued. Meanwhile, I agree with my right hon. and hon. Friends that, unfortunately, in the first nine months of the Government's period in office, some fairly startling decisions have been taken.

The reaction to the dramatic decision to allow large-scale development on green belt land near Stevenage and Newcastle, which was criticised by the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins), has driven the Government to realise that the cavalier way in which they have been proceeding so far cannot be sustained, and that they must reconsider the policy.

The Minister of State tried to disguise his difficulty of having no policy to outline today in response to this debate by making an extremely belligerent attack on the previous Government's record. That will not impress Labour party supporters in rural and urban areas who support the principles of conserving the green belt and the countryside. Demand for change comes from all sides, against a background where most people know what we should aim for.

Obviously, we should begin by trying to regenerate inner-city areas. If the Government can build on the excellent record of the last Government, going way back into the 1980s with the setting up of public-private sector partnerships, urban development corporations—much of the regeneration resisted at the time by Labour councillors in many cities—good luck to them. Newcastle upon Tyne, like Nottingham and many other cities, bears all the signs of successful urban regeneration in the past.

[Mr. Kenneth Clarke]

The principle of building on brown-field sites underlay the policy of my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) when he was Secretary of State for the Environment. If that can be built on, all well and good, but belligerence is uncalled for.

Mr. Caborn: Will the right hon. and learned Gentleman give way?

Mr. Clarke: I shall give way just once, but, like everybody else, my speaking time is limited.

Mr. Caborn: Has the right hon. and learned Gentleman read the two documents that we issued on 15 January, "Modernising the Planning", which is a policy statement, and "The Future of Regional Planning Guidance", which is a consultation paper? We are trying genuinely to deal with the points that Conservative Members have raised and bring them into the public domain. I presume that he has read them, and will be contributing to the debate.

Mr. Clarke: I found the documents bland and uninformative. They contrasted somewhat with the Government's decisions, whether they were taken by the Secretary of State or the Minister of State. I am waiting for a better document to be issued, in the light of the hints dropped in yesterday's article and today's debate.

The Government should build on the city regeneration which we started, and get rid of the remaining dereliction. Naturally, there will be some development in suburban and rural areas, because some is required. We expect some household generation in rural communities, because new families there must be provided for. We even expect the development of some light industrial employment in the countryside to help the rural economy. However, we all strive to get the balance right. It is avoiding the point to embark on extraordinary attacks on what happened in the past 18 years.

A successful balance has been achieved in my constituency. A third of my constituents live in essentially suburban areas of the city of Nottingham, while the rest live in a rural area, scattered over the countryside of southern Nottinghamshire. The local planning authority provided land for development and, with the healthier housing market, a lot of development is going on. Attractive new housing is being built at Gamston on the edge of the existing conurbation, without prices going out of control. Some of the bigger villages were expanded, with a certain amount of barn conversion. There was some out-of-town shopping development, but I am glad to say that, when my right hon. Friend the Member for Suffolk, Coastal was Secretary of State, he brought an end to unrestrained development of that kind.

What has happened so far has resulted in a reasonably satisfactory balance. With some development permitted, the green belt has been rigorously defended throughout the past 18 years. We have had no serious setback on green belt policy.

Mr. Caborn: That is not true.

Mr. Clarke: It is in my constituency.

The threat that we now face, in the light of current policy, results from the Government's recent decisions, alongside the planning approach hitherto adopted. The present policy cannot be sustained when one considers what "predict and provide" threatens to inflict on us all.

The hon. Member for Truro and St. Austell (Mr. Taylor) criticised the basis of predictions. We have all been challenging those predictions. In this short speech, I shall not repeat the arguments set out in an extremely good article in *The Times* yesterday by Nick Nuttall. Not all the points he made were good, but many of them required answers.

I detect from what the Minister said that he will give up the top-down process of seeking to forecast until 2016, which produced the unlikely result of 4.4 million households, and allow much more local discretion for local provision over shorter time scales. What has happened locally so far has a tremendous top-down content. At county level, the trouble is that far too many predictions assume that one can extrapolate from the developments and movements of population of the past 20 years precisely what will happen for the next 20 years. That is not necessarily the case.

The Nottinghamshire structure plan demands provision for 69,250 dwellings in the county by 2011. The expected increase of population, itself a little challenging, is only 50,000. It is expected that the formation of smaller and smaller households will continue—I agree with the hon. Member for Truro and St. Austell—on a scale that looks increasingly incredible. Worse, the distribution within the plan assumes that growth will continue where it has in the past.

The plan has acceded to pressure that growth should be permitted in the most prosperous and attractive parts of the county, not those crying out for development, such as the north of the county where the coalfield closed down. Of the total, 14,400 dwellings are supposed to be provided in Rushcliffe, compared with places that need development, such as Mansfield, which is to provide 8,000, or Ashfield, with 8,500. Nottingham, which has a much bigger population, is to provide only 8,000 new dwellings.

As my right hon. Friend the Member for Suffolk, Coastal said, the developers whom I want to develop parts of my constituency find it attractive to be given such an invitation to move into the green-field sites of Nottinghamshire, where it is easier to sell properties for more money without the difficulties of urban regeneration and development of brown-field sites in north Nottinghamshire or in Nottingham.

If my local planning authority is to be asked to provide 14,400 new dwellings, all the talk of targets for brown-field site development is ridiculous. It is difficult to find a brown-field site in my constituency. One closed colliery has been earmarked for industrial development. Other than that, development can go only into the countryside. That will have a disastrous effect on the character of the neighbourhood.

If the policy is to change, if we are to abandon the predictions and go for a shorter time scale, may we have an assurance that where structure plans are in place or local plan inquiries are forthcoming, the whole thing can be revisited? Can not only the national but the local targets and their distribution be regarded as up for sensible debate again?

'I hope that the Government will also live up to their commitment to put alongside their approach to planning their approach to transport and to the roads programme.

Mr. Caborn: We are.

Mr. Clarke: It is not happening in my part of the world.

The reason why "predict and provide" must be abandoned for housing allocations is that it appears to have been abandoned for the road programme. To give another example from my constituency, the large-scale provision that the planning authority in my borough is supposed to make is supposed to be made along the trunk road corridor of the A52, which leads from Nottingham to Grantham. Unfortunately, all the projected improvements along there have been postponed, and, so far as I can see, postponed indefinitely.

I recently had a meeting with Baroness Hayman. The prospects of the A52 improvements coming back into the programme are next to nil. I myself urged other schemes on her, to save them from the axe—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

5.52 pm

Barbara Follett (Stevenage): I welcome the chance to talk again about Stevenage, this time not about our prowess at football but about the land to the west of the A1(M). Many people do not like that land being referred to as Stevenage west.

While I welcome the long overdue evidence of environmental concern from Conservative Members, I fear that it owes more to perceived political advantage than to any real desire to protect the countryside. Conservative Members can shake their heads for all they are worth; they look like my granddaughter's Noddy doll. Their howls of protest would be more convincing if they were not criticising the very policies they formulated and followed in government less than nine months ago.

I found the speech of the right hon. Member for Suffolk, Coastal (Mr. Gummer) eloquent and clear, but it was also clearly hypocritical.

Mr. Deputy Speaker: Order. That term has been used on several occasions, not only by the hon. Lady but by other hon. Members. It is not a description which I want used in the Chamber. We should use more temperate language.

Barbara Follett: Thank you for correcting me, Mr. Deputy Speaker. I apologise to the right hon. Member for Suffolk, Coastal. He was perhaps a little bit economical with the verité. Only 14 months ago, it was he, as Secretary of State for the Environment, who said:

"even accommodating more housing in our towns and cities, as we . . . must"—

I agree—

"means that some development on green-field sites will still be needed. That is unavoidable."—[*Official Report*, 25 November 1996; Vol. 286, c. 46.]

Mr. Gummer: Will the hon. Lady point out the difference between a green-field site and a green belt site? I know of no circumstance in which I have ever suggested that we should allow green belt land to be used in that way. That is the basis on which I made those remarks, and on which I attacked the Stevenage decision. I was therefore being neither hypocritical nor unclear about the truth.

Barbara Follett: I thank the right hon. Gentleman for that semantic slither.

"Unavoidable" was exactly the word used by Hertfordshire county council when, after months and months of trying and public inquiry, it failed to find the space for the final 10,000 houses of the 65,000 that it had been set to find by the previous Government. It had managed to put 55,000 houses on brown-field sites. It had stacked them into the towns, but it could do no more. It had to start considering other areas, unless it was to build, as was suggested, on one of the few parks in Stevenage and one of the even fewer parks in Watford.

Mr. Matthew Taylor: Does the hon. Lady believe that that has happened because existing policy is being followed? If the policy is about to change and the Government announce the changes that they have suggested, does she think that the permission given in respect of the green belt area should be reversed?

Barbara Follett: Hertfordshire county council knew that there was a correlation between overcrowding and crime and between overcrowding and violence. It knew, as did the former Secretary of State, that some building on green-field sites was unavoidable, so it chose the least worst and most sustainable option: 1,500 acres to the west of the A1(M) near Stevenage. The land is in the constituency of the right hon., but recent, Member for Hitchin and Harpenden (Mr. Lilley). Before the general election, he was the Member for St. Albans.

The site has several advantages. It is close to public transport and to Stevenage, whose economy will benefit from the extra demand. Despite the confident but deeply inaccurate interventions of the hon. Member for Mid-Sussex (Mr. Soames), it will not merge with Hitchin. To prevent such a merger—believe me, the citizens of Stevenage do not want it either—Hertfordshire county council released 5,000 extra acres into the green belt to compensate for the 1,500 that it had removed. I remind hon. Members that the amount of green belt land in Britain has doubled since 1979—something for which the Conservatives can take credit.

That move will ensure that the green belt—which, I remind Opposition Members, was introduced by a Labour Government—will fulfil its original purpose of preventing the coalescence of towns.

Mr. John Randall (Uxbridge): Will the hon. Lady give way?

Barbara Follett: No, I have given way fairly already.

Although I welcome the "predict and provide" philosophy outlined by my right hon. Friend the Deputy Prime Minister, I should point out that Hertfordshire county council is already following that policy in Stevenage west. Contrary to the scaremongering by Opposition Members—especially the chronically misinformed Member for Mid-Sussex—the council is to

[Barbara Follett]

build only 5,000 houses on the site by 2011. If 5,000 more houses are needed after that, they will be built, but the council is hopeful that they will not be needed.

I commend Hertfordshire county council and Stevenage borough council for their courage in tackling the difficult problem of marrying two demands: first, the demand for more housing and more social housing; and secondly, the demand to preserve the countryside of England. They have done the impossible, and they are to be congratulated.

6 pm

Sir Paul Beresford (Mole Valley): At the beginning of her speech, the hon. Member for Stevenage (Barbara Follett) more than insinuated that the fear in constituencies about the potential loss of the green belt was being stoked by the Conservative party. In my constituency, that is completely untrue—we do not need to stoke such fears.

My constituency is just south of the M25, and close to London; the A3, A24 and A25 run through it, and it has good public transport links. The population are acutely aware of any shifts and changes that they fear will threaten their green belt, because it is precious to them. Over the past few months, the confusion and the actions of the Government have brought that concern to the fore in the minds of most of my constituents, and it is clear from the local press and from my mailbag that they are desperately concerned. Let me touch on some of those actions—only a few, as I have but a few minutes.

There have been some constructive speeches from Labour Members, and especially constructive speeches from Conservative Members—in particular, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) and my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke). We have mentioned that the big four giveaways with which the press are running are the ones that have caused greatest concern. Mole Valley is part of Surrey and is therefore right next door to West Sussex, and the big jump in the figures, which is one of the big four giveaways, has frightened the people in my area. I hope that the Minister will give us considerable reassurance on that point.

A variety of articles, either apparently stimulated by comments from Ministers or supposedly written by Ministers, have added to the confusion. There have been indications that PPG2 and PPG6, both of which were tightened up by my right hon. Friend the Member for Suffolk, Coastal, are being eased back. That can be seen in the press and from comments by builders and supermarket chains.

Mention was made of the Local Government Finance (Supplementary Credit Approvals) Bill and of the fact that £800 million was being released. In fact, not a single penny from capital receipts, but only borrowing capacity, is being released; but that, seen in combination with regional development agencies, is an item of concern to people in my area.

Many of them use the A3 and, as they approach Tibbet's corner in London, those with longer memories recognise and remember that those were once green-field sites, until the Greater London council and the London county council got hold of them. There are now 15,000 dwellings on those former green-field sites—hence the desperate concern. The compulsory purchase order powers of the regional development agencies are frightening, especially when combined with the changes in the capital rules affecting local authorities, which may want to duplicate the build-out policy operated under the GLC and the Labour party in London.

The review has been mentioned and waved at us in the Chamber. I have read the review documents—twice—and they do not help to calm anyone's fears. My right hon. and learned Friend the Member for Rushcliffe said that he had read them and found them bland, but he was being polite; they are so bland and so broad that anyone with half a degree of cynicism would recognise that they could be perceived as giving an opportunity to change the planning system surreptitiously in such a way as to threaten the green belt. That is how the review is seen by my constituents, and we need reassurance.

There have been a few red herrings: the one that amuses me is that of putting on a tax—not taking a tax off one area, but putting on another tax. That might suit those who wish to build on green-belt and green-field sites in my patch, because they may be able afford to buy there and pay the tax, but it certainly will not help those who cannot afford to do that. If there are to be tax changes, it should be take off, not put on.

I am being especially succinct and looking at only one aspect of this issue—the reason for the fears. The speech by the Minister for the Regions, Regeneration and Planning did not help—it was belligerent and abusive. We want to know that the green belt is secure. We also want to know that inner-city regeneration is to be implemented. Sneers and criticisms were made about recent Conservative Governments and the way in which they have changed inner-city areas. I implore those Ministers who now have responsibility for that area to go back and look at the many successes. Those successes built on a learning curve, and it would do Ministers a lot of good to go and look at them.

Ministers should start with the development corporations and, for example, London docklands, where the GLC failed, and where an innovative approach changed the whole system and brought housing with a variety of tenures to a dilapidated, appalling area in the centre of London. The system progressed as local authorities joined in and recognised that it was moving forward positively.

The result has been dramatic changes in places such as Manchester, Liverpool, Tower Hamlets, Greenwich and so on. Change is progressive: I hope that Ministers can learn that, at the end of the day, we must turn brown-field sites in our inner cities back into positive places that are attractive to live in. That is success, and part of it is keeping our green belt sacrosanct.

6.7 pm

Mr. Brian White (Milton Keynes, North-East): Before entering the House, I was chair of the Local Government Association's planning committee and, as such, I was one of the people who challenged the previous Government to justify the methodology behind the figures for household projections announced by the previous Secretary of State, the right hon. Member for Suffolk, Coastal (Mr. Gummer). I represent a partly rural constituency and I regret that what should have been a serious debate on a serious topic has been trivialised by some hon. Members who spoke earlier.

I was somewhat perplexed when examining the record of the previous Secretary of State, who said that he believed that laissez-faire planning was the right way to proceed; that local planning authorities were an obstacle to growth; and that he wanted there to be a massive increase in out-of-town shopping centres, because that was the right way to regenerate the economy. That record is at odds with the sentiments expressed by the hon. Member for South Suffolk (Mr. Yeo) when introducing the debate. It is also strange that a record number of sites of special scientific interest disappeared under the Conservative Government. I make one exception in my criticism, in that I recognise that the right hon. Member for Suffolk, Coastal did make significant changes in some of the planning policy guidance notes that he issued. PPG6 was a major improvement, as was PPG13.

As I have said, I challenge the methodology involved in the household projections. Other hon. Members, notably the hon. Member for Truro and St. Austell (Mr. Taylor), mentioned the need to change the top-down approach to a bottom-up approach. The hon. Gentleman also pointed out that different social factors had not been taken into account in the figure of 4.4 million. Our policy on regional development agencies, and the changes in environmental and social policy—especially social changes relating to crime and our welfare-to-work initiative—will have a major impact on where people want to live, and on the regeneration of our inner cities.

The right hon. Member for Suffolk, Coastal said that, after he had taken into account all the issues raised by the hon. Member for Truro and St. Austell, the lowest figure that he could recommend was 4.4 million. We should also not forget that every calculation in the past has been an underestimate rather than an overestimate.

We cannot separate today's debate from the debate about regeneration, and we must recognise that there will be different solutions for different parts of the country. My hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) spoke about the needs of inner cities, but rural areas also have needs. Some farming constituents to whom I spoke recently pointed out that the villages were no longer rural, by which they meant that they had become dormitory villages from which people commuted into the local town.

We need to ask what the role of villages will be in the next century—and, indeed, what the role of towns will be. We should have a rational debate about that. The projection relating to increased car use stimulated a public debate about how our transport system should be changed. Similarly, the 4.4 million projection has at least generated a serious public discussion about ways of dealing with housing stock.

We are not just talking about 4.4 million homes. The projection refers to an increase in the number of elderly single women, and also to the substantial number of single young men. Those, apparently, are the groups which most need extra housing—although there is no suggestion that they should be put together. They require housing other than the standard housing that has been provided over the past 10 or 15 years. The executive-type housing that is most profitable will not be right for the people about whom we are talking.

Mr. Drew: We are now dealing with either a negligible increase or no increase in population size. That makes a significant difference to the type of property required, and to where it needs to be. Migration forces are the biggest single influence.

Mr. White: I entirely agree.

A tremendous amount can be done for cities and towns. The regeneration of our run-down inner cities is a great challenge, which many local authorities have already taken up. I should point out to Ministers that the previous Government's Treasury rules hindered many developments. I am thinking here of development corporations. The clawbacks that are imposed if local authorities develop land hamper growth and regeneration.

The House Builders Federation has said:

> "The social and economic consequences of not building enough houses are being ignored by many commentators. Many people will not be able to afford their own home, or will live in unacceptably crowded conditions, if we fail to build enough homes in the right places."

That is another key point which is often missed. We are not just talking about building the right number of houses; we are talking about quality. One of the mistakes that we made in the 1960s was to build tower blocks and other kinds of massive housing far too quickly. We do not want to repeat the mistakes of the past 18 years, but it is also important that we do not repeat the mistakes of the 1960s. We should build quality into our inner cities—and, as I said, many local authorities are doing that.

The current planning policies are causing houses and jobs to be planned in different areas, thus exacerbating transport problems and increasing growth on the edge of towns. Other factors, such as housing subsidies, have an impact on the quality of build, and such support needs to be directed toward brown-field sites. We should also recognise that brown-field sites are not all the same. My hon. Friend the Member for Norwich, North (Dr. Gibson) mentioned the problem of contaminated land. We must deal with that problem if we are to achieve the target of 75 or 80 per cent. on brown-field sites.

Other hon. Members raised the key issue of finance. While it remains cheaper to build on green-field sites, developers will concentrate on such sites. Brown-field sites must be made economically attractive. Various solutions have been suggested, from taxation to strengthening the planning powers of local authorities; but there are other possibilities. In the 1940s, when a Labour Government introduced planning powers, they also created new towns, which have proved a successful way of diverting pressures from other towns and accommodating growth. The role of new towns should not be forgotten. By carefully selecting the green-field sites that can accommodate growth, we can relieve much of the pressure on other sites. I commend what my right hon. Friend the Secretary of State has done in Stevenage, which will help many parts of the south-east.

We have heard a good deal of rhetoric, and a good many cheap political attacks, but there is a real debate to be had. There are no easy solutions, and we must make serious choices about how we are to live in the 21st century. The real debate is about what type of towns we should have in that century—what the quality of urban living should be, and what our life style should be. If we tackle those issues seriously, I suspect that there will be a great deal of consensus across the parties, but cheap political attacks such as we have heard today do everyone

[Mr. White]

a disservice. I hope that, following today's debate and following the Government's announcement of changes in planning and household projection policy in three or four weeks' time, we can engage in a sensible debate and start to create the necessary consensus.

6.17 pm

Miss Anne McIntosh (Vale of York): I support the motion. I hope to show why I reject the Government amendment, and to expose the way in which the Government have failed to protect the countryside, especially the green belt.

My constituents can judge the Labour party only by its actions. I invite the House to consider its decisions in national and, more particularly, local government, and I hope to expose its intrusive policy with regard to the green belt. In the Vale of York, there is a proposal for an incinerator site in Rufforth, on a green-belt site within a mile of three centres of population—Rufforth, Knapton and the city of York. A park-and-ride scheme is also proposed at Rawcliffe. The proposal ignores residents' views, despite a hugely expensive consultation exercise. There are rumours of a new town of possibly 25,000 homes between Thirsk and Ripon. I ask the Government to consider the infrastructure that would be required to accommodate those new houses. Access to all facilities would be necessary—to roads, schools, and hospitals, and especially to water and sewerage.

I was elected to represent the Vale of York by a sizeable majority on a platform that supported filling in brown-field sites before we touch green-field or green-belt sites. I urge the Government to examine options for accommodating a projected 4.4 million new households in England by 2016. I query the basis for such projections. The household projection process is at best an inexact science. Those targets must remain subject to continuous review, with the aim of achieving the best possible fit between projected housing demand and land allocation.

In meeting housing demand, priority must be given to affordable housing in villages and rural locations for those engaged in less well-paid rural employment. There is a specific lack of planning mechanisms to safeguard land for affordable homes. The Government must redress that gap.

There is a singular lack of clear commitment to green-belt policy, as evidenced by decisions to allow local authorities to proceed with major green-belt releases around Newcastle and Stevenage. There should be stronger justification for altering green-belt boundaries. At the very least, the Government's policy shows that Stevenage and Newcastle have more in common than a football draw: they are both victims of that negative Government policy.

My main concern in the Vale of York is that planning decisions by the City of York council have involved various irregularities. I refer to the incinerator that it is proposed to build on a green-belt site in Rufforth. The proposal is currently subject to review by the local government ombudsman. A highly irregular procedure was followed, which does not show the Labour party in its best light. The City of York planning committee overturned North Yorkshire county council's local development plan, by which the City of York remains bound. In addition, the City of York rejected its own local development guidelines and its chief planning officer's recommendations.

What assurances will be given tonight to those living in the Vale of York, that the green belt will be protected from Labour party policy in national or local government? I hope that when the Minister winds up the debate, he will give my constituents some reassurance that the green belt will be preserved.

6.22 pm

Mr. Graham Stringer (Manchester, Blackley): I welcome the opportunity to participate in the debate. The future of our cities is closely linked to our treatment of the green belt, green-field sites and the countryside. One of the characteristics of the United Kingdom is its urban life. It has a higher density of cities than any other country in Europe. Since the second world war, Governments of all political colours have been cavalier in their attitude to our cities as assets.

It was extraordinary to hear the hon. Member for South Suffolk (Mr. Yeo) attack the Government in his speech. He forgot about the damage done to cities by his Government in the late 1980s. He forgot about the out-of-town shopping centres, the latest of which will open outside Manchester in Dumplington later this year and put people in my constituency out of work. He forgot about the removal of billions of pounds' worth of rates and revenue support grant. In short, he forgot about the attack on the inner cities.

It would be better if hon. Members on both sides remembered that and considered the other side of the equation. Having been involved in leading a city council for many years, I know that not everything that city councils have done in terms of urban regeneration has been perfect.

I welcome the fact that my hon. Friend the Minister for the Regions, Regeneration and Planning said that the Government would get rid of the "predict and provide" model. That is a mathematical system which is consistent in its own terms, but there is great uncertainty about whether it relates to anything in the real world. If that model is to be rejected, I urge my hon. Friend to examine in detail what happens in cities. People who have developed the model say that it works less well as the amount of detail increases.

I refer to my experience in helping to redevelop Hulme, with the support of the right hon. Member for Henley (Mr. Heseltine), and the hon. Members for South Suffolk and for Salisbury (Mr. Key). Those hon. Members helped and, I believe, learnt from trying to redevelop Hulme. When we looked at Hulme, we found the mistakes of the Labour Government in the 1960s, a Conservative Government immediately afterwards, a Conservative council and a Labour council that had provided industrially built housing.

The most striking feature, which helps us to understand what has been happening in the cities, was that that area had previously had about 180 dwellings per acre. The industrially built monstrosities hastily provided by parties of both political persuasions represented fewer than 12 dwellings per acre. It is not surprising that all the community facilities that glue a city together—the churches, the public houses, the transport system—started to fall apart. There were simply not enough people, and the situation was designed to encourage crime.

When we considered what we wanted to develop instead, we found that under a Labour-controlled council, many of the policies coming out of our engineers department and planning department were not helpful in designing the sort of houses that people wanted to live in. We had to turn round a series of policies to ensure that we achieved housing densities of 30 to 40 dwellings per acre. That is not extraordinary in the history of cities elsewhere.

Engineers want turning circles at the end of roads and extra parking spaces. In one of the poorest parts of the city of Manchester, the planning department suggested one and a half to two parking spaces per dwelling. The actual car ownership in that area was less than one in three. It is not surprising in those circumstances that low-density development results.

We turned that round. Hulme, in the constituency of the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), is now an attractive place for people to buy houses or to live in social housing. Further development is still needed, but it is working.

If we return to the numbers game, when one looks at the figures and the number of brown sites, it is difficult to know what densities people are talking about. I suspect that if we consider the supply of land available in the cities and multiply it by densities of 30 or 40 dwellings per acre—in city centres, greatly increased densities are possible—the balance between what can be provided in urban areas and in the countryside switches to a much higher figure than exists at present.

Building up those densities not only protects the countryside for the benefit of all of us; it helps to make the city work again. It helps to make transport work. If 1,000 dwellings were created in warehouses and office blocks in the city centre, over a year, 4 million car journeys would be saved, assuming that people commuted on average 10 miles into the city centre. That is an incredible saving. It is a matter not of better transport, but of no transport, because people are near their place of work. Because of the way in which cities have developed, some of the most attractive sites next to the city centre have become some of the least desirable. We need to improve that and get the density right, so that public transport works and makes a profit—or balances the books, depending on who owns the transport system.

I urge my hon. Friend the Minister to look at the figures. Development is bound to be more difficult in the city. It has a bad image, but that is being improved by cities such as Newcastle, Birmingham, Sheffield, Leeds, Manchester and Liverpool. We are all trying to improve its image, but it will never be an even playing field when it is easier to develop out of town. Certainly until they work properly again, cities need grants—whether from taxation on green-field sites, via the council process or special development grants—to make developers realise how they can make a profit and provide houses within the city in which people want to live.

The time it takes for planning applications to go through came up several times in the debate. I have been involved in a number of major planning applications, some of which were connected with housing. I welcome the fact that the Prime Minister and the Deputy Prime Minister have said that the planning process must speed up. We have to get the balance between the country and the city right, but we must also ensure that people are given decisions quickly, so that there is certainty.

We all agree, across the House, on the problems that face our country: unemployment, poverty, crime, drugs, the environment, pollution, education and how to make it better. Cities are often seen as a problem. I believe that cities are the centre of creativity. Much of the intellectual capital and the gross domestic product of this country have been developed in cities. We shall all be the poorer if we do not make them work. We have an opportunity, as my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) said, to combine dealing with the problems of the city with the protection of the countryside, to make our cities work better. We shall all benefit from that.

6.32 pm

Mr. Gerald Howarth (Aldershot): I am sure that the House listened with interest to the hon. Member for Manchester, Blackley (Mr. Stringer) and his case study of what he did in a particular part of the city while leader of the council. As I have two children who study at what I call "Boddington's university" in Manchester, I have more than a passing interest in that city being safe and successful.

I congratulate my hon. Friend the Member for South Suffolk (Mr. Yeo) not only on introducing the debate but on the manner in which he did so. He performed a singular service to the House and to the country. Not only did he articulate the concerns in the country about the real threat to the countryside but he chose Opposition time in which to do so. He also exposed the great uncertainty in Government policy in this critical area.

I do not know whether my hon. Friend has noticed, but the terms of the Prime Minister's motion reflect almost exactly the terms of early-day motion 681. That says quite a lot about the Government's response to the debate. They know that the concerns on these matters are not confined simply to the Opposition Benches but are reflected on the Government Benches as well, among the newly elected hon. Members who are temporarily representing Conservative parts of the country, who found it necessary to respond to these concerns.

I am sorry that the Minister for the Regions, Regeneration and Planning is not in his place to listen to the rest of the debate. No doubt he will listen to the wind-up speeches. He does not seem to understand why his speech went down so badly with Opposition Members and why it failed to ignite with Labour Members. He is a decent chap, but he did not perform at all well. If I may, I shall take just one point.

The Minister invited us all to be reassured that the Government plan to safeguard the green belt, and reassured us that concerns expressed by Opposition Members are wholly without foundation. We are not at all unreasonable in finding those reassurances unacceptable.

Two examples were given by my right hon. and hon. Friends, to which the Minister made no reply whatever. It is a material consideration that my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) has had a decision overturned, so that green-belt land will now be concreted over in Sutton Coldfield. The Minister had the opportunity to explain how that complied with his new policy, and failed signally to answer it.

[Mr. Gerald Howarth]

When my hon. Friend the Member for Mid-Sussex (Mr. Soames) challenged the Minister on the decision to allow a further 12,000 houses in Sussex, the Minister failed to respond to that as well. I remind the Minister for London and Construction, who is present, that a joint statement from the leaders representing all three parties on West Sussex county council said:

"This is the starkest possible illustration that Government has no intention of trying to provide a greater share of the 4 million new homes said to be required by 2016 on brown-field sites rather than on green fields in the countryside."

We do not understand, nor do we accept, the Government's assurances, because they are at variance with their practice hitherto. If they are saying, in the light of the meeting last week and the early-day motion, that they have changed their policy, so be it.

In my constituency, development pressures have long been apparent in the northern part of Aldershot. It is now a matter of great concern to us. Before the boundary changes at the last election, the Aldershot constituency included a large rural hinterland, which is now part of the constituency of my hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot), the shadow Chief Whip. The area lies beyond the metropolitan green belt west of London and thus was targeted for growth early on. The temptation for developers to leapfrog the green belt was far too great, so the whole of the Blackwater valley has become part of the fast-growing sub-region under the south-east plan of 1970.

Although the growth policy is now defunct, development pressure continues, and may well intensify. Already, much of the area has been suburbanised, with peripheral expansion and the replacement of perfectly good old houses with dense infill. That has led to a serious loss of character and identity. The infrastructure is simply not there to accommodate such extensive infill, the pushing of houses into what were formerly the gardens of larger houses, and the bolting on of estates. These are villages. They have village facilities and village roads. They do not have the benefit of the infrastructure to cope.

Our remaining green-field sites are under threat of options from developers, who promote them as so-called omission sites at local planning inquiries. An inquiry is under way at present with developers queuing up to stake their claim in the planning lottery. One of the reasons for that flurry is the stranglehold of housing land availability. Planning policy guidance note 3, of March 1992, effectively said that local authorities should provide a forward plan of five years of housing stock. That may sound reasonable, but it has effectively become the developers' gravy train.

The requirement for a continuous supply of land for housing usually refers to green-field sites. Sites within settlement boundaries are not normally counted towards the total, which is calculated on a five-year basis. Sometimes, sites fail to come forward as planned and a shortfall occurs. As a result, developers can appeal and argue for their site to be released so that the five-year supply is maintained. Local planning authorities cannot plan properly because of the constant fear of appeals to the Secretary of State in the event of a land supply shortfall.

To some extent, PPG1 has changed that. The February 1997 guidance provided for local authorities to

"allocate the maximum amount of housing to previously-developed sites within existing larger urban areas, which have access to a range of transport and other facilities, while protecting open space, playing fields and green spaces in cities and towns."

All political parties welcome that policy.

I shall conclude, as I know that others wish to participate in the debate. I believe that the Conservative Opposition have touched a raw nerve in the Government, exposing the inconsistency of their policy. However, I hope that the Government will learn from that and live up to the assurances that they have sought to give the House today about protecting the green belt. I hope that they will be serious about urban regeneration, which affects not only the inner cities to which the hon. Member Blackley referred, but towns such as Aldershot, which could do with some regeneration. The urban regeneration programme which is under way will be helpful to such towns. I share the view that it is not a matter of country versus town; the town and the country have a common interest in safeguarding the green belt and realising the regeneration of our towns.

6.40 pm

Dr. Howard Stoate (Dartford): One of the advantages of being called to speak late in the debate is that one has the chance to listen to the full range of arguments. However, the disadvantage is that many of the points that I wished to make have already been raised.

We have heard various arguments from Opposition Members about the number of houses that will be required in the next 20 years and where they should be built and many sound reasons why they should not be built in their constituencies. We have heard hard-luck stories about why certain planning decisions have been wrong. However, Opposition Members have made no attempt to find a solution.

We need a significant increase in the number of houses in Britain in the next 20 years. No hon. Member has seriously challenged that assumption. We have heard nothing but moans and groans from Opposition Members about why there should be no new development in their constituencies. They have made no attempt to solve the problem.

We need more houses because people need decent homes. If we do not build more houses, there will be house inflation, rent increases and a shortage of rented accommodation leading to homelessness, social division and poverty. That cannot be allowed to continue indefinitely. Sooner or later, someone has to face up to it. At least the Government have the guts to make a stand on the issue.

My constituency of Dartford in Kent Thameside has been grappling with the problem for some time and is close to reaching a solution. The planning framework for the Thames Gateway envisages up to 30,000 new homes in Kent Thameside in the next 30 years. At least 22,500, or 75 per cent. of them, will be built in my constituency. Between 80 and 90 per cent. of the new housing will be built on brown-field sites. That will help to protect the green belt elsewhere in Kent and the south-east. Kent Thameside offers a solution in terms of finding space for new housing.

The new housing envisaged will serve all the needs of the community. It will include executive housing, affordable housing and low-energy housing. However, development on brown-field sites has abnormal costs. Local planning experts inform me that between £150,000 and £200,000 per acre is required to regenerate brown-field sites into a usable state. The additional costs inevitably affect the economics of development. For example, developers are currently being asked to provide land for new school buildings. To date, Dartford has been the most successful Kent authority in respect of extracting contributions towards building new schools.

Developers are also being asked to provide 20 per cent. of social housing in new housing areas, and we are working on that. Kent cannot possibly fund all the necessary transport infrastructure, so developers are also being asked to help fund a comprehensive public transport network.

There are added planning complications from developing constrained urban sites. There was a need to tackle the barriers to development on brown-field sites in Kent Thameside. That will remove considerable pressure from other green-belt sites in Kent. It will also enable the Government to make progress towards economic development, integrated transport and sustainable development in the Thames Gateway.

We have a vision of how a brown-field site can be returned to productive use. The Kent Thameside partnership has brought together three local authorities—Dartford, Gravesham and Kent county council—the university of Greenwich and the private developer Whitecliff, which is an amalgamation of the land holdings of Blue Circle Industries and the finance and development expertise of Lend Lease, an Australian company. That has led to the creation of one of Europe's largest shopping centres—Bluewater—in a disused quarry. So far, it has attracted £1 billion in inward investment and there will be 7,000 new jobs when it opens next year. It has all been achieved without Government funding.

In order for any development to be sustainable, it must have a proper infrastructure. It can succeed only if it is an attractive place to live, if it is accompanied by employment opportunities, if it has proper leisure facilities and, above all, if it has environmentally sound and workable public transport links.

As I have pointed out, regeneration is not a cheap option. The cost of regenerating brown-field sites significantly reduces the planning gain that can be obtained by selling land to the private sector. However, the private sector cannot do everything, given the abnormal costs of developing brown-field sites and the significant infrastructure costs. Similarly, local authorities are not in a position to pick up the bill. Increases in population do not show until the next 10-year census, thus having no effect on standard spending assessments or rate support grants, while demands for services increase relentlessly. Business rates are passed over to central Government. Even a boost to local jobs through the creation of new industries ends up costing local authorities much more than they ever reap in return.

We can deliver sustainable development in Kent Thameside almost entirely on brown-field sites, thus easing pressure on the green belt, but it is neither cheap nor fully self-funding. However, it offers the opportunity to bring together large parts of Government policy to act as a magnet for inward investment and an engine room for the economy of the south-east. We need the opportunity to become truly a blueprint for the nation.

6.46 pm

Mrs. Theresa May (Maidenhead): I have been an hon. Member for only nine months, but I was appalled by the Minister's speech. He completely failed to address the issues raised by my hon. Friend the Member for South Suffolk (Mr. Yeo) and by the motion. He failed to address the genuine concerns of members of the public.

People are worried. Ministers can talk about having a modernised, integrated, sustainable, co-ordinated, co-operative regional development partnership, but that cuts no ice with people when, week after week, the Secretary of State takes decisions to concrete over vast sections of the green belt. It is not Conservative words that are causing concern among people who are worried about the countryside; it is Labour actions and the Government's decisions to destroy the green belt in Sussex, the midlands, Hertfordshire or Newcastle.

The debate is important as it enables us to raise those concerns. It is clear from the Minister's speech that he does not understand what the problem is or people's genuine worries about the decisions that the Government are taking.

People are worried about the future of the green belt, green wedges, open spaces and the countryside generally. They are also interested in the future of our towns and cities. The hon. Member for Manchester, Blackley (Mr. Stringer) was absolutely right to refer to the need for a balance between the countryside and the towns and cities. Perhaps he should look closely at the motion in the name of my right hon. Friend the Leader of the Opposition and others. We seek a balance between regenerating and renewing our towns and cities, and ensuring that planning decisions such as those taken by the Secretary of State do not destroy our countryside and our green belt.

The Minister must acknowledge the importance of Government decisions—not just those on whether a housing development or an industrial development is allowed on green-belt land. If the Government are to achieve the regeneration of towns and cities, they will have to consider carefully decisions on out-of-town stores, for example. They must put PPG6 into practice and not allow the development of out-of-town stores that would destroy the retail heart of many of our towns and cities. That is essential if we are to achieve the balance of which a number of Labour Members and many Opposition Members have spoken.

There are many exciting ideas for regenerating our towns and cities. Yesterday, I had the pleasure of discussing with members of Maidenhead chamber of commerce their exciting ideas for preserving, developing and regenerating the town centre to include not just retail but some residential development, so as to bring people back into the heart of the town. Such schemes would take the pressure off green-belt development to some extent. People in my constituency are concerned that the Government are not preserving and protecting the green belt, and they are not comforted by the statements of our Liberal Democrat-controlled local council.

[Mrs. Theresa May]

I hope that, when he replies to the debate, the Minister for London and Construction will address people's concerns about the Government's actions, and that he will recognise the need to balance life in our towns and cities with life in our countryside. He should be committed to encouraging the renewal of our town centres, and accept the need to ensure that other planning decisions, such as those on out-of-town stores, are taken in the light of that commitment.

The Minister for the Regions, Regeneration and Planning did not recognise people's fears about the Government's plans for the green belt and for our countryside. The Minister for London and Construction should give us comfort, and should reassure us that the Government intend to protect the green belt, because we cannot take comfort from any of the Secretary of State's actions or from the Minister's statement this afternoon.

6.51 pm

Mr. David Drew (Stroud): I shall keep my remarks short and to the point. The debate has proved that this particular dog will not bark, and it certainly will not bite. The Conservative Government own many of the problems that are coming home to roost. It is important that we understand who is to blame.

However, I want to begin on a positive note. I welcome the many good speeches that have been made in the debate. It is easy for some of us who have been involved in these matters for a long time to score cheap party political points, but what is required is a serious, national debate. We have added to that debate today. I had feared that we would undo much of the good work done at the all-party meeting last week, but we have not. Many hon. Members made excellent points that I hope will be listened to not just in the House but in the wider world, and I hope that their constituents will take note of what they are trying to do.

I have consistently argued that the housing numbers are excessive. Others argue that 4.4 million houses will be insufficient. They allege that we are failing to provide enough social housing. Those of us who have attended a public inquiry or examination in public will know that the housing numbers can be used to defend the plans being submitted. They can also be used against a council if sufficient allocation is not made. I have been accused by developers of failing to provide sufficient allocation. Whether we like it or not, under the present system the numbers can be crucial.

I welcome a return to a plan-led, bottom-up, localised system. Local authorities should decide their own destiny, and should take responsibility. I am sure that all hon. Members have case histories of local planning decisions that were so sensitive that the council was willing to pass them to the Secretary of State. That is just as unacceptable as a central diktat overruling a council when the local feeling is that the council was right.

The right hon. Member for Suffolk, Coastal (Mr. Gummer) has tweaked my tail. Having done his research over the telephone, he knows a lot about Stroud. One day, I shall invite him to Stroud. In my part of the world, we do not have green belt: we have areas of outstanding natural beauty. However, the same logic applies. In protecting some land, we make other parts of the countryside more vulnerable.

Mr. Tom Brake (Carshalton and Wallington): Does the hon. Gentleman agree that one of the best ways for the Government to protect land is to address the problem of empty properties? In Holland, they achieve a 2.3 per cent. vacancy rate, whereas our rate is 4 per cent. If we were to achieve 2.3 per cent., we would create 340,000 homes without the need to build any of them.

Mr. Drew: The hon. Gentleman's point is well made. There is not one solution, but a series of different ideas, all of which must be tried. We owe that to our present and future constituents. We must not shut the door and pretend that people cannot come in. We cannot ignore the fact that migration is the major driving force. We must see whether societal changes can help us over this difficulty.

I support a plan-led, bottom-up system. Local communities can determine their own destiny, and can participate carefully and thoroughly in the planning process. One of the disappointments of the past 18 years was that the planning system was abused and came into disrepute. Many people feel passionately about these issues, because the system has let them down. We know that the best way to pack a hall is to talk about development issues. The difficulty is that we must move beyond the protest movement to come up with solutions. That is beginning to happen, and a national debate has now started.

I intervened in the speech of the hon. Member for Truro and St. Austell (Mr. Taylor) to make a point about the brown-land solution, which we all want. An increase in the level of brown-land development to 50 per cent., let alone to 60 or 75 per cent., can be achieved only if it is recognised that in parts of the country it is difficult to find any brown land. That is the difference between the rhetoric and the reality. It is easy to say that there will be no development in areas that have no brown land, but that is as unfair as saying all development should be dumped on the cities. There should be a balance.

As my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) said so eloquently, we must revitalise the cities if we are to protect the countryside. We can redevelop our cities by using creative thinking and by applying the sequential principle of encouraging developers who use green-field sites also to redevelop brown land. I hope that Ministers will consider that type of idea.

The House has had a good debate—which we can now take onwards and upwards.

6.59 pm

Mr. Christopher Chope (Christchurch): In this debate, Conservative Members have struck a chord with the people. That has been demonstrated by the great interest shown in the debate by my right hon. and hon. Friends, by the quality of their speeches and by the fact that the original 7 o'clock end of the debate has been extended by half an hour to allow fuller debate on an all-important subject. I thank and congratulate my right hon. Friends the Members for Bridgwater (Mr. King) and for Suffolk, Coastal (Mr. Gummer), my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) and my hon. Friends

the Members for Mole Valley (Sir P. Beresford), for Vale of York (Miss McIntosh), for Aldershot (Mr. Howarth) and for Maidenhead (Mrs. May) for putting pressure most effectively on the Government.

The Minister for the Regions, Regeneration and Planning—I am sorry that he is not in the Chamber to hear the Opposition's reply to the debate—is not a good listener. Today, he was certainly a bad-mood bear. He started at rock bottom and he never recovered. He refused to answer any of the challenges or questions, and he even refused to answer a most reasonable question, asked by my hon. and learned Friend the Member for Harborough (Mr. Garnier)—whether he thought that it was a good idea to establish an all-party group to discuss those all-important issues.

In making a ludicrous personal attack on my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), the Minister showed only his ignorance about the general and regulatory role of the National House Building Council.

The Minister said on many occasions that he did not want to anticipate the Deputy Prime Minister's forthcoming announcement. Could it perhaps be that he did not want to contradict the forthcoming announcement, as he has done in the past? Was his bad humour perhaps a cover for his confusion?

The debate has therefore achieved the Opposition's purpose of bringing the Government to account on a critical policy sphere affecting the quality of life of so many of our citizens. Opposition Members have been alarmed by Ministers' statements about the green belt and by some of the decisions on appeal—particularly those in which Ministers have overruled planning inspectors to allow green-belt development or have refused to intervene to prevent it.

In a debate on the subject on 12 November 1997, the Minister said:

"I should make clear the fact that the target for reusing previously developed land remains at 50 per cent., the same as the previous Government's official target. Although the Green Paper floated a figure of 60 per cent as an aspirational target, and the UK Round Table on Sustainable Development even suggested 75 per cent., we have not changed the target."

He went on to say:

"I can set targets, but if targets are not realistic, it is stupid for Governments to set them. I have set a target of 50 per cent."—[*Official Report*, 12 November 1997; Vol. 300, c. 867-68.]

In this debate, Opposition Members have harried and put pressure on the Government. Although we have not succeeded in bringing the Deputy Prime Minister to the House to reply to the debate, we received a signed article from him in Monday's edition of *The Times*. The article repeatedly states that the green belt is safe with the Government. However, it also becomes clear in the article that the Deputy Prime Minister is overruling his own Minister's statement of 12 November 1997 to the House. We do not congratulate and thank the Deputy Prime Minister for much, but we congratulate and thank him for that.

We saw that the Deputy Prime Minister's article in *The Times* began with the amazing statement that

"When we say as a Labour Government that we won't run away from difficult decisions we mean it."

That came as a bit of a surprise to those of us who had read the revelations in the previous Friday's *Local Government Chronicle* about the Government's plans for local government.

In a letter to the Deputy Prime Minister, the Minister for Local Government and Housing apparently said,

"We need to be particularly careful in how we present the issues in the consultation papers . . . We should avoid boxing ourselves in too soon . . . but we will need to make it clear that more extreme options are ruled out."

The Minister went on to say that her plans

"may be presented as conflicting with expectations created by the announcement of the review, coverage in the local government press and the approach we have taken so far. There is a danger that . . . our new partnership approach to local government which we have proclaimed loudly to considerable acclaim from our own Backbenchers and local government would quickly break down".

The Government's review of local government finance is all about running away from difficult decisions—on capping and council tax, and on business rates and central control. Why should we believe that the Government are not running away from the difficult decisions on the issue of household growth and development in the countryside?

In the article to which so many hon. Members have referred in this debate, the Deputy Prime Minister went on to say that

"People need decent homes to live in and they want to choose where to live . . . The number of households is growing faster than the number of people . . . If we fail to provide for household growth we risk making homes unaffordable and increasing homelessness."

No right-thinking person would disagree with any of those platitudes. However, the key soundbite, which was developed by the spin doctors and led to a headline article in *The Times* was about moving

"away from the old predict and provide philosophy in housing just as we have done in road building".

I was sorry that it seemed that my right hon. and learned Friend the Member for Rushcliffe was almost taken in by the Deputy Prime Minister's statements. I submit to the House that, on close analysis, the Deputy Prime Minister was not really moving away from a "predict and provide" policy so much as engaging in transferring blame to the people. Later in the article, he said that he wants to involve the people and local authorities in discussing the issues of new household formation. However, unlike the Government's approach to traffic—in which they talk about addressing the causes of traffic growth—there is nothing in anything that the Deputy Prime Minister or any other Minister has said that addresses the issue of the causes of new household formation.

More serious is the humbug of the Deputy Prime Minister's statement that the Government want a system that is

"less rigid, more democratic and more sustainable".

That expression of good intention is totally at odds with the Government's decision to overrule the conclusion of the regional panel of experts that West Sussex county council should accommodate 37,900 more homes by 2011. The Secretary of State decided that the county must provide an additional one third. As my right hon. Friend the Member for Suffolk, Coastal so succinctly said, that was an amazing intervention by a Minister. The House has not heard any justification of that decision or any

[Mr. Christopher Chope]

explanation of how the decision will fit in with the Government's stated policy. We wish to hear those explanations in the Minister's reply.

If the Deputy Prime Minister means by "less rigid" more unpredictable, we can anticipate where it will get us, because the extraordinary decision in West Sussex was unpredictable. However, I am at a loss to comprehend how he thinks that the decision was "more democratic" or "more sustainable". What could be more democratic than a clear policy argued out at a public inquiry with an independent panel sitting in judgment? What could be more sustainable than a policy that recognises not only the need for more housing but the environmental impact of having too much housing? As my right hon. Friend the Member for Bridgwater said, serious people go to panel inquiries, contribute to the debate and examine the evidence—as he did in the Somerset inquiry. It is beyond belief that, after all that process, the Government should come along and completely tear up the inquiry's decision.

My right hon. Friend the Member for Bridgwater made a number of excellent points. I hope that Ministers will respond to his suggestion that there should be a shorter time frame for green-field allocations, perhaps coupled with a longer time frame for brown-field site developments. The current system is causing green-field allocations to be gobbled up more quickly by developers than the more difficult brown-field sites. His suggestion certainly merits further consideration.

My right hon. Friend the Member for Suffolk, Coastal drew attention to all the contradictions in Government policy and reminded us of the outstanding way in which he developed a truly sustainable policy. It is a matter of great regret that the Government have not been following that same policy.

Judging from the terms of the Government's amendment, there seems to be confusion among Ministers about the difference between green belt and green field. We saw during exchanges in the debate that Ministers do not seem to understand that there is a difference. The amendment refers to the Government's

"continued commitment to protecting the countryside, including green belts".

What about the green belt that is not open countryside? Under Governments of both parties, it was a cardinal principle that the green belt should be protected in its own right because it is a break in continuous development. Issues relating to it are separate from those relating to the countryside. As soon as the Government say, "We shall not protect the green belt which is not countryside", people will despoil the land, and use it for storage and car parks. Over time, people will say that the land is such an eyesore that it must be built on. Previous Conservative Governments had a consistent policy to oppose such development.

Mr. Gummer: Did my hon. Friend notice that the hon. Member for Stevenage (Barbara Follett) said that, to distinguish between the green belt and green-field sites was a mere scruple, a matter of no importance? Has not our defence of the green belt been fundamental? I remember only one occasion on which I gave permission—in very specific circumstances, due to jobs—for the green belt. The green field is different, and there are different arguments about it. Was not the hon. Lady entirely wrong to allow her own constituency to be raped in such a way?

Mr. Chope: My right hon. Friend is absolutely right. If he had still been Secretary of State for the Environment, he would not have allowed the hon. Member for Stevenage (Barbara Follett) to get away with it. It is sad that her Government refused to intervene to protect the people of Hertfordshire. The Labour party was not the only party to be involved in the decision; the Liberal Democrats were right up to their necks in it as well.

It has become apparent during the debate that Ministers have been listening too much to the hon. Member for Hove (Mr. Caplin). It is clear from his comments that he has captured the ear of the Government. He says that there is no space for any more development in Hove and that Hove needs to develop more in rural West Sussex. The attitude that he demonstrated in his remarks is indicative of the way in which the Government are pandering to anti-countryside feeling. The consequences of that for more enlightened Government Members, such as the hon. Members for Sunderland, South (Mr. Mullin) and for Newcastle upon Tyne, Central (Mr. Cousins), and for the inner cities and urban areas are dire. I hope that Ministers will not listen to the hon. Member for Hove again. The way in which he attacked his hon. Friend the Member for Stroud (Mr. Drew) was incredible.

The debate has highlighted once again the yawning gap between what Ministers say now and what they said in the past; between the new green rhetoric and the actuality; and between the picture that the Government paint with phrases such as

"The green belt is safe with us"

and the reality of their actions on the ground, where they override their own inspector to allow green-belt development. Is it any wonder that speculators are driving around our countryside seeking out landowners and paying them handsomely for options to buy land on which they expect to be able to obtain planning permission for development, as my hon. Friends the Members for Esher and Walton (Mr. Taylor) and for Beaconsfield (Mr. Grieve) said?

Both the Minister for the Regions, Regeneration and Planning and the Minister for London and Construction have spoken publicly against 60 per cent. of development or more going on brown land. The Minister for London and Construction described that proposal, which was made by my right hon. Friend the Member for Suffolk, Coastal, as a recipe for disaster. The Minister spoke out against the creation of residential densities exceeding those during the 1960s and 1970s, and said that there is a serious mismatch between where the brown-field sites are and where the housing demand is. That is totally compatible with the Government's decision on land in the green belt outside Newcastle.

In replying to the debate, the junior Minister must say whether he still stands by his opinion that putting 60 per cent. of new development on brown-field sites is a recipe for disaster. Will he explain and justify the decisions concerning West Sussex and the green belt outside Newcastle, and the amazing decision to overrule the inspector in the constituency of my right hon. Friend the Member for Sutton Coldfield? Will the Government admit the errors of their ways, and make the green belt sacrosanct and development in open countryside development of last resort?

7.15 pm

The Minister for London and Construction (Mr. Nick Raynsford): I very much welcome this debate. *[Laughter.]* I do, indeed. The subject of household requirements and how they are to be met is hugely serious and deserves the fullest and most careful consideration, which the Government are giving it. It is not a matter for scaremongering or sloganising, which is what we have heard from too many—although not all—Conservative Members. We are talking about people's need for homes, how we should protect the countryside and regenerate our towns and cities. We are discussing how we can achieve more sustainable development and improve the quality of people's homes and surroundings—whether they live in towns and cities or in the country. We are talking about how we can reconcile people's freedom of choice with responsibility for the environment.

Mr. Richard Page (South–West Hertfordshire) *rose—*

Mr. Raynsford: Many speeches in the debate have recognised the complexity of many of the issues. There were several thoughtful speeches. I would single out those of the right hon. Member for Bridgwater (Mr. King) and of my hon. Friends the Members for Milton Keynes, North-East (Mr. White) and for Stroud (Mr. Drew), who grappled with the considerable difficulties in reconciling often conflicting objectives in achieving a valid planning policy. This is a serious matter and deserves serious consideration.

Other Opposition Members questioned the validity of the projections of 4.4 million households. The right hon. and learned Member for Rushcliffe (Mr. Clarke) and the hon. Members for Truro and St. Austell (Mr. Taylor) and for Vale of York (Miss McIntosh) all did so. I remind them that those projections were published by the previous Government and have been supported by two independent inquiries. Most previous projections have been underestimates. Evidence available to us—already seven years into the 25-year time frame—shows that there is no rational basis for amending the estimates.

Some hon. Members highlighted the importance of social housing provision and the real need for more effective regeneration policies in the inner cities. My hon. Friends the Members for Newcastle upon Tyne, Central (Mr. Cousins), for Manchester, Blackley (Mr. Stringer) and for City of Chester (Ms Russell) all focused on their areas and the need for more housing and for regeneration—and quite right too. There was a focus on the need for more devolution of decision making, especially by my hon. Friend the Member for Hove (Mr. Caplin). We heard from my hon. Friends the Members for Stevenage (Barbara Follett) and for Dartford (Dr. Stoate) of their care for achieving properly integrated and well-planned developments that will meet the needs of their areas.

We heard a certain amount of scaremongering about the green belt from Conservative Members, such as the hon. Members for Mole Valley (Sir P. Beresford) and for Maidenhead (Mrs. May). I was disappointed that the right hon. Member for Suffolk, Coastal (Mr. Gummer) also veered into that territory. He made the rather extraordinary claim that he had never sacrificed the green belt when in office. In a moment, we shall see the veracity of that claim.

Mr. Matthew Taylor: The Minister suggested that the estimate of 4.4 million homes was backed by independent reports and that all previous figures were underestimates. When rural planning is rationed and there is never as much building as developers would like, would not almost any figure be self-fulfilling? Builders will take up whatever opportunities they are given. The price may be affected, but the quantity of building will not.

Mr. Raynsford: The Joseph Rowntree Foundation considered that in detail in its inquiry into planning for housing in the early 1990s, shortly after the projections were made. It concluded that there was no real basis for challenging the figures. Those who have looked at the issue most carefully do not agree with the hon. Gentleman.

Mr. Page *rose—*

Mr. Raynsford: The Government are committed to maximising the opportunities for reusing brown-field sites. There are many things that we can and will do. We shall try to ensure a more level playing field for building on brown-field or green-field sites. That is why we have said that we want to open up a discussion on whether economic instruments can play a part in that. Secondly, we must encourage local authorities—

Mr. Bowen Wells (Hertford and Stortford): On a point of order, Mr. Deputy Speaker. Is it not a tradition of the House that the Minister who initially answers Opposition day debates attends for the wind-up? It is fully five minutes since the Minister started his speech. The Opposition wind-up started at 7 pm. There is no sign of the Minister for the Regions, Regeneration and Planning. That is particularly irritating, because he has refused to see Conservative Members on issues such as the development of considerable amounts of green-belt land in Hertfordshire to the west of Stevenage.

Mr. Deputy Speaker (Mr. Michael Lord): Who is on the Government Front Bench at the end of a debate is not a matter for me. It is entirely a matter for the Government.

Mr. Raynsford: My hon. Friend has a commitment in Amsterdam, as part of our European presidency. He would have been here had the debate not been extended at the request of the Opposition.

Mr. Page *rose—*

Mr. Quentin Davies (Grantham and Stamford) *rose—*

Mr. Raynsford: The Government are committed to encouraging local authorities and private developers to use more imagination in the development of brown-field sites. The report from the round table on sustainable development—

Mr. Davies: On a point of order, Mr. Deputy Speaker. If the Minister who introduced the debate had an appointment abroad before the end of the debate—an extraordinary state of affairs demonstrating extraordinary priorities—would it not at least have been

[Mr. Davies]

reasonable for him to have presented his apologies when he spoke, rather than leaving his hon. Friend to pick up the pieces at the end?

Mr. Deputy Speaker: I have already explained that that is not a matter for me. We are only taking more time out of this debate and the next.

Mr. Raynsford: I shall now have difficulty in responding as fully as I should like. Conservative Members will have to accept that I shall not be able to take interventions from them because of their abuse of the procedures of the House to score points.

The Government must encourage local authorities and private developers to be more imaginative in using brown-field sites. The report from the round table on sustainable development suggested that many authorities could do more to assess the suitability of brown-field sites in their areas and make better use of them. They should explore the scope for raising densities or reducing car parking provision in appropriate cases, particularly near town centres.

We also believe that the regional planning conferences and local authorities may be able to play a bigger part in achieving the best use of brown-field sites. The previous Government were the great centralisers. We want to decentralise decision-making whenever possible. We have already announced our proposals to extend the scope of regional planning guidance. Greater regional involvement in handling the household figures is an attractive option which we are seriously considering. There must also be greater regional input on how much recycling is feasible.

However much brown-field development we achieve, some new homes will need to be built in the countryside. Even with a target of 75 per cent. of new homes on brown-field sites, as Conservative Members have sometimes argued, there would still be—

Mr. Edward Leigh (Gainsborough): On a point of order, Mr. Deputy Speaker. My hon. Friend the Member for South-West Hertfordshire (Mr. Page) tried to intervene three times on the Minister for the Regions, Regeneration and Planning. He has tried to intervene four times now, but has not been allowed to do so. What is the point of having a debate if Ministers will not reply to reasonable questions?

Mr. Deputy Speaker: Whether Ministers give way is entirely a matter for them.

Mr. Raynsford: As Conservative Members well know, I am only too willing to give way when there are no time pressures. When confronted with deliberate abuses of the procedures of the House by hon. Members who have raised spurious points of order, it is right that I should try to complete my speech and do justice to those—unlike the hon. Member for Gainsborough (Mr. Leigh)—who have been in the Chamber throughout the debate.

Even if we opted for a target of 75 per cent. of new homes on brown-field sites, as Conservative Members have sometimes argued, there would still be around 1 million new homes to be built in the countryside.

Mr. Patrick Nicholls (Teignbridge): On a point of order, Mr. Deputy Speaker.

Mr. Raynsford: This is an abuse.

Mr. Nicholls: I think that this may be a proper point of order, Mr. Deputy Speaker. When responding to the debate, are not Ministers supposed to sum up the contributions made from both sides of the House? How can the Minister pretend that he is doing that when he is reading—albeit badly—from a typewritten script?

Mr. Deputy Speaker: That is not a point of order for me.

Mr. Raynsford: That most recent intervention—from someone who has not had the decency to attend the debate—was typical of the hon. Gentleman.

As I was saying, there would still be 1 million homes to be built in the countryside. Are the Opposition willing to face that fact? Do they accept the projection of 4.4 million households? If they do not, they should explain why their Secretary of State published the figure and supported it. What target do they want for new homes on brown-field sites? Their figures go up and down like a yo-yo. Two years ago, in their housing White Paper, they suggested 50 per cent. That figure was repeated in the Green Paper issued by the right hon. Member for Suffolk, Coastal, although he hinted that he might wish to raise it to 60 per cent. The Conservatives then talked about 75 per cent. Today we are told that they propose two thirds—66 per cent.

Mr. Yeo *rose—*

Mr. Raynsford: I shall not give way. Sit down. *[Interruption.]*

Mr. Deputy Speaker: Order. The Minister has said that he is not giving way.

Mr. Raynsford: What has happened in the past nine months to change the previous policy? What is the basis for all the different figures?

Mr. Yeo: I am grateful to the Minister, who has finally given way, after an extraordinary display of discourtesy from him, and one from the absent Minister. Our policy was to achieve a steady increase in the proportion of houses built on previously developed sites—up from 38 per cent. in 1985 to 50 per cent. when we left office. We campaigned on a manifesto commitment of more than 60 per cent. Today, we have confirmed that our figure is two thirds. What is the Government's figure?

Mr. Raynsford: As my hon. Friend the Minister said in his opening speech, we shall make our policy clear in a paper to be published in the near future. The Conservatives may change their figures on a whim simply to provide a convenient soundbite, but there is no serious research behind their figures and no authoritative justification for them. We have heard no sensible proposals tonight that would enable them to get near to the figures that they are plucking out of the air.

Presumably, even the Conservatives recognise that, whatever target is chosen, some green-field development will be necessary. It does not take great feats of mental arithmetic—although the hon. Gentleman probably cannot manage work it out—to realise that even 66 per cent. leaves 34 per cent. still to be provided on green-field sites. Where would Conservative Members want that development to go? The answer from the Tories, sadly, has become all too obvious—the old selfish Tory attitude, "Anywhere, but not in my back yard." That is their policy.

If we are to have a sensible debate on the issue, we must recognise that not all development in the countryside is necessarily bad. Many rural communities are crying out for additional housing and other developments so that they can stay alive. It could provide their residents, especially those on low incomes, with affordable housing, better facilities and more jobs.

Of course, the development must be good quality. Developers and councils must work together to produce plans that enhance a sense of local identity that improves the sense of local community. Furthermore, some towns and large villages are especially suitable for sensible development—if, for example, they are located in good public transport corridors, and residents are therefore not dependent on the motor car to get to work—on the grounds that that is what sustainable development may mean.

A key factor—

Mr. John Hayes (South Holland and The Deepings): Will the Minister give way?

Mr. Raynsford: I shall give way to the hon. Gentleman, who has been here for most of the debate.

Mr. Hayes: The Minister talked about—

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 178, Noes 297.

Division No. 140] **[7.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davis, Cynog
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorrie, Donald
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Prior, David
Randall, John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Tonge, Dr Jenny
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Wardle, Charles
Waterson, Nigel

Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. John Whittingdale.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barron, Kevin
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall-Andrews, Robert
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*

Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. David Clelland.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises that it was a Labour Government that created the planning system which has done so much to protect the countryside and promote sustainable development; welcomes the Government's continued commitment to protecting the countryside, including green belts, and to regenerating towns and cities; recognises that the Government is shortly to announce its decisions on the way forward on planning for housing; is confident that the interests of all citizens, both the 80 per cent. and more who live in towns and cities, and those living in the countryside, will be considered; welcomes the importance that the Government attaches to revitalising towns and cities and making the best possible use of brownfield sites and existing buildings to meet housing demand; and believes that the regional planning conferences should be given greater say in reaching decisions on the most sustainable solutions for providing decent homes in line with the Government's recently announced policy for modernising the planning system and using regional planning to find integrated solutions to the problems of economic development, housing and transport.

London Underground

Mr. Deputy Speaker (Mr. Michael Lord): Madam Speaker has selected the amendment in the name of the Prime Minister. Although there is no 10-minutes rule on this debate, I appeal for short speeches, so that as many hon. Members as possible can get into the debate.

7.46 pm

Sir Norman Fowler (Sutton Coldfield): I beg to move,

That this House condemns the delay of the Government in bringing forward proposals for private investment to develop London Underground; believes that such delay is against the interests of both those working for London Underground and the travelling public; and calls on the Government to bring forward urgently plans that will both sustain adequate investment in the system and improve operation.

We last raised the issue of London Underground more than seven months ago, in June. We did so because we wanted some clarity about the Government's position. In government, we set out our policies for bringing private investment to the underground. We did that in 1996 and, especially, in the statement made by the then Secretary of State for Transport, my right hon. Friend the Member for North–West Hampshire (Sir G. Young), in February 1997.

Those policies were rejected by the Labour party, and when it came to power it committed itself to what it termed a public-private partnership. The heads of London Underground were summoned to an urgent meeting with Ministers, literally within days of the Labour Government taking over, and the message went out from the Deputy Prime Minister that immediate action was wanted.

The Government's amendment to our Supply day motion in June asked the House to applaud

"the Government's swift action on options for public-private partnerships to improve the Underground".—[*Official Report*, 25 June 1997; Vol. 296, c. 866.]

The phrase "swift action" does not appear in the Government's amendment today. A lot of words appear, but not those; and for very good reason.

Seven months later, in January 1998, we have a better criterion for judging the Government's swift action on the London underground: nothing has happened; the Government train is lost in a tunnel; and, far from there being a sense of urgency, we know neither what their policy is or even what their concept of public-private partnership is. We know that there has been an argument between the Department of the Environment, Transport and the Regions and the Treasury.

We know that the Paymaster General has resisted some of the wackier ideas coming from Transport Ministers about private investment; but while he sits contemplating his offshore trusts, the management of London Underground and, above all, the passengers, wait and wait for some glimmer of policy from Ministers.

That is not the only transport project held up by Ministers; others have similarly disappeared, as the Department has become the Bermuda triangle of Whitehall.

If we take National Air Traffic Services, for example, there is a clear need for investment. It is self-financing and part of a growth business. It would make complete sense to take it out of the public sector borrowing requirement and enable it to make use of commercial

[Sir Norman Fowler]

sources of finance. But the Government continue to delay, prevented by the statements that they made in opposition from pursuing common-sense solutions in government. The same is true of the Government's policy on the underground. The policy has been brought to a halt on political grounds and not for any sound reason of transport policy.

No one doubts the importance of the London underground system. There are almost 800 million passenger journeys a year on the system. It is central to any policy to make public transport in London more attractive. No one doubts the potential of the system. If the regularity, reliability and quality can be improved—as they can—even more passengers can be attracted to the underground, with environmental and other benefits. The system is central to any policy to persuade more commuters to switch from car to public transport.

There is one other fact. We all know that only private investment can achieve the full potential of the system—that has been established beyond any doubt. It is the way forward, set out by the last Conservative Government. It is the way forward which Labour Ministers are reluctantly seeking to come to terms with.

Over the past 35 years, there has been substantial public investment in the underground system. In February 1997, the Transport Select Committee printed the evidence from London Transport on underground investment. This showed that since 1960, core investment—including renewals—has averaged £250 million a year at 1997–98 prices. That average was not brought down by the last Conservative Government—it was brought up. At no period during previous Labour Governments did their investment programme come up to £250 million—not once in the years that they were in power.

What brought the average up was the investment programme of the last Conservative Government—particularly from the mid-1980s onwards. In the 1990s, we invested £3 billion in the underground. Even earlier than that—at the time I took over as Secretary of State for Transport—we managed substantially to improve the investment programme left by the previous Labour Government. We take no lessons from the Labour party on capital investment. Anyone who can remember anything about politics will remember the capital cuts imposed by the last Labour Government. *[Interruption.]* If the hon. Member for Bethnal Green and Bow (Ms King) would like to correct any of the figures that I have given, I will gladly give way.

Ms Oona King (Bethnal Green and Bow) *indicated dissent.*

Sir Norman Fowler: I am sure that the hon. Lady will take part in the debate with her usual skill.

As virtually every commentator now agrees, the future lies with private investment. What is more, given the right plan, there is no reason why private investment cannot be attracted to London Underground for the infrastructure and the rolling stock. Given the right policies, we could be standing on the verge of the most exciting modernisation programme for London Underground since the war.

What are the Government waiting for? We all know one reason for the delay. They know that private investment is the only way forward, but they cannot bring themselves to set out a policy which could be called privatisation. Their heart is not in private investment. Let us take the voyage of discovery of the Deputy Prime Minister as an example. Back in 1981—when I was Secretary of State for Transport—when we were denationalising the ports of the British Transport Docks Board and some of the subsidiaries of British Rail, such as the hotels, in the Transport Bill of that year, no one could have been more hostile than the Deputy Prime Minister.

In the Second Reading debate, the Deputy Prime Minister wound up for the Opposition and said:

"Nationalised industries have been disadvantaged by successive Governments over the past few years. They have not received sufficient money for investment. That is the unpalatable fact. That was because of Treasury rules on the amount of investment . . .

It should be made clear to all who seek to buy shares in these companies that they will not benefit from their action. As soon as the Labour Opposition are returned to power, they will take the quickest means possible to regain control of these sectors and to withdraw the obstacles that have prevented their development in the past."—[*Official Report*, 13 January 1981; Vol. 996, c. 932.]

We are still waiting for that action. That shows the authentic voice of the Deputy Prime Minister. He wants to see the Treasury rules relaxed, the continuation of public ownership and the expansion of public investment. That is a perfectly legitimate position. It was, after all, the position of the Labour party for most of its period in opposition. There was nothing about private investment in Labour's speeches—that came very late on the scene.

The only trouble with that traditional Labour party view is that the Chancellor of the Exchequer does not agree with it. As the Chancellor is, according to his own account, the real Prime Minister—with only a vague President figure above him—the Chancellor's will prevails. The result is that Transport Ministers have been desperately trying to find some half-way house between privatisation and the present public ownership system. That is a fact. Yet as they work, examples of successful private investment come in to mock their efforts.

On Friday, I was at Heathrow airport, looking at the transport infrastructure there. The British Airports Authority—itself privatised—is now on the verge of opening the brand new Heathrow Express service all the way into the airport. The cost of £440 million will be borne by the company—that is the investment. A privatised company setting up and financing an entirely new railways service; that would never have happened in the public sector. There is no doubt about that.

Mr. John McDonnell (Hayes and Harlington): I wonder whether the right hon. Gentleman was on the inaugural journey, when the train broke down.

Sir Norman Fowler: I wish I had not given way to the hon. Gentleman. I shall try to get him to concentrate on this point. It is true that customers have to be taken on by coach, but, over the next month, we will have a service which goes right through to the terminal. I would have thought that anyone interested in transport, London and the travelling public would welcome that. Yet a trivial point is raised by the hon. Gentleman.

Mr. McDonnell: Will the right hon. Gentleman give way?

Sir Norman Fowler: I will not give way. The intervention was so trivial the first time that I cannot bear to hear it the second time.

Railtrack plans to spend more than £10 billion over the next 10 years renewing and developing the rail network. Let us take the joint investment programme to transform the west coast main line—my local line back to Birmingham, about which the Minister conceivably knows a little. Some £2.1 billion has been invested by Railtrack and £750 million by the Virgin rail group for new trains. That would not have been achieved in the public sector. There is no doubt about that. Local Members of Parliament pressed British Rail to do that year after year, but it was not done.

More frequent and reliable trains will result in the journey time to Manchester being cut eventually to one hour 45 minutes, and the journey time to Birmingham being cut to under one hour 15 minutes. By any standards, those are dramatic improvements. However, rather than taking the obvious course of privatisation, Labour Ministers go round and round the course again, seeking other options.

Mr. Simon Hughes (Southwark, North and Bermondsey): I have listened to the right hon. Gentleman, and much of what he says about the past investment record is true. Just to ensure that the record is clear for this debate, does the Conservative party now argue that London Underground should in future have no public investment—that it should be entirely privatised and all its funding raised by the private sector in the private market?

Sir Norman Fowler: I shall come to that point and to our proposed solution; it is integral to the argument that I am developing. First, however, let me draw attention to the fact that, by any standards, the privatisation of the railway system has led to tremendous gains for investment in the system. Of course we have not seen the full product yet. It would be unrealistic to say that we had done so or that we could do so in the next year or two, but I do not doubt that in the next three, four or five years it will become obvious that the system is in the process of being transformed.

With that evidence, and with that proof, I find it curious that Labour Ministers, instead of taking the obvious course of privatisation—the obvious course of private investment—seek other options, which become progressively more complex and which, in the end, in my view, are unlikely to serve the interests of the public. For the purposes of this transport debate, we must decide whose side we are on. We are not on the side of the providers. We are not on the side of the unions. The criterion is the interests of the travelling public.

Mr. Roger Casale (Wimbledon): The right hon. Gentleman spoke about the obvious course of privatisation. If it is such an obvious course, I wonder whether he can name a single major city in the European Union with an underground system that has seen the light and followed the course of privatisation.

Sir Norman Fowler: One could have said that about any of the privatisations that successive Conservative Governments initiated from 1979 onwards. I can remember it—*[Interruption.]* If the hon. Gentleman wishes, I shall tell him that his intervention was very similar to the argument used by the present Deputy Prime Minister when he opposed the denationalisation of the British Transport Docks Board. "How many ports have been in private ownership?" asked Labour Members at the time. Well, we denationalised the ports and it has been a remarkable success. That does not constitute an argument.

An option that the Government are now examining—many say their favourite—is to divide the infrastructure company from the operating company and to keep the operating company in public ownership while giving, say, 30-year leases to two or three infrastructure companies. By any standards, that is a fairly complex proposal, but basically, the objections to it are twofold. First, it is obviously fundamentally different from the Railtrack solution, because in that case both infrastructure provider and operator are in the private sector and have similar interests in developing the business.

It is no secret that the management of London Underground does not want the system to be broken up; it has made that clear. However, I can think of few worse ways of dividing the system than to keep the operator in the public sector and divide the infrastructure by granting three private leases. There is unlimited potential for dispute in such a system. That option might please one or two unions, but it will not benefit the travelling public in London.

Secondly, and even more fundamentally, we object to the idea that the operating company stays in so-called public ownership. Experience has shown that the advantages of privatisation go far beyond giving companies investment freedom. That is only part of the case for privatisation. The other part is that it gives management more freedom to manage. All too often, public ownership means management interference from civil servants and Ministers—people who have never experienced running a business. That is the management case for privatisation.

The most remarkable feature of successful privatisation has been that the success of privatised companies has been achieved, not by importing shoals of new managers into the company, but by empowering existing management. I mentioned the British Transport Docks Board. Its success as Associated British Ports and as one of the top 200 British companies has been achieved by many of the managers and staff who worked for it before privatisation—the vast majority.

I shall now answer the question asked by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). In my view, the real options for London Underground are the three options that were set out by my right hon. Friend the Member for North-West Hampshire when he was Transport Secretary in February 1997. The three options were the sale of London Underground as a single business; the sale or franchising of, let us say, three vertically integrated lines or groups of lines, under which a single operator would also be responsible for track and the stations; or a structure, like the national railway, with a private sector track authority and private sector operator.

I would prefer three vertically integrated companies. However, whatever form such a privatisation took, the 10 commitments that my right hon. Friend the Member for North–West Hampshire gave to passengers under the previous Government would obviously continue—commitments such as safety, through-ticketing and concessionary fares.

I emphasise two other commitments. In my view, employee ownership would be much preferable to so-called public ownership; it would be much better

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to give those working for the underground a real stake in its success. Secondly, the proceeds of such a privatisation should be ploughed back into the system, not into the Treasury, as we said before the general election.

Mr. Simon Hughes: The right hon. Gentleman has only partly answered my question. Can he confirm that none of the options that he described would require extra public investment—that the only public investment, so to speak, would be the recycled profit on the private operation, which would be ring-fenced and put back into the system?

Sir Norman Fowler: The proceeds would obviously go back into the system. One can visualise—just as one can in the case of the railways—that a service or part of the system might be uneconomic at some time, but obviously the aim would be to make it self-sufficient. It would be foolish to close all doors.

The Conservatives have consistently proposed a way forward for the underground—a way which benefits passengers, involves staff and gives freedom to management. The Labour party has criticised that, but has come up with precisely nothing in the way of policy in its place. We wait, as do underground passengers, until the issue reaches the top of the Deputy Prime Minister's in-tray.

Mr. Casale: I am grateful to the right hon. Gentleman for giving way a second time. He said that in February 1997, the Transport Secretary was left with little option but to privatise the London underground system. Surely that was because the November Budget of 1996 had drastically cut public investment to London Transport. I received a letter in February 1997 from Denis Tunnicliffe, managing director of London Underground Ltd, who spoke of the "crushing blow" dealt to London Underground's investment plans as a result of the overall London Transport funding settlement in the last Tory Budget of November 1996. Will the right hon. Gentleman comment on that? The Transport Secretary in 1997 had few other options open to him.

Sir Norman Fowler: I am grateful to the hon. Gentleman for making a speech in the middle of mine, and I shall seek to respond to it. I did not say that our Transport Secretary was forced into a position where he had to choose privatisation; that is not my argument. I have already covered the investment situation, and I emphasise again that Conservative Governments' record on investing in London Underground is infinitely better than that of any Labour Government that we have had since 1960. That is the position and the Minister knows it. Everyone knows that that is the position.

The advantage of privatisation is not to do with one year's public spending or another year's public spending, it is that we can bring the underground to the position where it can be developed and realise its full potential. That is the case that I am putting. We have consistently said that that is the way forward. The Government have consistently opposed and criticised that, but have come up with no policy. We wait and underground passengers wait until that issue arrives at the top of the Deputy Prime Minister's in-tray.

Let us make no mistake. I have to say in all courtesy that no one speaking from the Treasury Bench this evening is in any position to make a decision. Even the sparkling good humour of the Minister for Transport in London cannot disguise the fact that the organ grinder is employed elsewhere trying to sort out another problem of Government, and, without the organ grinder, we are left with the assistants.

There is a fundamental point here which goes to the heart of the new giant Department of the Environment, Transport and the Regions which the Government have created. I am old enough to remember that the last time Labour was in power, it took credit for doing exactly the opposite of what this Government have done. At that stage, the Labour Government separated transport and the environment into two Departments, saying that it showed the importance that they placed on transport. That was their case. They set it out and took credit for it. They went round the country saying how clever they had been in separating out environment and transport matters. Now they have put them together again and, in an altogether typical way, have gone round the country claiming credit for yet another U-turn of policy.

The Conservative Government continued with the previous model—the separation of the two Departments—I believe correctly. Under the present structure in Whitehall, decision making is a slow and cumbersome process. The issues pile up, but no one, apart from the Deputy Prime Minister, has the power to act. That is no way to run transport matters, and it is certainly no way to develop the underground.

The people who matter most in the debate are the travelling public. They have been badly served by the Government's undoubted delay. No one can seriously deny the delay that has taken place. Even worse, they now face the prospect that the Government will produce a half-baked scheme that will satisfy no one. The tragedy is that the Government are set to miss an outstanding opportunity to develop the underground to its full potential, and it is for that reason that I ask the House to support our motion.

8.12 pm

The Minister of Transport (Dr. Gavin Strang): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"wants to see a modern, efficient, affordable and reliable Underground system, worthy of the people of London, and accountable to the people of London; deplores the substantial investment backlog in the London Underground which this Government inherited from the previous administration; applauds the Government's rejection of the wholesale privatisation of the London Underground, as proposed by the previous Government; and welcomes the Government's action to explore options for a public-private partnership for the London Underground, which will safeguard its commitment to the public interest, guarantee value for money to taxpayers and passengers, and secure the resources necessary to ensure Londoners and visitors to the capital city have the modern Underground system they deserve.".

I am grateful to the right hon. Member for Sutton Coldfield (Sir N. Fowler) for again raising the important issue of the future of London Underground. It is seven months since we last debated this important issue in the House. Contrary to the picture painted by the right hon. Gentleman, we have been far from idle during those seven months. I am happy to report that we have made good progress, and I expect that we shall be in a position soon to set out our proposals.

The challenge facing us, which I fully recognise, is to get on with finding a solution to London Underground's funding problems, and to make sure that we find the right solution. We know that the underground is crucial to London's success. It is far too important and valuable an asset for us to take chances or to rush into a snap decision. Nor are we approaching this from an ideological standpoint which says that all that is public is good and all that is private is bad. That distinguishes our approach to the matter and other major transport issues from that of the previous Administration.

Labour Members know full well that both the public and private sectors have a part to play in Britain's success. That is why we talk of the need to develop a public-private partnership for the underground—a new model that will see us harness the best that the public and private sectors have to offer.

I am happy to say again that wholesale privatisation is simply not an option for us. For decades, investment in the underground has been below that needed properly to maintain the system. For 18 years, the Conservative Government failed to tackle the problem. It is preposterous for the right hon. Gentleman to present that wholly fictional, rosy account of investment in the underground under the Conservative Government. He knows perfectly well of the failure to make provision for the overrun in the Jubilee line and the huge investment backlog which the Government have inherited from the previous Administration.

After years of neglect, the previous Government, in their last few months in office, effectively attempted to abdicate their responsibility by taking an axe to the underground's grant in the 1996 Budget, as has been pointed out, and also announcing their discredited and rightly unpopular plans for wholesale privatisation.

That was the Labour Government's inheritance. The right hon. Gentleman now has the effrontery to criticise the Government for not yet having brought forward their modernising plan. I remind him that, under the previous Government's ill-prepared scheme for wholesale privatisation, action on the investment backlog would not have begun until 2001. The right hon. Gentleman and the House know that.

Many hon. Members are familiar with the leaked memorandum which I have in my hand from the then Secretary of State for Transport to the Prime Minister, clearly showing that their plans for wholesale privatisation had not been worked out in any substance, and confirming that there would be no question of the privatisation leading to any addressing of the huge investment backlog until 2001 at the earliest.

It ill becomes the Conservative party to tell the Government that, after nine months, we are somehow letting Londoners down because we have not yet produced our detailed plans, which we shall produce shortly for rescuing London Underground from years of neglect.

Sir Norman Fowler: The hon. Gentleman said several times that he is against the wholesale privatisation of London Underground. What exactly does he mean by that? Does he mean that the operating company will remain in public hands? Can he confirm that that is the position?

Dr. Strang: I shall tell the right hon. Gentleman what I mean by wholesale privatisation. I mean what was referred to in the memorandum. After a cursory discussion of what might be received from the privatisation of London Underground, which was about £600 million—it goes on to suggest that people might have to be paid to take it away—it states:

> "This is a very basic analysis, undertaken before we have chosen a structural option for the privatised underground, before we have fully considered restructuring costs, before we have discussed the details with London Underground and several years in advance of privatisation."

That is wholesale privatisation. That is what the Government had in mind for the underground. Of course we reject that absolutely.

Sir Norman Fowler: But what does the hon. Gentleman mean by it?

Dr. Strang: I shall come to that.

There have been three main strands to our work on the issue, all of which are now coming together. Let me dispose first of all the hearsay that the right hon. Gentleman peddled yet-again that there is some sort of disagreement between the Treasury and Transport Ministers on the issue. On the contrary, I can tell him that there is tremendous expertise in the Treasury on the issue of public-private partnerships. My right hon. Friend the Deputy Prime Minister, my hon. Friend the Minister for Transport in London and I value very much the help and advice that we are receiving from the Treasury on public-private partnership. That is the position and the right hon. Gentleman should recognise it, rather than just quote some tittle-tattle and hearsay from the newspapers.

Let me outline the work that we are doing. On the underground, last July we appointed Price Waterhouse to advise us on the structural options most likely to meet our objectives. The terms of reference that we set for that exercise, in accordance with our manifesto policy, were, first, to safeguard and improve London Underground's service to passengers, with agreed safety standards; secondly, to ensure that London Underground contributes towards an integrated transport strategy for London; thirdly, quickly to reduce or eliminate the underground's investment backlog; fourthly, to provide value for money for the taxpayer; and, fifthly, to attract private sector investment. We encouraged Price Waterhouse to explore any option or permutation it thought would meet those objectives.

We have already set out the various approaches that Price Waterhouse considered. Those included debt funding, with continued public ownership; various partnership structures, including full and partial concessions and joint ventures; and new operational structures, including various ways of dividing London Underground into separate businesses. Price Waterhouse reported back to my right hon. Friend the Deputy Prime Minister last October.

I stress that in all our considerations safety must be our top priority. It is impossible to think about safety without remembering the terrible tragedy at King's Cross 10 years ago.

Sir Norman Fowler: On a point of order, Mr. Deputy Speaker. The Minister has quoted from the Price

[Sir Norman Fowler]

Waterhouse report at some length. Does not that mean that the report must now be placed in the Library of the House of Commons?

Mr. Deputy Speaker: It is for Ministers to decide whether to place in the Library documents on which they comment at the Dispatch Box, unless they are official documents.

Mr. John Wilkinson (Ruislip-Northwood): Further to that point of order, Mr. Deputy Speaker. The document is an official study, sponsored by the Department of the Environment, Transport and the Regions, and the Minister is relying on it for his arguments to the House. The custom has always been that such documentation should be available to the whole House, so that it may judge whether the Minister's interpretation of it has been selective or bowdlerised. We need to have access to the document. I insist that that has been our practice.

Mr. Deputy Speaker: My understanding is that it is an external report, which has been provided for the Minister's benefit. If it is not and it is an official document, the Minister will have heard the comments that have been made.

Dr. Strang: I am sorry, Mr. Deputy Speaker, but if I show a little hesitation, it is because I resent those wholly bogus points of order, particularly from an Opposition Front-Bench spokesman. The right hon. Member for Sutton Coldfield knows perfectly well the rules of the House. I did not quote from the document, but simply set out the criteria. You and I know, Mr. Deputy Speaker, that the point of order is bogus, and it ill behoves the right hon. Gentleman to waste the time of the House in such a short debate.

Much has been done to improve safety on the underground since the King's Cross tragedy, and valuable lessons have been learnt. We are very clear in our commitment that safety will be an integral part of the public-private partnership that we are developing. We consulted the Health and Safety Commission as part of the process of developing our proposals. The commission will continue to be fully involved in ensuring that passengers and workers have adequate protection.

Price Waterhouse's analysis has been most valuable, and has been central to our deliberations. However, we have sought to bring London Transport and London Underground into the process, drawing on their considerable expertise and knowledge. I am extremely grateful for their helpful and co-operative attitude, from board level downwards. I take this opportunity to pay tribute to the hard work that London Underground staff put into running services every day, in the face of crumbling infrastructure. This year, London Underground is set to run a record number of train kilometres—more than 62 million—and passenger numbers have risen by 7 per cent. this year.

Thus, we have Price Waterhouse's work and London Transport's analysis, and we have received a number of useful submissions and representations from other sources: the trade unions, the London Passenger Watchdog Committee and London First, to name but a few. We are now close to reaching decisions on the way forward. In reaching those decisions, we want to take account of all the views we have heard.

We have in mind the two other initiatives to which I referred earlier: our plans for the governance of London; and our development of an integrated transport policy.

Mr. Simon Hughes: I have listened to what the Minister has said and dissent from none of it. The report has been with the Government for three months, and wholesale privatisation has been ruled out. Will there be a majority public sector stake in London Underground, or is it still the case, even after nine months, that nothing has been ruled in and nothing has been ruled out?

Dr. Strang: I cannot pre-empt our announcement to the extent that the hon. Gentleman seeks. I understand his wish for that, but, at this stage, while we can rule out wholesale privatisation—we did so in our manifesto and continue to do so—the nature of the public-private partnership is yet to be decided. There are several permutations. To be fair to the right hon. Member for Sutton Coldfield, he referred to several theoretical options, some of which could be wholly in the private sector and some of which could be partially in the private sector.

We set out our proposals for an elected mayor and an assembly for London in a Green Paper last July, since when we have received a great many responses. One of the key messages to come through—this will come as no surprise to London Members of Parliament—is the importance of transport for London. London Transport and London Underground provide many of the services that are the lifeblood of London.

Last year, for the third year running, Healey and Baker's annual survey of European cities rated London the best city in which to locate a business. Communications and access to markets are cited as the dominant factors in determining where to locate. London is regarded as offering excellent access to markets, and ranks first in terms of external and internal transport services.

Let me state unequivocally that we know London's importance as a world city, and we are committed to safeguarding and promoting that role, because the whole country benefits from London's pre-eminent position. We also know that, for many people—probably for many of us in this Chamber—London is defined in terms of Frank Pick's famous tube map. It is a symbol of London, which is known throughout the world. London is the capital of the United Kingdom. Modernising its transport system is a London priority, but it is also a UK priority.

We have been working hard, since the consultation period on our London Green Paper ended in October, on the details of our proposals. The Green Paper posed more than 60 questions, and we have considered carefully all the views that we received. We will publish a White Paper in March, in good time for hon. Members and the people of London to digest before the referendum in May.

That does not mean that we shall leave Londoners waiting for the next two years and more before the underground's problems are addressed. London deserves better than that. Subject to the outcome of the referendum, we shall introduce a Bill in the autumn to establish a

Greater London authority. The Bill will make London Transport more accountable to the people of London. It is surely right that London Transport should be accountable to Londoners. The Bill will also include the provisions necessary to enable a public-private partnership for London Underground to be implemented.

In the meantime, given all the options that we are considering, London Underground will be able to make substantial progress in implementing a public-private partnership before the Greater London Authority Bill is enacted. That could start immediately after we announce our plans to the House. One of the main elements of the White Paper will be our proposals for establishing a better approach to the delivery of transport services for London.

The new London assembly will have responsibility for buses and the tube. It will have influence over the development of rail services and responsibility for roads, strategic planning and land use. For all those reasons, London will have the opportunity to develop fully integrated transport systems for the benefit of Londoners.

Last August, we published a consultation document on developing an integrated transport policy for the whole country. Around 6,500 people took the time and trouble to respond. Around two thirds of the responses were from individuals, the rest from businesses, lobby groups and transport academics. We have been impressed by the effort that has obviously been put into them.

Many responses highlighted the need to improve public transport, in particular by ensuring more reliable services, better timetabling information and better interchange facilities with other modes. Our work on a public-private partnership for London Underground must address those concerns. We are working towards publication of a White Paper on an integrated transport policy this spring. We are determined to develop an integrated approach to transport planning and investment that enables us to make the best use of the infrastructure we already have and to plan our investment strategy to target resources where they are most needed.

Good communications are central to our overall aim of a lasting improvement in everyone's quality of life. London already has a higher than average proportion of public transport trips, but we cannot sustain and build on that with a crumbling infrastructure. As we have been debating these matters, many Londoners have had to make their way home through shabby stations and walk-down escalators and waited too long for overcrowded trains. That must end. Londoners deserve a modern transport system of which they can be proud. This Government are determined to provide them with just that.

8.30 pm

Mr. John Wilkinson (Ruislip-Northwood): What a pleasure it was to hear my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). Unlike any Labour Member, he is a former Transport Minister with a successful record. He was a notable moderniser in his day. He has come back refreshed from his sabbatical term with his family to give a magisterial critique as Opposition Front-Bench spokesman of the Government's rambling and vacuous amendment to our motion.

We heard no concrete substantive proposals from Labour. All we know is that the Labour party had 18 long years to think how to run the London Transport underground system better, but, at the end of all that time, it has had to go to Price Waterhouse. We are not vouchsafed a glimpse or a genuine quote, let alone the document itself, to study. Perhaps it is a good thing we cannot see it, because I suspect that Labour will ignore any sensible advice when its predilection has always been to follow its ideological predispositions.

My constituents, as the Minister described when he was trying to tug at our heart strings, genuinely suffer considerable inconvenience in getting to work. They are reliant on three lines: the Metropolitan, Piccadilly and Central lines. The London Transport underground system is crucial to many of them in getting to and from their work. Since the Labour Government came to power—one must remember that they came to power on effusive promises to improve the London transport system—nothing has happened, except a substantial increase, way above inflation, in underground rail fares.

One should in justice record the background. My constituents at the same time have to pay considerable extra mortgage payments. Mortgage interest rates have gone up five times. If they take to their cars, traffic jams are as bad as ever they were, but fuel duty has gone up. Their pensions will probably be less good at the end of their working lives, because of the abolition of dividend interest tax relief.

In every way, their living standards and quality of life are being squeezed. They are getting more and more resentful, because, as with health, so in transport, they see with every day that passes that all the rhetoric of the Labour party at the general election was no more than that: pure rhetoric. Labour has yet to come up with any satisfactory, concrete proposals for improving the system.

The Labour party is effusive in its criticism of our proposals, but privatisation, as my right hon. Friend the Member for Sutton Coldfield rightly said, has worked in transport as in so many other areas. We all have our own model, but I prefer privatisation of the whole system. Like him, I think that the key to privatisation success for the underground would be not only a public subscription of shares but a share issue on very preferential terms for those who work in the London Transport underground.

Mr. Stephen Pound (Ealing, North): The hon. Gentleman mentioned the benefits of privatisation. Last evening, a young east European tourist was raped and left for dead in the lavatory of a Connex South Eastern train. She was not found until the train was on its way back to the south coast. Does he consider that a glowing example of the benefits of privatisation?

Mr. Wilkinson: No. That has nothing to do with privatisation. Anti-social, criminal behaviour has taken place on British Rail rolling stock as it did in the tragic incident last night. The hon. Gentleman is letting his understandable emotion at that heinous crime get the better of his political judgment.

It is crucial that there should be additional investment, and fast. The model proposed by the Labour party is a recipe for confusion, even more delay and uncertain delivery of service. I do not understand how Labour can believe that leaving the running of the rolling stock and the operation of the system in the public sector, with some of the track networks hived off on shortish leases to the private sector, could work. The Minister would have done the House a service had he explained his view of those

[Mr. Wilkinson]

suggestions, because, from what we read in the press, they appear to be the ones most favoured by the Labour Government at present.

The manifesto for London that the Labour party produced at the general election says that, in privatisation,

"public assets would be sold off cheap. Much-needed investment would be delayed."

The delay in investment is clear from the indecision of the Labour party in government.

Mr. Ivan Henderson (Harwich): My constituents and commuters who live in Harwich and Clacton are suffering the consequences of rail privatisation on their lines: delays, derailments and all sorts of other things. Does the hon. Gentleman seriously believe that they need advice from someone who wrecked not only the railways, but, through deregulation, bus services? They need no lessons from Conservative Members.

Mr. Wilkinson: No one is seeking to deliver lessons. Serious-minded Members are trying to come up with solutions that will meet the vexatious problem of public transport in London. London's transport infrastructure has been in need of further investment for far too long. The Treasury is clearly unable to provide adequate funding. It certainly did not in the Labour party's period in office, as my right hon. Friend the Member for Sutton Coldfield said.

It is interesting that the hon. Member for Brent, East (Mr. Livingstone) is not here. He was perhaps the most interested in the London transport system. The hon. Member was a pioneer of low fares, but he found that low fares, if discounted to an excessive degree, only produced a further deficit, and gravely damaged the financial strength of London Transport Underground. It is only since LTU introduced more realistic pricing that its finances have been restored to a semblance of order and balance.

LTU cannot always be reliant on the Treasury, and, in current circumstances, it is plain that even the Labour Government recognise it. What is required is an incentive for everybody in LTU to perform to the best of their ability and to have an opportunity thereby to build up profits for themselves and for the system. I can see no model other than privatisation which would be able to achieve it.

Mr. McDonnell: Will the hon. Gentleman give way?

Mr. Wilkinson: I wish to make one final point before giving way to the hon. Gentleman.

Any model, be it a public-private partnership or wholesale privatisation, will require a regulator, but I do not believe that the mayor of London and his authority are the people to provide that function. We shall need a regulator set up with the very strictest statutory obligation to be independent of politics. The worst thing for LTU's future would be for the management of the system to be second-guessed or interfered with by the Greater London authority and/or the mayor.

It is also instructive to note that the Labour Government do not even propose that constituency representatives should sit on the GLA. My constituents and those of my hon. Friend the Member for Uxbridge (Mr. Randall), who are so dependent on the efficiency of the system for their commuting, will have no certainty that sitting on that authority will be a representative with those interests in mind, because there will be no geographical connection between constituencies and representation on the authority.

Mr. McDonnell: I rise in the absence of my hon. Friend the Member for Brent, East (Mr. Livingstone), whose name has been mentioned. Will the hon. Gentleman accept that the critical issue relating to London Transport in the 1980s was the lack of infrastructure investment? Such investment was controlled by the House through a money Bill procedure, whereby the GLC submitted an annual money Bill to be voted on by the House. Each year, the hon. Gentleman and his colleagues voted against that money Bill, and so started the erosion of infrastructure investment, against the wishes of my hon. Friend the Member for Brent, East and others of us who served on the GLC.

Mr. Wilkinson: The facts speak for themselves and are vividly displayed in the pillargram on page 2 of the minutes of evidence to the Select Committee on Transport's study of London transport, which was produced in the last Session of Parliament. It can easily be seen that investment shot up in the latter years of the Conservative Administration, and that Labour's performance during its term in office was never even remotely comparable. Those are the facts.

I do have some sympathy with the approach taken by the hon. Member for Brent, East in that I believe that LTU could be more imaginative in its fares structure. I would advocate, for example, an early-bird discounted fare to encourage people to get on the tube before the rush hour. At present, the travelcard comes in at 9.30 am, but people should be encouraged to get on the tube really early with a tempting discounted fare.

There should also be a night-owl travelcard to discourage people from using their cars to go to the theatre in the evening, just as the early-bird fare might discourage people from taking to their cars and making the morning rush hour worse. There is a great deal to be done in fares policy, but that is the sort of thing which a privatised LTU system would have all the commercial incentive to do.

I was struck by the Minister's claim to be a moderniser as, in the current Administration, it has little credibility—he has many qualities, but I do not regard him as a moderniser. I had hoped—perhaps vainly and wholly futilely—that the Minister would come up with some ideas for how the LTU network could be improved and extended in future. He cannot do so, because, even with public-private partnerships, the system would continue to be heavily reliant on funding from the Exchequer, and he cannot surmise what would be available. If the network were in private hands, there would be much more chance that some of the exciting projects we need would come off.

Those projects include the Croxley link, which would extend the Metropolitan line through Watford high street to Watford Junction railway station, where it would join up with the west coast railway line to the north-west. It could be built at relatively small cost. The Jubilee line

extension could be accelerated. Last but not least, a project that has been on ice for far too long for lack of funding—crossrail—could get off the ground. It genuinely is the high-speed rail link we need for the next century.

8.46 pm

Ms Linda Perham (Ilford, North): I support the amendment tabled by my right hon. and hon. Friends. I welcome the debate and I am pleased that the Opposition are so concerned about the future of the London underground that they have chosen it again as the subject of one of their precious Opposition day debates, seven months after the first on 25 June 1997.

Mr. Geraint Davies (Croydon, Central): They have no imagination.

Ms Perham: It demonstrates to me, to other hon. Members and to the public at large that, as my hon. Friend says, they have no imagination or no shame—perhaps neither. Perhaps they think that the Labour Government are doing so well that there is nothing else worth talking about.

I have travelled on the underground for many years, and my constituency contains eight Central line stations. The underground has always been my preferred mode of travel to work and, when I lived in south-east London, where I was born, I often envied the residents of other parts of London with easier access to the underground. When I moved to live in the constituency of my hon. Friend the Member for Ealing, North (Mr. Pound), in 1969 under a Labour Government, the Piccadilly and Bakerloo lines that conveyed me to County hall, where I worked in the Greater London council research library, provided an invariably reliable service.

When I married, several years later, my husband and I decided that we wanted to live not more than five minutes' walk from an underground station, which is how we came to settle in Hainault in the Ilford, North constituency at the eastern end of the Central line. Unfortunately, in the 25 years we have lived in the constituency, we have seen that once excellent service deteriorate. In the November 1996 Budget, the Conservative Government demonstrated in an obvious and cynical way their lack of commitment to that vital public transport service, by slashing London Transport's core funding grant and landing London Underground with an estimated £480 million overspend on the Jubilee line extension. My hon. Friend the Member for Wimbledon (Mr. Casale) drew attention to that in his intervention.

That happened despite the document "A Transport Strategy for London", which the Department of Transport published in April 1996. It stated:

"The Government would hope to maintain London Underground investment at broadly the current level until the investment backlog has been eliminated."

Opposition Members may try in vain to defend the Conservative Government's investment record, but, as my hon. Friend the Minister for Transport in London said in her reply to the debate on 25 June, the Tory planned investment was

"set to fall from £312 million this year to £197 million next year . . . the same level of investment as in 1976."—[*Official Report*, 25 June 1997; Vol. 296, c. 898.]

For my constituents, fares have risen steadily since the great "fares fair" initiative of my hon. Friend the Member for Brent, East (Mr. Livingstone) in the early 1980s, and the service has declined. When I chaired the highways committee of the London borough of Redbridge in 1995–96, I also chaired the London Transport liaison group, whose meetings—then, as now—were regularly attended by the general manager of the Central line, Geoff Thackwray. That long-suffering, honest individual bravely defended his service, listened to complaints and made improvements where possible. His patience and helpfulness are much appreciated by elected representatives and residents alike.

Because of the provision of so many Central line stations in Ilford, North, many working people choose employment in the City, central London and even west London, as my husband and I have over the years. In fact, more than 60 per cent. of Redbridge residents travel to work outside the borough, the majority using the underground. I am convinced from the feedback that we received before and after the general election in May that the problems of London Underground, and dissatisfaction with Conservative policies on London's public transport, played a significant part in the determination of the people of Ilford, North and other London constituencies to rid themselves of the previous Government. North-east London saw huge swings to Labour in May; apart from my swing of 17.3 per cent., my hon. Friends the Members for Walthamstow (Mr. Gerrard), for Hornchurch (Mr. Cryer) and for Upminster (Mr. Darvill)—representing users of the Victoria and District lines—achieved swings of 17.9, 16 and 15.4 per cent. respectively.

A month before the general election, on 2 April 1997, the *Evening Standard*—which is hardly a consistent supporter of Labour, old or new—featured a full-page editorial entitled, "Our tube system—the Tory shame". It stated:

"Over the last five years, this vital public service has been betrayed and short-changed by a Government which has often seemed resentful of its very existence. The result is that the Tube, despite the best efforts of London Underground management, is gradually breaking down."

That editorial went on to cite massive power failures, signalling problems—Central line commuters like me know all about those—mechanical and infrastructure problems, an increase in crime and reductions in staff. All those problems stemmed from a single cause, said the *Evening Standard*:

"this Government's gradual withdrawal of funding from London Underground."

The editorial concluded:

"As the Tories seek London's votes on 1 May, the first charge they should be asked to answer on their record of the past 18 years is that of betraying the vital services of Britain's capital. And what minister will lack the shame to blush and hide his face when the question is put?"

People in London delivered their verdict and voted in their thousands, because they wanted action to be taken to provide Londoners with a proper transport service: a service to get them to work on time, to take them for their leisure to our great theatres, museums and other sights of London—buildings such as this very place—and to send visitors away at the end of their stay with a good impression of travelling in the capital. Those people did not want a service with ever rising fares, struggling to

[Ms Perham]

survive, its investment programme savaged, consigned to being run down and sold off. The new Labour Government came to office pledged to a clean, efficient, safe and reliable transport system for London, promising a new public-private partnership to improve the underground, run in the public interest and providing value for money.

My right hon. Friend the Member for Hull, East (Mr. Prescott)—the Deputy Prime Minister and organ grinder—and his team have been working hard in the months since the election to find the right solution for the funding of the underground. Opposition Members could not get that right in 18 years, but they accuse us of delay in the short time for which we have been in office. In the end, pathetically, they offered up only wholesale privatisation. This Government will deliver a London underground service with an integrated transport system for a London returned to democratic accountability: a capital service for the greatest city in the world.

8.54 pm

Mr. Tom Brake (Carshalton and Wallington): I welcome the debate, but I am surprised—as I was on 25 June, when the Tories last tabled the subject for debate—that they have chosen to highlight the sorry state of the tube system, thereby drawing attention to their own poor record in their last year of office.

I know that a week is a long time in politics. Eight months is obviously long enough for collective amnesia and, perhaps, for DOR syndrome—denial of responsibility syndrome—to set in on the Tory Benches. The first signs of that syndrome emerged in the earlier debate about developments in the countryside, during which members of the official Opposition came out as born-again Swampys. If you can believe that, you can believe anything.

Let no one forget that it was the Tories who tried to flog off the tube for the paltry sum of £600 million—a plan which they hastily dropped when it was leaked to Londoners—when it had property assets valued at up to £13 billion. The Tories must take the lion's share of the blame for leaving the tube with a backlog of repairs equivalent to no less than £170 per Londoner, a delayed Tory tax bombshell which will hit Londoners sooner or later. That is the legacy of the previous Government's "heavy investment programme".

The business community supports the view that the previous Government failed London. London First has said that

"the last Government cut public funding for the existing system below the level needed even to sustain it in its present condition, in spite of the fact that they accepted that there was a £1.2 billion backlog"—

a backlog of repairs, that is. The Confederation of British Industry has said that

"there has been serious under-investment for a long time".

With a record such as theirs on the tube, Conservative Members should mind the credibility gap. They praise railway privatisation to the heavens, but conveniently forget the increased subsidy that has gone to the privatised railways—a subsidy of £2 billion—and the declining services provided by the train operating companies. Conservative Members should be a little more circumspect in their praise of railway privatisation. Moreover, they have completely fallen down the credibility gap by attacking this Government's proposals on the basis of their complexity, and the communication difficulties that might arise if the system were split. That is rich, coming from a Government who introduced a host of communication difficulties by privatising the railways.

What of the new Government's record? We know that before the election and since, they have ruled out wholesale privatisation. In July, they commissioned a report on the future of the tube. In late September or early October, Price Waterhouse delivered its findings. Since then, not much has happened. A series of leaks have appeared in various papers, and extracts from the Price Waterhouse report have been read to us tonight.

The Times reported on 24 September:

"Tony Blair is to back controversial recommendations to privatise London Underground by splitting it into as many as four parts and selling up to 51 per cent. of the businesses".

The *Financial Times* stated on 16 January:

"Ministers were yesterday moving close to a deal. . . under which the infrastructure would be split from train operations and leased to the private sector in two or three parts".

Those two options are not entirely consistent, and there seems to be a difference of opinion within the Government about which way to go forward. It is certain that neither of those positions is consistent with the stance taken by the Minister for Transport in London before the election. I understand, although I did not see it myself, that she appeared on television with a pair of scissors and a map of the tube, saying that she would not allow the tube to be cut in half through privatisation. However, what she did not make clear at the time was that she proposed cutting the tube four ways, not just in half.

In the meantime, the backlog of repairs grows. We are now eight months into the new Government. What does London First say about the new Government's performance?

"Eight months on from the Election. . . we still await the outlines of a solution."

The Minister's speech has not added to my understanding of the Government's proposals. It has merely reinforced the confusion that there was about Government proposals in June. I feel sorry that the Minister has not clarified the Government's plans. I look forward to his announcement soon, as he put it—in due course.

The Liberal Democrat position is that the Government must have in mind some objectives, although not necessarily a structure. We want the tube to be an integrated system with through-ticketing. Fare structures will need to be regulated. We want responsibility for running the tube to be clearly identified with a particular person or organisation. We want the financial means to deal with the backlog of repairs and to build new lines. Changes should not delay investment.

Tube passengers have suffered enough stop-go on the Central line and overcrowding at Oxford Circus station. They do not need another reorganisation. They want a tube that runs on time, not trains that stop unannounced in tunnels.

Our proposal for a public interest company with public sector objectives and ethos would meet those objectives. It would ensure that the tube remained an integrated

transport system with through-ticketing. The fare structures would be regulated, probably through the Greater London authority, and there would be clear responsibility for running the tube. It is not an untested model: similar models operate in New York and San Francisco.

We shall will the means. Whatever model is adopted and however it is dressed up, the investment programme will cost money. Whether it comes as a subsidy to the private sector or through any other route, more money is needed for that programme. We have offered three concrete proposals—so far in the debate, we have heard few of those.

Our proposals are, first, a charge on non-residential car parking spaces, which London First estimates would raise about £150 million a year; secondly, road congestion charges which, it was suggested by the London congestion charging research programme in 1995, could raise anything from £95 million to £795 million a year; and thirdly, a temporary increase in business rates for London's largest businesses, which could raise £150 million—a view supported by some, but not all, London First members. Incidentally, those measures would also help the Secretary of State to meet his targets for CO_2 reduction.

Our proposals would give Londoners a transport system to match that of any of our European partners. They would get cleaner air, less congestion, fewer pollution-related illnesses such as asthma and the possibility of cheaper fares.

Mr. Richard Ottaway (Croydon, South): And a Conservative Government.

Mr. Brake: I doubt whether they will get a Conservative Government for a very long time. The Tory Opposition have no solution. Over the past eight months, they have been getting rid of facts with relief, to adapt a quotation from Sir James Barrie—facts such as their responsibility for the daily delays that passengers experience on the tube.

We shall not support the Conservative motion, but we should have liked to modify the Government's amendment, because it is full of promises but rather silent on solutions. Our proposal for a public interest company backed by earmarked revenues—the key is the source of the revenue—would take the tube into the 21st century. I urge the Government to take on board our proposal.

9.4 pm

Mr. Keith Darvill (Upminster): Thank you, Mr. Deputy Speaker, for calling me to speak in the debate.

I represent Upminster, which is at the start of the District line. As well as being the eastern terminus of the District line, it is the easternmost point of the underground system. Upminster station serves both the underground and the London, Tilbury and Southend line. Many of my constituents who commute into London use the London underground system. A large number of my constituents are employees of London Transport and do a fine job, working at the Cranham depot, which is also in my constituency.

I use the underground myself most days when Parliament is sitting, commuting to Westminster from my home. The underground is an essential part of London life. It has contributed so much to our great capital city, yet, instead of nurturing it, we have consistently under-invested in it, particularly in recent years, putting at risk that important transport infrastructure.

Transport is essential to London's competitiveness as a world city. It is crucial to the efficiency of business. London needs a safe, affordable and reliable underground as part of an integrated public transport system. It is of critical importance to those who live, work and invest in the capital, as well as for our visitors. Some 2.5 million journeys are made by tube every working day, about half of them by commuters; the others are made by people going to school, shopping or visiting London.

It is not surprising to me that our communities are becoming impatient at the delay in delivering the investment that is so essential. Business groups, such as London First, as well as passenger user groups, such as the London regional passenger committee, recognise the dangers of continual delay.

Most of the criticism is properly directed at the Opposition, who had the audacity to table their critical motion, for it is the Conservatives who are chiefly to blame for the current crisis. The previous Government failed to invest adequately. They failed miserably during their terms in office and left a £1.2 billion investment backlog. They have a deplorable record, particularly if one takes into consideration the investment that was forced on them by the King's Cross disaster in 1987, and the funding of the Jubilee line.

It is not as if the Opposition, when in government, failed to acknowledge by their statements and words what was needed. In a document entitled, "A Transport Strategy for London", published by the Department of Transport in April 1996, the previous Government stated:

> "Improving the existing London Underground service contributes most directly to our primary goal of promoting the competitiveness of London as a World City."

In the same document, they said:

> "The priority for London Underground is to improve the quality of the existing network through investment."

Mrs. Eleanor Laing (Epping Forest): If the hon. Gentleman considers that more money should have gone into the underground over the past 10 years or so, where would he have obtained the funds—from the education budget, the health budget? Or would he have raised taxes?

Mr. Darvill: The Government's proposals, which I shall deal with in the rest of my speech, are quite clear. We have our priorities. Indeed, we have priorities for London Transport, as will be seen.

As I said, the previous Government stated:

> "The priority for London Underground is to improve the quality of the existing network through investment."

That was true in 1996, and it is true today, for investment is at the heart of the problem. Because of its age, size and intensive use, the underground needs a minimum level of investment year in, year out, to keep pace with wear and tear and to prevent the service from deteriorating.

Under successive Governments, the minimum recognised level of investment has not been reached. Investment is required not only for the future of the London economy but to shift the emphasis away from the car towards a more integrated transport system,

[Mr. Darvill]

with greater use of public transport. That is, of course, consistent with the Government's approach as detailed in the Green Paper, "New Leadership for London" and the consultation paper, "Developing an Integrated Transport Policy". It is also consistent with the Government's aim to reduce greenhouse gas emissions.

The proposal to create a London Transport authority to deliver the new citywide authority's sustainable transport strategy will flow from the creation of the Greater London authority. Since the abolition of the GLC in 1986, transport planning in London has been carried out by a number of organisations, in the absence of an effective co-ordinating body. Strategic planning has been haphazard and almost non-existent. Transport is increasingly recognised as an acute socio-economic and environmental problem. New organisations have been formed on an ad hoc basis in an attempt to find solutions, resulting in a collection of organisations with no apparent strategic or co-ordinating role.

Integrated transport can be developed and planned effectively only if there is a single co-ordinating body. The multitude of organisations that the Opposition helped to create and sustain could not in a month of Sundays deliver an integrated transport policy. The Government's policies for London, for transport and for the environment are widely welcomed. The Opposition's failure in that respect during their long—many would say too long—administration let down the people and businesses of London and might have been one factor in their punishment by the electorate last May.

Those of us who use the underground regularly witness its underfunding. In many ways, its deterioration is a testament to the previous Government. The new Labour Government must find a way of retaining a publicly owned and accountable underground system, and work in partnership with the private sector to raise the additional investment that is required. We made a manifesto commitment to reject wholesale privatisation and develop a partnership with the private sector.

Progress has been made and I am confident that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions will soon be able to make an announcement about the precise nature of the public-private partnership that the Government propose, to bring in the resources necessary to provide a modern underground system for 2000 and beyond, which will benefit all Londoners, including my constituents and visitors to London. It follows that the House should reject the Opposition's motion.

9.11 pm

Mr. Peter Brooke (Cities of London and Westminster): It is a pleasure to follow the hon. Member for Upminster (Mr. Darvill). We have heard plenty of speeches by hon. Members representing outer London constituencies. I am the first central London Member to speak. I shall be extremely brief.

More underground trains pass under my constituency than under any other in Greater London. In opening the debate, my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) was very tough on transport Ministers, and I understand his exacerbation. Personally, I feel sympathy for them. The Secretary of State has seen his Department downsized in standing and the Minister for Transport in London has been given more jobs than is fair, even for a Parliamentary Under-Secretary of her talents. I realise that the decisions were taken elsewhere in Government. I am sorry, too, for the civil servants who have been transferred to the Government office for London, who show some evidence of being overwhelmed by the number of transport initiatives in London with which they are being asked to cope.

The downsizing of the Department and its London interests reflects the Government's attitude towards London, which was also apparent in the recent rate support grant announcements. The consequences, however, fall on Londoners. For example, those in my constituency affected by blight by the projected Chelsea-Hackney line were given to believe a year ago by London Transport that early decisions would be taken to resolve that blight. A year later they are still waiting. The argument for crossrail, which was sharpened by the steadily approaching imminence of the Heathrow express, has been revisited by the crossrail team and transformed by the City corporation's business case for crossrail into a wholly privately funded operation, but the Government office for London still rests on the Montagu report of March 1996.

The Minister of Transport for London is familiar with the problems inherent in Railtrack's tactical plans for Thameslink 2000 in the heart of the capital, involving the closure of the Thameslink Moorgate branch and the diversion of passengers from Blackfriars to Victoria and Elephant and Castle.

The idea that there could be 24 trains per hour, which has never been tested anywhere in Britain for heavy rail, has invited scepticism, and 12-coach trains will be too long for suburban platforms. I gather that it is all part of an integrated policy, but the separate parts must interact.

Seven months ago, in a debate to which other hon. Members have referred, we agreed on the parameters of the problem. The ingredients of the solution were clear, once the Government had gone back on their arteriosclerotic pre-election prejudice against privatisation and shown their willingness to contemplate a private element in London Transport's future.

Seven months ago, in that same debate, I said that London Back Benchers on both sides of the House were willing to work together in the new circumstances to find a solution that Londoners could applaud. I was followed by the hon. Member for Barking (Ms Hodge), who has carried some responsibility for the leadership of London Labour Members. She is not present tonight, and I make no complaint about that. I do not think that, if she were here, she would disagree with my analysis of her speech in that debate as not wholly embracing my invitation. If, on behalf of Londoners, she has faith that the Government will deliver without help from Opposition Members, I only hope that they will get a move on.

Like other hon. Members, I have sensed the impatience of London First, to which the hon. Member for Carshalton and Wallington (Mr. Brake) referred. London First can, in the eyes of the Government, claim some neutral objectivity after their contribution to the swing towards Labour in the general election by their activity in underground stations during that contest. In the *Evening Standard* last week, that considerable Londoner, Simon Jenkins, made remarks about the Government's

plans for the London underground that filled me with foreboding. Despite Labour's disclaimer, the *Evening Standard* has latterly been friendly to the Government.

I recall a Sherlock Holmes story about the underground that involved a corpse and some very complicated technical plans. The name Bruce Partington comes to mind. I shall regard the present vacuum as Operation Bruce Partington until the Government pull themselves together, make some decisions that do not earn the scorn of the *Evening Standard,* and take action to implement them. I do not currently blame Londoners for losing faith and patience.

9.16 pm

Mr. Geraint Davies (Croydon, Central): The Opposition are scraping the barrel with this dreary motion. What a cheek! After 18 years, we are confronted with this proposition. There was not enough funding for the underground until the horror of the King's Cross fire. The right hon. and learned Member for Rushcliffe (Mr. Clarke) tore the heart out of the funding for London Transport, and did not provide a strategic framework for the future. This proposition has been cobbled together to fill in time because the Opposition have nothing better to think about.

The future of the London underground should be included in an integrated transport plan for London, and for the economic sustainability of Britain in a global marketplace. That context has been set in the consultation document on an integrated transport plan, which will later emerge as a White Paper. It is important to set London's needs in that wider context.

It is a bit rich that, after 18 years of drift and decay, we have this sudden demand for action. People in the business community, in the Confederation of British Industry, and in London First are getting slightly hot under the collar, but we must get it right. We must bridge the funding gap, and establish a strategically secure footing for the future. That is what the Government are in the midst of doing.

We do not need the fiscal foresight of Old Mother Hubbard showed by the right hon. and learned Member for Rushcliffe, who generated this crisis. Anyone with a rudimentary knowledge of the accounts of London Underground knows that it needs £400 million a year to stand still on repairs and maintenance, and that there is a £1.25 billion backlog of repairs. The right hon. and learned Member reduced external funding from £373 million to £250 million next year, and to £130 million the year after, while charging to that budget £250 million of Jubilee line costs that should have been outside revenue costs.

All I can say is that it is a good thing that, unlike other transport and underground systems elsewhere in the world, London Transport and London Underground are making positive gross margins—of £225 million this year and next year, and probably £260 million in the following year. The Paris system, for example, makes absolutely no contribution towards overheads.

As my hon. Friend the Minister said, in London, passenger volumes are up 7 per cent., to about 860 million passengers. He mentioned also that, this year, annual train kilometres will total 62 million—compared to 52 million in 1993-94—and that, at the turn of the century, they will reach 70 million. Over seven years, therefore—because of more journeys and a more extensive system—London Underground will have had a 40 per cent. increase in train kilometres. Satisfaction levels also have increased.

Those increases have been achieved despite drains on funding and an unfortunate repair backlog accumulated during the previous Government's time in office. Those matters are set within the wider context of the £420 billion public sector deficit, which is the previous incompetent Government's unfortunate legacy.

Labour Members have listened to the demands of Conservative Members—who studied in the Arthur Daley school of management—for immediate action, although, in 18 years, they did nothing. The Government know which strategic route they must take in achieving a public-private partnership—but the matter is not as simple as saying, "Let's get on with it and let's do it." There must be some caution.

I tell Ministers that we need contract flexibility if we are to guard against unforeseen circumstances. If we have guided buses and a new light rail system, they will have to be integrated into the underground system. Moreover, if we have new technology for road pricing, for example, we will have to ensure that London Underground can absorb the extra volume. Therefore, contracts cannot be over-specified. We must also resist pressure to rush recklessly forwards.

Before the May referendum on a Greater London authority—which will take command of the London underground strategy—the Government will deliver proposals on an accountable modernised and funded system. The Government will deliver those proposals and will make it crystal clear how we will deliver that system. The Opposition will simply have to wait for the good news.

9.21 pm

Mrs. Eleanor Laing (Epping Forest): I apologise to the House if I am not as audible as I usually am. When I previously asked the Minister for Transport in London a parliamentary question on the underground, she suggested that I might be suffering from a fever to the brain, but I was not. Today, however, if she were to suggest that I am suffering from a fever to the throat, she would be absolutely right.

A point on which the Minister and I agree concerns a small part of the underground network that is about to be privatised—the Epping-Ongar branch of the Central line. I will not ask her to comment on her decision on that matter, because I fully appreciate that it has yet to be finalised. However, I should like to ask her for an assurance that, whatever decision she takes on the Epping-Ongar line, the land on which that railway lies will be preserved in perpetuity as railway land. I agree with her in wanting to ensure that, should we wish to do so, the opportunity will be available on the Epping-Ongar line to expand the underground system after it has been privatised.

It is becoming obvious that the Government are snookered by a language problem in the controversial underground privatisation. Ministers have said that they do not want to privatise, but they know that it has to be done. The problem is what Ministers will call privatisation when they do it.

The Deputy Prime Minister—for all his life, so far as we know—has opposed privatisation. He opposed every action that the previous Conservative Government took

[Mrs. Eleanor Laing]

on privatisation, but he was wrong to do so. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) eloquently explained earlier, there have been a series of very successful privatisations. The problem that the Government are facing is that the Deputy Prime Minister is simply too stubborn to privatise the underground—when we all know that that must be done. He is stuck in the old socialist dogma of state ownership of means of transport. The Government have tacitly admitted that rail privatisation was right. If they are not admitting that it was right, why are they not reversing it, now that they have the power to do so?

Not only was rail privatisation right, but it was brought in speedily and efficiently by the previous Government. The Railways Bill was published within seven months of the 1992 general election. It was a far more complicated piece of legislation than we could expect from the present Government, who are simply delaying and prevaricating. What is right for British Airways, what was right for British Rail, what has brought success and new investment to many companies in the transport sector has been privatisation. If it was right for all those companies, why is not it right for London Underground?

We know that the underground has to be privatised. In the end, it does not really matter what the Government call the privatisation. My constituents simply want them to get on with it.

9.25 pm

Mr. John Cryer (Hornchurch): I shall be brief—because I have no choice.

The performance of the London underground system over the past few years has been one of the most remarkable of any rail system in the world. Cuts implemented by the previous Government, plus the sheer inconsistency of Government funding, have caused immense problems.

In 1995–96 for instance, core funding to the tube was £350 million. In the following year, it was £359 million, and for 1997–98, it was cut drastically by the right hon. and learned Member for Rushcliffe (Mr. Clarke)—who had half an eye on the Maastricht criteria—to £323 million. That is against the background of a report by the Monopolies and Mergers Commission in 1991, which put the standard level of funding at—probably—£750 million. As a result, there have been unprecedented cuts in staff, for instance. Over the past six years, 25 per cent. of staff have lost their jobs. Funding cuts have led to the abandonment of major and necessary schemes. In my constituency, there are three District line stations. Along with many other projects, the new District line control room, which was desperately needed, has been axed.

The combined pressures have led, as my constituents know very well, to almost daily cancellations and delays, which are inevitable during the downward spiral that the previous Government introduced. During the general election campaign, complaints about public transport—complaints about the tube were most prominent among them—were raised frequently on the doorstep. I suspect that other hon. Members experienced that, too. Many people from Hornchurch who work in the City or the west end, for instance, have to leave for work half an hour or 40 minutes earlier than they should because they have to allow for delays and cancellations.

London Transport's 1996-97 annual report showed a 37 per cent. increase in profits, which were attributed in the report to cost cutting, rising passenger volumes and increases in ticket fares. The tube requires not only higher levels of funding but consistently higher levels of funding. Any senior London Underground manager will tell anybody who asks that one of the big problems is not the cuts but the inconsistency in the previous Government's funding.

Privatisation of the London underground would have meant—and will always mean—a pattern similar to that followed by the railways: worse services, cuts in staffing and services, and demands from private operators for more subsidies. For instance, South West Trains sacked drivers, and then had to cut services, for which it was subsequently fined by the regulator. Connex SouthCentral, which—sadly—I use a lot, tore away layers of managers and supervisors who made the network work. As a result, it started to grind to a halt and was fined for its abysmal record in the final three months of 1977.

The idea that privatisation would provide the required investment in the underground is entirely illusory. The required investment is huge, amounting to probably £7 billion. Any railway system is best and most efficiently run as an integrated network under public ownership. As my right hon. Friend the Deputy Prime Minister pointed out on 3 December, the Greater London council ran the tube much better than the Tory Government, which had no belief in—indeed, a considerable contempt for—public services. I look forward to the underground coming under the control of the new Greater London authority and being run with an efficiency and a devotion to public services that were absent from the Conservatives.

9.29 pm

Mr. Richard Ottaway (Croydon, South): This has been a timely debate, which has, as expected, exposed the Government's uncertainty. They have been in office for nine entertaining months. What have they decided to do about London's underground? Nothing. The delay is becoming an embarrassment.

The Minister of Transport made a remarkable speech. I thought that it was the privilege of the Opposition not to make policy statements. He did not make any. He told us that he would make a statement on the underground, but it came out rather slowly. First, he said that he would set out a solution soon. As he warmed up, he said that he was close to making a decision. Finally, he said that there would be an announcement in March.

In an excellent and thoughtful speech, my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) said that London Underground cannot rely on the Treasury for funding. The hon. Members for Hayes and Harlington (Mr. McDonnell) and for Eltham (Mr. Efford) drew attention to the lack of core investment in the underground in the 1980s.

Mr. McDonnell: Will the hon. Gentleman give way?

Mr. Ottaway: I shall not give way at the moment.

I have a graph showing the investment made by the Conservative Government in the 1980s.

Mr. McDonnell: Will the hon. Gentleman give way?

Mr. Ottaway: I am replying to the hon. Gentleman's contribution.

Mr. McDonnell: Will the hon. Gentleman give way?

Mr. Ottaway: I shall not give way.

I was surprised that the hon. Member for Ilford, North (Ms Perham) said that the debate was a waste of time. She made me wonder why she was here.

The hon. Member for Carshalton and Wallington (Mr. Brake) gave us the usual Liberal coalition speech—or at least I thought that he was starting off down that route. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) gallantly declined to describe the Minister for Transport in London as a monkey. I felt that the hon. Member for Carshalton and Wallington was a cloned monkey, although I could not come up with a better name for him than a Dolly monkey.

Mr. Brake: Will the hon. Gentleman give way?

Mr. Ottaway: I shall not give way. I am replying to the hon. Gentleman's contribution. He displayed his—

Mr. McDonnell: On a point of order, Mr. Deputy Speaker. Is it appropriate for an hon. Member to refuse to give way to another hon. Member whom he has named?

Mr. Deputy Speaker (Sir Alan Haselhurst): Regardless of whether it is appropriate, it is not a matter of order.

Mr. Ottaway: We can show our usual contempt for bogus points of order.

The hon. Member for Carshalton and Wallington said in June that the Liberal Democrats were showing their anti-car credentials by proposing congestion charges and parking charges. I am sure that that will reinforce support for them in outer London.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) urged the Government to get a move on and spoke about Thameslink 2000, which is an important project. It has led to dispute between the Corporation of London and Railtrack, which he and I ought to stay out of.

My constituency neighbour, the hon. Member for Croydon, Central (Mr. Davies), who seems to have left the Chamber already, said that we had to get it right, and that secure funding was needed. He also implied that the Labour Government would introduce road pricing. My hon. Friend the Member for Epping Forest (Mrs. Laing) rightly drew attention to the success of privatisation.

The Deputy Prime Minister has been described as the Pooh-Bah of the Blair Government. He is in charge of everything. When not abolishing the green belt or setting up regional commissars, he is responsible for London Transport. That is precisely the problem that his Department faces. He is simply too busy deciding which bit of green belt to carve up next, when he should be channelling all his formidable talents into taking a firm decision on the future of London's underground.

It is a sad reflection on the Government's sense of priorities that they will not put the issue higher up the political agenda. They cannot do that, because the Deputy Prime Minister is at loggerheads over privatisation not only with the Chancellor of the Exchequer but with the Prime Minister. To make matters worse, the Prime Minister and the Chancellor are also at loggerheads with each other. After all, why should the Deputy Prime Minister work with someone whom No. 10 has described as "psychologically flawed"?

Instead, the proposal that the Minister of Transport says will come out in March, when the Government eventually announce it, will be a compromise—a compromise to keep the peace between the Prime Minister, the Chancellor and the Deputy Prime Minister, a compromise designed not to rock the boat. It will be a compromise for short-term expediency, designed to keep the Cabinet and the rest of the Labour party quiet. It will have nothing to do with the long-term needs of the underground.

My right hon. Friend the Member for Cities of London and Westminster drew the attention of the House to an article in Friday's *Evening Standard* by the excellent columnist Simon Jenkins, who has sometimes been rather critical of the Conservative party. Mr. Jenkins wrote:

"they should privatise by simply floating the Tube, lock, stop and barrel, on the Stock Market . . . flotation as a single business is better than hacking the Tube system up, down and sideways merely to appease some slaves to outdated ideology".

He was absolutely right.

Our case is that privatisation of the underground is the best way to raise the necessary funds for investment. There is now no argument about the fact that privatisation is a fundamental philosophy accepted by all political parties not only in this country but in the rest of the world. As my hon. Friend the Member for Epping Forest said, privatisation is the only way to ensure that the underground gets the money that it so badly needs.

We should plough the proceeds raised by the sale back into the tube system and give London Underground the early injection of cash that it so badly needs. We should also keep through-ticketing and travel cards.

There is no question raised, even by the Labour party, about the possibility of either party reversing any of the privatisations that have taken place since 1979. Gone are the days when the present Secretary of State for Scotland predicted, for example, that British Airways would be the "pantomime horse of capitalism", if it was anything at all. Even the right hon. Gentleman would now concede that he was wrong, and if anyone looks like the pantomime horse of capitalism now, it is him. British Airways is a world beater and the whole House will admit that the right hon. Gentleman's approach was wrong.

Mr. Casale: Will the hon. Gentleman give way?

Mr. Ottaway: I shall not give way.

Despite having been wrong before, the Government have made it emphatically clear that they oppose wholesale privatisation. In the run-up to the general election, the Labour party rejected outright any suggestion of privatisation and argued that public-private

[Mr. Ottaway]

partnerships were the way forward. The approach has evolved piecemeal, and shows a strong commitment to the public part of the public-private partnerships.

Back in March 1996, the then Opposition were busy attacking private finance initiatives. The present Minister for Education and Industry, Scottish Office, who was then Labour transport spokesman, said:

"All the experience of the PFI so far shows that public-private partnerships happen only when the ultimate commitment to the project remains in the public sector".

The present Minister for Transport in London, later in the same debate, said:

"The PFI, as devised and structured by the Government, is the Government's way of opening the back door to privatising a service which I believe must remain in the public sector".—[*Official Report*, 13 March 1996; Vol. 273, c. 1013-48.]

There we have the PFI eliminated and a strong commitment to public-private partnership in the public sector; but what on earth does it mean? Can anyone in the House give me a clear definition of a public-private partnership in the public sector? The Treasury website says that PPPs are all about negotiating deals that are good for both sides. On that definition, contracting out a hospital's laundry service is a public-private partnership. Would hiring a private security firm to protect Government property be a public-private partnership?

There is nothing wrong with those views except that, in defining a specific policy for the future of the underground, it is fairly meaningless to those of us who are trying to understand the implications. So confident were Ministers in their quotations and remarks that it was safe to assume that they knew what they meant.

In February 1997, in response to our proposals to privatise London Underground, the then shadow Secretary of State for Transport, the right hon. Member for Oxford, East (Mr. Smith), said:

"Would it not be far better to get moving straight away with public-private partnerships as Labour has proposed?"—[*Official Report*, 25 February 1997; Vol. 291, c. 153.]

Nothing could be clearer than the words, "get moving straight away". Labour knew what it was doing, where it wanted to go and how it intended to achieve its objectives.

Full of conviction, the Labour manifesto said:

"Labour plans a new public-private partnership to improve the Underground."

Now we know the truth: Labour had no more idea of what a public-private partnership was than we did. The situation is now becoming a farce.

Ministers met the chairman of London Transport only three days after the general election, which suggested that the issue was being taken seriously, and in July management consultants were commissioned to consider the future of the network; but then the hesitation set in. The Deputy Prime Minister left some documents lying around the "Panorama" studio that made it clear that privatisation was under consideration.

Then Treasury stuck its oar in: in October, the *Financial Times* reported:

"A senior Government Minister has said that Mr Brown has refused the use of public funds for the investment programme. But as Labour's manifesto precludes only 'wholesale privatisation', the Chancellor is believed to favour a majority stake."

Then the Prime Minister joined in: again the *Financial Times* reported the leaks coming out of No. 10. It said:

"close associates of the Prime Minister and Chancellor are convinced a majority stake in LU's network of infrastructure has to be sold to the private sector if the investment is to be made."

Then the Deputy Prime Minister struck back: his spin doctors went to work and a further report in the *Financial Times* said:

"ministers were yesterday talking about the infrastructure business as a private/public partnership, with the private sector having the upper hand".

That is interesting. Whatever happened to the line from the Minister and from the hon. Member for Cunninghame, North (Mr. Wilson) that the service must stay in the public sector?

Then we had the ultimate spin. The arbiter of the dispute, the Paymaster General, who is responsible for public-private partnerships, among other things, has been advised, according to *The Independent*, to

"split the Underground infrastructure into three companies and franchise them and the train operators—such as the Victoria line—to the private sector."

Unbelievably, the Paymaster General's compromise seems to have the upper hand. The latest leaks were reported in the *Evening Standard* at the end of last week. It said:

"The plan is likely to see the Underground's infrastructure—tracks, tunnels and stations—split into two or three parts and auctioned off on leases of up to 30 years . . . The operation of the services, however, would remain in public sector hands with heavily unionised staff likely to remain as public employees."

If that is true, it at least explains one thing: at last October's Labour party conference in Brighton, the Deputy Prime Minister saw off moves to renationalise Railtrack, but the price was to concede a motion to the transport unions that stated:

"the conference is totally opposed to the introduction of private capital which would lead to private companies owning and/or operating parts of London Underground."

The problem with that proposal is that the money needed to overhaul the underground network would absorb most of the income from tickets, leaving nothing for profits. As the *Evening Standard* said:

"This is the fundamental problem which we always return to in terms of getting private investors involved to fund investment in an operation which barely breaks even."

That says it all. The Government do not know whom to upset—the public or the trade unions. The Deputy Prime Minister began his article in *The Times* yesterday boldly, saying

"when we say as a Labour Government that we won't run away from difficult decisions, we mean it."

Some of us would be only too pleased if he made any decision—even if he did not mean it—to progress the debate and to get things rolling.

The Government were elected on a promise that

"things can only get better."

For London Underground, things have only got worse. All the Government have offered tube users since the election are inflationary fare rises and delay, delay, delay. I believe that London deserves better than that, and I commend the motion to the House.

9.44 pm

The Minister for Transport in London (Ms Glenda Jackson): The Leader of the Opposition will be deeply depressed if he takes the trouble to read this evening's debate. Despite the energy that he has reportedly put into castigating his party and highlighting, for its benefit, the reasons why it was so lamentable in government, why it was so crushingly defeated at the most recent general election and why it has signally failed to organise itself into any form of effective Opposition—based on overweening arrogance and a failure to listen—his message clearly has not penetrated to those Opposition Members in the Chamber tonight.

The Opposition's contribution ended as it began. The right hon. Member for Sutton Coldfield (Sir N. Fowler)—like, indeed, all Tory Members—based his speech on two simple arguments. The first was that this Government have lamentably failed to deal with the difficulties facing London Underground in the nine months that we have been in government. The previous 18 years, when the Conservative party had stewardship of London Underground—which saw the Conservatives' total failure to take the needs of London and Londoners seriously and their failure to invest in the core funding of London Underground—were dismissed and sidelined.

The second argument is that our apparent inaction has been highlighted by the fact that we have not produced what the Conservatives believe is still the only answer to the problems of the underground—privatisation. They have made much play of underlining the value of privatisation, but did not mention the damage that they inflicted on the integrated railway system in this country by that very process.

If one had listened closely to some Opposition speeches—it was, on occasion, extremely difficult so to do, because of the paucity of the contributions from Opposition Members—one might have believed that rail privatisation was up and running and effective in a period infinitely less than the nine months that this party has been in government, during which time Opposition Members believe that we should have brought into being a policy which we have consistently stated—publicly, privately and in our manifestos—is not the way we believe that the problems of the underground can be tackled and solved—the policy of privatisation.

The right hon. Member for Sutton Coldfield underlined his accusation of inaction on the part of the present Government by referring to the incorporation of the Department of Transport into the Department of the Environment, Transport and the Regions. I should point out to the House that, when the Conservative party was in government, the only sign of action from the Department of Transport was the annual changing of the Secretary of State. It was not pass the parcel, but pass the brief. As is to be expected, there were some excellent contributions by my hon. Friends, not least because so many of them are lifelong users of the underground.

In an excellent contribution, my hon. Friend the Member for Ilford, North (Ms Perham) said that she and her husband chose their domicile because of its close proximity to an underground station. She highlighted her experience, during the 18 years of Conservative misrule, of the deterioration of a service that is so important to London and to Londoners. That argument was made—in their individual ways—by the hon. Member for Carshalton and Wallington (Mr. Brake) and by my hon. Friends the Members for Upminster (Mr. Darvill), for Croydon, Central (Mr. Davies) and for Hornchurch (Mr. Cryer).

I say to the hon. Member for Epping Forest (Mrs. Laing), regarding the line that she mentioned, that, as yet, my consent has not been sought for the proposed sale. I am delighted that she is as keen as we are to ensure that railway land is preserved. She obviously believes, as do Labour Members, that the expansion of the railways is vital for a properly integrated public transport system, which the Government intend to introduce.

However, we must not forget why the underground is in its current position, which made it necessary for the House to debate its future tonight. As I have said, and as many hon. Members have said, it is due in no small part to the underfunding that characterised the years when the Conservatives were in government.

The 1996 Budget, combined with cost overruns on the Jubilee line extension, was a disaster for the underground's finances. It meant that about half the money that London Underground was planning to invest in the existing network during the next three years was no longer available to them. As my right hon. Friend the Minister of Transport said, the amount of core funding in London Underground when the Conservative party left office was precisely the same as it had been when it took office, almost 20 years earlier.

London Transport has actually managed to increase its operating surplus for each of the past seven years, so that more than £200 million a year of its resources now goes towards investment in the underground. Therefore, obviously we need look no further than the Conservative party for the underground's current funding crisis—and the Conservatives have the temerity to say that we are being too slow in finding a solution to the problem that they created.

The Government believe that there is no alternative to a well-funded, efficient underground system for London. About 800 million underground journeys are made each year, more than 700,000 of which take place during the morning peak on each working day. The underground is vital to the economic well-being of London and to the quality of life of people who live in and around London. One of the interesting trends in recent years has been the growth in the use of the underground during the inter-peak periods, in the evenings and at weekends, and we want that trend to continue. Surface rail, despite the depredations of privatisation, is vital.

South of the river, London is very poorly served by the tube. The bus is often unfairly regarded as the Cinderella of public transport, but the number of bus journeys made in London each year easily exceeds the number of tube journeys—by about half as much again—and we believe that it is vital that more people are attracted to using that mode of transport, because it is cheap and especially flexible.

However, despite investment with the aim of providing one of the most comprehensive and efficient metropolitan bus networks in the world, bus travel will always have limitations, especially for commuter journeys into central London, and even with the best bus network, an efficient, reliable tube network is essential for existing users and for future growth in patronage.

[Ms Glenda Jackson]

Therefore, the Government recognise the importance of the underground for London, and we are determined to address its investment needs so that it can play its full part in a properly integrated public transport network for this great capital city. We are determined to improve the quality of the underground as quickly as possible by a public-private partnership.

We want to find practical solutions to the underground's problems, and to modernise its key assets such as track, signalling, bridges and embankments. Because of the links between those assets, the network may be improved significantly only by tackling them all together.

The aim is to secure an affordable, reliable, clean and modern network. We are making progress on that work as a matter of urgency, given the level of funding available to London Underground, which we inherited from the previous Government.

I cannot tell the House today our detailed plans for the future of the London Underground, but I can say something about the principles that are guiding our thinking.

First, it should go without saying that safety is of paramount concern. In the 10 years since the tragedy of the King's Cross fire, when 31 people died, safety on the underground has improved dramatically. The risk of fires and flooding in particular are now greatly reduced, and a number of projects are currently aimed at improving other areas of safety, most notably trying to reduce the risk of accidents when people are getting on and off trains. It is right that we should pay tribute to London Underground's management and staff who deserve a great deal of credit for those improvements.

I can assure the House that safety will remain the top priority under a public-private partnership. The Health and Safety Commission is being fully consulted as we develop our plans. The option we choose will ensure that safety standards on the underground are maintained, and the commission's advice will be sought on the safety regime that will be required to ensure that that commitment is put into practice.

We also want to safeguard the core public responsibilities of the underground. We are not in the business of wholesale privatisation—that was the dogmatic approach of the Conservative party, and much good it did it, the tube and London. As our manifesto said:

> "The Conservative plan for the wholesale privatisation of London Underground is not the answer. It would be a poor deal for passenger and taxpayer alike . . . Labour plans a new public-private partnership to improve the Underground, safeguard its commitment to the public interest and guarantee value for money to taxpayers and passengers."

A public-private partnership for the underground is particularly appropriate. The first underground railway in the world started operating when the Metropolitan Railway opened a line between Paddington and Farringdon in 1863. That line, and much of the current London underground network, was developed by private enterprise. But in 1933, the underground came under public ownership, with the creation of the London Passenger Transport Board, popularly known as London Transport. The network then enjoyed another period of expansion, and it was under public ownership that many of the features of the underground that passengers value were first developed—the underground map, the logo, the fully integrated ticketing system and the travelcard.

We want to build on the best elements of private sector enterprise and the public sector service ethos. The way to do that is through a public-private partnership.

I have already referred to the investment backlog on the existing underground network which London Underground estimates at £1.2 billion and rising rapidly. London Underground also estimates that, simply to stop the network deteriorating further, it needs to spend on average more than £350 million a year. Quite simply, there is no way in which the public sector can afford those sums and modernise the network in anything like a reasonable period, so we must consider ways of bringing in private sector money.

If we can bring private sector ideas and innovation as well, without cutting corners or compromising quality of service, we will do that, too. London underground is already one of the most efficient public transport systems in the world. I acknowledge the efforts of the management and staff in achieving that. But if we can promote even greater efficiency in the underground, and ensure even better value for money, we shall do so.

However, we must never forget that the London underground is a public service and must be publicly accountable. We are mindful of the need to safeguard a real role for the mayor of London and assembly which, subject to the referendum which should take place in May, we hope will be elected in 2000.

That does not mean that we shall leave Londoners waiting for the next two years and more before the underground's problems are addressed. London deserves better than that. Subject to the outcome of the referendum, we shall introduce a Bill in the autumn to establish the Greater London authority. That Bill will make London Transport more accountable to the people of London and will include the provisions necessary to enable a public-private partnership for London Underground to be implemented.

In the meantime, we believe that, for all the options that we are now considering, it would be possible for London Underground to make substantial progress in implementing a public-private partnership.

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 134, Noes 345.

Division No. 141] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Body, Sir Richard
Amess, David	Boswell, Tim
Ancram, Rt Hon Michael	Bottomley, Peter *(Worthing W)*
Arbuthnot, James	Bottomley, Rt Hon Mrs Virginia
Atkinson, Peter *(Hexham)*	Brady, Graham
Baldry, Tony	Brazier, Julian
Beggs, Roy	Brooke, Rt Hon Peter
Bercow, John	Browning, Mrs Angela
Beresford, Sir Paul	Bruce, Ian *(S Dorset)*

Burns, Simon
Cash, William
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. Stephen Day.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fitzsimons, Lorna
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Galloway, George
Gardiner, Barry
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*

Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Malleber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall-Andrews, Robert
Maxton, John
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wilson, Brian
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Mr. Graham Allen.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House wants to see a modern, efficient, affordable and reliable Underground system, worthy of the people of London, and accountable to the people of London; deplores the substantial investment backlog in the London Underground which this Government inherited from the previous administration; applauds the Government's rejection of the wholesale privatisation of the London Underground, as proposed by the previous Government; and welcomes the Government's action to explore options for a public-private partnership for the London Underground, which will safeguard its commitment to the public interest, guarantee value for money to taxpayers and passengers, and secure the resources necessary to ensure Londoners and visitors to the capital city have the modern Underground system they deserve.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

EUROPEAN COMMUNITIES

That the draft European Communities (Definition of Treaties) (Partnership and Co-operation Agreement between the European Communities and their Member States and the Republic of Azerbaijan) Order 1997, which was laid before this House on 18th November, be approved.

That the draft European Communities (Definition of Treaties) (Partnership and Co-operation Agreement between the European Communities and their Member States and Georgia) Order 1997, which was laid before this House on 18th November, be approved.

That the draft European Communities (Definition of Treaties) (Partnership and Co-operation Agreement between the European Communities and their Member States and the Republic of Armenia) Order 1997, which was laid before this House on 18th November, be approved.

That the draft European Communities (Definition of Treaties) (Partnership and Co-operation Agreement between the European Communities and their Member States and the Republic of Uzbekistan) Order 1997, which was laid before this House on 18th November, be approved.

That the draft European Communities (Definition of Treaties) (Europe Agreement establishing an Association between the European Communities and their Member States, and the Republic of Slovenia) Order 1997, which was laid before this House on 18th November, be approved.—*[Mr. McFall.]*

Question agreed to.

PETITION

School Merger (York)

10.14 pm

Miss Anne McIntosh (Vale of York): I wish to present a petition from the parents and supporters of Canon Lee school, concerning a proposed merger with Queen Anne school on a split site. The schools would be a mile and a half from each other. The petition has 1,604 signatures.

The petitioners request that the House of Commons urge the Secretary of State for Education and Employment not to approve the proposal to merge Canon Lee school and Queen Anne school on a split site, but instead to recommend that the local education authority look again at the LEA development plan to include a review of all secondary education provision in York.

To lie upon the Table.

Insurance Premium Tax

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McFall.]*

10.15 pm

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Thank you, Mr. Deputy Speaker, for the opportunity to raise this important issue.

Insurance premium tax was first introduced in the Finance Act 1994, and is payable on insurance premiums in the United Kingdom. The Finance Act 1997 made a number of changes to IPT—they were claimed at the time to be anti-avoidance measures—which introduced a higher rate of 17.5 per cent. for a range of insurance services where insurance was provided in conjunction with other goods or services.

The introduction of that higher rate was described by the last Administration as a measure to counter alleged VAT avoidance in the form of "value shifting" on a limited range of insurances sold with goods and services. Tax avoidance was allegedly taking place through the inflation of the value of the insurance element, which was charged at the old IPT rate of 2.5 per cent. rather than being liable to VAT at 17.5 per cent. The three main areas affected by the new higher rate were insurance relating to motor vehicles, insurance relating to domestic appliances and travel insurance.

Compelling legal evidence suggests that the higher-rate IPT, as currently constituted, is in breach of European law. I should stress that I have no sympathy for the tax dodgers who provoked the over-reaction of an increase in the rate. I hope that the Financial Secretary to the Treasury will acknowledge that, as many of the arguments that I shall advance were deployed by her when she was an Opposition spokesperson during the Committee stage of last year's Finance Bill. On 6 February 1997, she spoke at some length about the introduction of higher-rate IPT. She asked:

> "Why have the Government taken a broad-brush approach that is likely to catch innocent commercial interests?"

Is the Financial Secretary still concerned about the fact that innocents have been hit by what she herself described as a broad-brush approach? I hope to show that many of the "innocent commercial interests" to which she referred in her speech last year have been hit. Higher-rate IPT has had a significant impact on the travel industry—the industry which the Financial Secretary herself suggested last year was least guilty, and which to my mind is largely innocent, of the so-called value shifting. Will the Financial Secretary tell us what she has discovered over the past year that persuades her that value shifting has occurred in respect of travel insurance? Will she comment on the following points?

I understand that, because the travel service is either zero rated or part of the tour operators' margin scheme whereby a profit margin is calculated and subject to VAT according to specific regulations, value shifting is, in effect, not possible. When no VAT is due on travel services, where does the value shifting, or tax loss, arise? As the Financial Secretary said last year:

> "Customs receives VAT on the margin on the holiday from the tour operator—on the full selling value of the holiday—irrespective of the discount given by the travel agent . . . It is difficult to see how value shifting could take place if the full value of VAT, at 17.5 per cent., was paid on the holiday irrespective of the discount."

[Mr. Alasdair Morgan]

What is the Financial Secretary's view on that now, given that last year she described the examples used by the previous Government to justify the imposition of higher rate IPT on the travel industry as

"not a description of value shifting in the travel industry, but of over-priced insurance"?

That analysis has also been justified by the recent Monopolies and Mergers Commission report on package holidays, which suggested that heavy discounts for holidays and the low cost of package deals was to do with the highly competitive nature of the travel sector, and nothing to do with a surreptitious attempt at value shifting. Is the Minister aware of those MMC findings? I suggest that they blow a hole in the Government's argument.

In the run-up to this evening's debate, I spoke to a number of ordinary travel agents and travel operators, who were clear about the impact of the policy on their business. With respect to travel insurance, the introduction of IPT has resulted in a distortion of the market. Over the past few years, travel agents have been steadily losing market share in this area. Since the introduction of higher rate IPT, that decline has trebled. Last year alone, there was a 33 per cent. fall in market share for travel agents.

Not all that lost business, however, is going to competitors. A significant number of people are now simply not taking out travel insurance. It has been reliably assessed that before the introduction of IPT, about one in 25 holiday-makers travelled abroad without travel insurance. Now that figure is nearer to one in 10. That information comes from a survey of holiday-makers and is compelling evidence of an IPT-related problem that the Minister herself raised last year.

The present Financial Secretary said:

"I am worried that in trying to raise revenue from an ill-targeted piece of legislation towards the travel agents, the Government may lose money elsewhere. There is a danger that people may start travelling abroad without adequate insurance cover . . .

At present, it costs British consuls £200 million a year to underwrite drivers who get into difficulty while on holiday and who are not adequately insured. If more tourists slip through the insurance net, that is likely to affect the budget of the Foreign and Commonwealth Office, which will have to bail out uninsured tourists."

The Minister will also be aware that travel agencies, particularly small independents, operate with tiny profit margins of between 1 and 2 per cent. Holiday insurance was always one of the most profitable elements of their business. That insurance business has now been cut by about a third in the past year alone, with a devastating impact on general profitability.

I have received representations from travel agents who point out that the only reason that their businesses survived this year was the increased spending on holidays as a result of the windfall payments from building society share issues. That factor will not be in place next year, and they predict confidently but without any pleasure that many small travel agents will go to the wall.

Clearly, the impact does not fall solely on the travel sector. In terms of lost contracts, bankruptcies and job losses, the clearest indications so far have come from electrical retailers.

During the Committee stage of the Finance Bill last year, the Tory Government insisted that there was clear evidence of value shifting from the rental sector, among others. The present Financial Secretary queried that assertion. She said:

"A television or video's rental cost comprises two parts: the rental of the appliance and a maintenance charge. The charge is usually split, and it is explained to the customer that the total charge is made up of two parts. The Minister read out a letter written in . . . 1994, which showed that the companies reversed the rental and insurance proportions. He said that that was value shifting . . .

The companies' argument is that first, in 1992, they successfully won a VAT tribunal on the issue. Following that tribunal, they reassessed their business. The cost of buying appliances such as videos or televisions is becoming relatively cheaper because of competition and technology, and so, therefore, is rental. But the cost of labour . . . has increased and it is included in the insurance part of the rental charge."

The companies would regard that as a legitimate business reassessment, and the Minister made the point for them in last year's debate.

The strength of that argument has been confirmed by another Monopolies and Mergers Commission report on the supply of domestic electrical goods. The findings debunk the Government's claims of tax avoidance in both the rental and sales sectors. The MMC's findings have been accepted in their entirety by the President of the Board of Trade.

The MMC report claimed that the price of electrical goods was being kept artificially high and that real costs had fallen dramatically. Therefore, the decision of the rental companies to keep the commodity rental element of their packages low is in line with what the MMC said should be the position.

With regard to sale warranties, the Government's argument, in contrast, for the introduction of higher rate IPT was that transfer pricing was taking place from lowly priced but high-taxed goods to high-priced but low-taxed warranties. They were stating that retail prices for electrical goods were being kept artificially low, in direct contrast to the MMC and the Department of Trade and Industry, which now state that they are being kept artificially high.

The MMC further found that there was little price difference between suppliers selling their own warranties and those who were not, so what evidence is there for price shifting? What justification is there for higher rate IPT on this sector in the light of the MMC report? I suggest that there is none. While IPT remains in place, businesses are suffering enormous losses and jobs are once again being lost.

Thorn and Granada were the examples given by the Financial Secretary last year. Between them, they have lost in the region of £20 million in business and around 800 jobs across the country. They are subject to aggressive marketing from direct insurers, who point out the tax disadvantage of purchasing a warranty through either of those companies. Their market share has fallen.

The Government cannot have it both ways. Electrical retailers cannot be guilty of both price shifting and artificially raising prices. Has the Financial Secretary spoken to the DTI about the MMC's findings? Surely that report invalidates the Government's justification for higher rate IPT.

The Minister will also be aware of the impact of IPT on motor vehicle traders. The discriminatory tax applies to maintenance insurance, which has all the accompanying

benefits of statutory regulation and policing that go with any insurance policy, while vendors' warranties are not taxed and have no backup should the vendor go out of business. There is now a trend towards the use of less-reliably backed but tax-free warranties, with the result that more and more costs are being borne by vehicle purchasers when they find that they are without adequate cover. The consumer is losing out as a result of the tax.

If the Minister remains unmoved by the personal and business impact of the higher rate IPT, perhaps the Government's mind will be focused by some of the legal arguments that strongly suggest that the current structure of IPT is in breach of European law in a number of areas. I am grateful to Messrs. Waelbroeck and Malherbe, who are European tax law experts, for their advice in this complex area. I believe the Minister has had an opportunity to review their opinion.

On reading the Waelbroeck report, hon. Members will see that higher rate IPT offends European law in relation to VAT, competition law and the freedom to provide services. I urge the Minister to review the full detail of that report on these points.

There are some solutions to these problems. My first suggestion to the Minister would be a meeting between herself and key figures in the industries affected. This morning, I met some senior representatives of a number of leading companies and trade bodies. I will be happy bring a delegation of representatives, not just from the travel sector but from all the sectors affected, to meet her.

My second suggestion concerns extra-statutory concessions. I believe that such concessions have already been agreed with a small number of insurers. Will the Minister consider extending these concessions at least to cover groups where there is no evidence of value shifting? If not, will she explain why concessions are being offered in what appears to be a fairly makeshift manner?

Ideally, this matter should be resolved through primary legislation, not piecemeal concessions. In that regard, my third suggestion to the Minister would be a general tax avoidance measure in the forthcoming Budget. All along the Government have assured us that higher rate IPT was designed to catch the tax cheats. I have made it clear in my speech that the method chosen has had a wider effect in terms of distortion of the market, and a direct effect on ordinary people, through redundancies and closures.

Tax avoidance measures can be introduced without these unpalatable side effects. I urge the Minister to follow that route rather than continuing to penalise a limited number of sectors through IPT.

My final suggestion to the Minister is the most important, and again it is one that she suggested last year. She asked:

> "Why did the Government choose to tackle the problem with a two-rate IPT? Why did they not use other routes, such as a flat-rate"?—[*Official Report, Standing Committee B*, 6 February 1997; c. 177-82.]

At that time, the Minister argued for an increased flat rate. She should—and indeed must—introduce a level playing field in the insurance market.

Higher rate insurance premium tax is a tax gone wrong. I hope that the Government will take note of my representations and return to a flat, non-punitive rate of insurance premium tax for all sections of the insurance industry. How can it be right that a customer can go into a travel agent, a television rental shop or a garage and be offered insurance at 17.5 per cent. tax and then go next door to an insurance broker and get the same cover at 4 per cent. tax?

Higher rate IPT is a barrier to fair competition; it causes hardship and job losses and I urge the Minister to act now.

10.29 pm

The Financial Secretary to the Treasury (Dawn Primarolo): I congratulate the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) on his speech, particularly the excellent parts where he quoted me. Never has an Adjournment debate included so many excellent quotations from a Minister when in opposition, so I congratulate myself on that.

The hon. Gentleman raised a number of important points. As his speech demonstrated—when he repeated my words back to me—I fully understand and appreciate the concerns that he expressed. In addressing those concerns, I should like to explain the Government's approach to the issue, on which there is a continuing debate.

First, the central issue is tax avoidance, on which the hon. Gentleman expressed his view clearly. The term tax avoidance does not necessarily imply that the gaining of a tax advantage was the prime motive for the way in which the travel industry, for example, chose to arrange its business, although that is undoubtedly the case in some respects. There may well be commercial, non-tax reasons for the emphasis on insurance sales. However, the Government have the right to address the adverse effect of those trading arrangements. The higher rate of insurance premium tax does just that. It does not prevent any trader from undertaking what may be a common commercial practice. It simply removes the tax incentive and ensures that the Exchequer does not suffer.

Secondly, the common practice by travel agents of offering discounted holidays conditional on the sale of their own travel insurance is often cited as a reason for applying the higher rate of IPT to the travel industry. That is not so. Discounting of holidays has no effect on the tax take, as tour operators account for the tax on the undiscounted price of the holiday.

As in the other sectors affected, the issue behind the introduction of the higher rate is simply one of disproportionate margins. Even the travel industry accepts that the margins earned from insurance sales are far higher than those from the sale of the holiday. Typically, a travel agent will earn 10 per cent. on a holiday and 50 per cent. plus on the insurance. Even before the introduction of the tax measure, one would normally pay considerably more for travel insurance purchased from a travel agent than one would for that bought from a specialist travel insurance broker. The Government's concern in respect of IPT is the adverse effect on the Revenue.

Mr. Alasdair Morgan: Will the Minister give way?

Dawn Primarolo: First, I shall finish the point. The hon. Gentleman presented me with a series of challenges. He is right that it is an important issue, and those studying tonight's debate will be interested in the Government's response.

Dependence on the high margins earned from insurance means that commission rates on holiday sales are kept low. That benefits tour operators, for which that

[Dawn Primarolo]

commission is a significant overhead, and it helps to keep holiday prices down. It is the tax take from those holidays which is affected.

The hon. Gentleman rightly pointed out that the higher rate of tax does not apply to sales of insurance from other, non-travel outlets. That tax structure reflects two key points. Those other insurance providers do not sell taxable goods and services, so they cannot shift their margins to avoid tax. I appreciate the point that the hon. Gentleman made on that. We would have to consider that carefully before we included them in any anti-tax avoidance measure. Furthermore, the price differential in the marketplace suggests that travel insurance is not a price-sensitive product. How can it be, when a travel agent can charge £20 more per policy and, even without the incentive of discounted holidays, can still manage to sell travel insurance to 90 per cent. of its customers?

Given those factors, the previous Government decided to apply the higher rate to travel insurance sold by the travel industry. They apparently anticipated no significant impact on the marketplace. Clearly, we cannot rest on that assumption.

I have asked customs officials to continue to monitor the impact of the measure. They have done that in the travel sector in conjunction with the Association of British Travel Agents, which I have met and corresponded with about its concerns. Discussions continue, but, despite the figures quoted by the hon. Gentleman, many of which were in ABTA's recent letter to me on this subject, it has not so far been shown conclusively that travel agents have suffered a loss of market share in travel insurance that can be attributed to the price effect of the higher rate of insurance premium tax.

It is relevant to note that the 1996 survey conducted by Mintel before the advent of the tax change showed that travel agents were losing market share even then. However, I shall consider carefully what the hon. Gentleman said. I shall study the representations that I am currently receiving on this subject. I shall certainly give the matter my attention in the run-up to the Budget, and I shall try to deal with the points that the hon. Gentleman made.

Mr. Ronnie Fearn (Southport): The hon. Lady mentioned that she had spoken to ABTA and that it had written to her. Does she agree that the two surveys that it carried out show a loss of commission of 34 per cent? That commission will be lost by the small, independent business person, rather than by the big boys: and we know who the big boys are. If that happens, we shall lose the small travel agent with two, three or up to six staff, which we have had for many years. Those findings are pretty direct, and I do not know where she will find a more convincing survey. Can she assure us that there will be no job losses?

Dawn Primarolo: The letter from ABTA quoting 34 per cent., which the hon. Gentleman mentioned, has literally only just been received in my office. I should caution him that one should determine how surveys are conducted and whether they can withstand the rigours of proper investigation. When I met those at ABTA, they were very happy with the proposal that they should discuss the proposed points with Customs and Excise officials. They said that they were conducting further work, and I presume that the letter is a result of that further work.

I am sure that hon. Members will agree that, before taking a decision on the issue, the Government should continue to examine carefully the information that is being produced. The Government's first action must be to defend the Revenue. However, if there is an issue that must be addressed, it will be addressed. I have told the hon. Member for Galloway and Upper Nithsdale that, in the run-up to the Budget, I shall very carefully consider the issues that have been raised by the industry. I shall not, however, be making any announcements in this debate.

Mr. Alasdair Morgan: In the earlier part of her reply, the Minister mentioned the necessity of taxing excessive margins—which seems to be a new principle in taxation. I thought that profit margins were properly taxed by corporation tax, and that big tax was taken off firms that made big profits. The idea that we have a tax to attack different margins on different goods sold by the same person is a bit bizarre. Will that principle be applied to supermarkets, for example? Is the same profit margin possible in selling a pineapple as in selling a Kit Kat? I think not. How far is the Minister proposing to take that new concept?

Dawn Primarolo: The hon. Gentleman is not doing his case any good. I have explained to the House why the previous Government included specific measures in primary legislation. If he scrutinises *Hansard* a little more carefully, he will see exactly what happened in that Committee. I have told him in this debate that those matters are being carefully considered, and I have explained the Government's current position.

Our willingness to continue to review—which has constantly been expressed to the industry—shows that we are prepared to take action, if evidence substantiates that action is necessary. To date, however, that evidence has not been supplied. The Government continue to examine the matter in this important time before the Budget.

Question put and agreed to.

Adjourned accordingly at eighteen minutes to Eleven o'clock.

House of Commons

Wednesday 28 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Millennium Dome

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jon Owen Jones.]*

9.34 am

Mr. Christopher Fraser (Mid-Dorset and North Poole): I begin by expressing my gratitude to you, Madam Speaker, for granting me this Adjournment debate.

At the time of the first session of questions to the Minister Without Portfolio, hon. Members on both sides were concerned about the high-handed way in which the House was being treated. Only five minutes were allowed for questions to the Minister, which allowed only one question tabled to be answered—a point I raised with you at the time, Madam Speaker. In eight months, the Minister has answered only four oral questions tabled.

The millennium dome is huge project of such significance to Britain that five minutes for questions was clearly pathetic, and I am glad to say that the time has now been doubled. If it continues to increase at the current rate, we might be closer to having a proper session for questions to the Minister by 2000.

Today's debate ensures that the Minister will be in the House for an hour and a half this morning. I am pleased to see that the hon. Gentleman has managed to find his way to the Chamber, even if he is not listening to me at this moment. It is truly a new experience for the Minister with responsibility for the millennium experience, and he may find that the House is capable of giving him a better ride than anything he found on his jolly to Disneyworld. I hope that he will enjoy his accountability experience this morning.

The debate is long overdue. As a member of the Select Committee on Culture, Media and Sport, I have spent much time examining the preparations for the millennium celebration at Greenwich. I and other Members from both sides of the Committee have become increasingly concerned about the level and detail of the preparations.

One comment in evidence to our Committee illustrates that point. Mr. Michael Grade, a director of the New Millennium Experience Company, was asked by the Committee to consider the millennium events, and, in his reply, used two sporting events to illustrate his point. He told us:

"the Olympic Games; it has been known that they were going to have an Olympic Games in the year 2000 for over 100 years. It is every four years, war excepted. Similarly, the World Soccer Cup is a very predictable event, six or eight years ahead. We are playing catch-up."

Playing catch-up? Could Mr. Grade not have predicted that there would be a millennium? Are we to believe that it is easier to organise a world cup with six or eight years' notice than a millennium event with 2,000 years notice?

Mr. John Maxton (Glasgow, Cathcart): Will the hon. Gentleman give way?

Mr. Fraser: No. I have a long speech to give, but I shall give way in a moment.

Why are we playing catch-up? We are doing so because the Labour party in opposition rubbished the project and cast doubt on its future. In such circumstances, the private sector was reluctant to commit any money before the election. When Labour came to power, the Government dithered and delayed, and now we are running out of time.

I trust that the Minister will not be insulted by what I am saying, and that he will not blame others for what has happened. Responsibility must rest on the Government Benches alone. As my right hon. Friend the Member for Henley (Mr. Heseltine) has pointed out, the Prime Minister and his colleagues played politics with the issue before the election—action my right hon. Friend described to the Select Committee as "unnecessary and unprincipled".

It might be useful to have a definition of the word "millennium". "Collins English Dictionary" offers the following:

"1. . . . Christianity. the period of a thousand years of Christ's awaited reign upon earth. 2. a period or cycle of one thousand years. 3. a time of peace and happiness. esp. in the distant future."

I am sure that it is the third definition that appeals overwhelmingly to the Minister, but peace and happiness are a long way off for him.

I am convinced that part of the reason the project has been dogged by confusion and disarray cannot simply be put down to the inexperience of the Minister Without Portfolio, although he must be a key factor in it. It most certainly comes down to the lack of an overriding theme. We are to mark the millennium, but the question "For what?" has not yet been answered; it has not yet been posed. When I asked Mr. Robert Ayling, the chairman, no less, of the New Millennium Experience Company, why other countries are not undertaking such a vast and mammoth project, he told me, "I do not know."

I believe that there is a case for a millennium experience to mark a significant date in the Christian calendar in a fitting and memorable way. It is also a good way to remind the Minister Without Portfolio that time did not begin on 1 May last year. Indeed, given that the event is to go ahead, we Conservatives would rather that it is a success than a disaster. For that reason, I hope that the Minister will take our concerns seriously and with good will.

We know of none of the contents of the dome, but, given the hon. Gentleman's record in his previous incarnation, it will not surprise the House to know that we have a slogan. It is strikingly familiar:

"It's time to make a difference."

Someone should have told the hon. Gentleman that he is organising a millennium celebration, not running an election campaign.

When I heard the slogan, feeble though it is, I thought that it had been chosen to fit in with the contents; I began to believe that there must be a strategy after all. I fear that I was being optimistic, for we still have no details of the contents.

[Mr. Fraser]

As someone who has a limited experience of the marketing business, I must say that it is unusual to design logos and slogans—a marketing campaign in embryo—without a product. It could be said that the dome preparations, like the Government themselves, are a triumph of style over substance. As the hon. Member for Watford (Ms Ward) told the Select Committee on Culture, Media and Sport:

"It is a little like Cadbury's developing a wrapper without actually deciding what the chocolate bar is going to be."

Does someone need a marketing degree to work out that, in order to attract visitors, it is a good idea to tell them what they might see? Yet, despite the scale of the challenge and the time scale we face—there are now fewer than 500 working days to go—we still know almost nothing. We can compare that to the preparations that the Australians have been making for the Sydney Olympics, where the schedule was completed in 1994. Mr. Keith Bales, a former senior Disney executive and an expert in developing visitor attraction projects, told the Select Committee that no one on the board

"has ever run, managed, designed or promoted in any way whatsoever a major international leisure attraction."

This situation has all the makings of a Whitehall farce.

Does the Minister have a grip on what is happening? He says that the dome will not be a theme park, yet, at the taxpayer's expense, he visits Disneyworld for ideas. We are told that the project is to highlight the best of British, yet the Prime Minister jets off to Japan to beg for investment. The Minister needs to clarify the matter: who is telling the truth? Is it him when he tells *The Daily Telegraph* that the dome is to have a Christian theme? Is it him when he tells the Select Committee that it is

"for all faiths, and none"?

Is it Sir Terence Conran, the Minister's new litmus test, who believes that it is "inappropriate" to mention Christ in the Christian millennium? Or does he need to ask his eight-year-old adviser from the newly appointed junior board—ironically called Christian—before he can tell the House?

The point may be becoming obvious: no one has a clue what is going on, least of all those in charge of the project.

Mr. Barry Sheerman (Huddersfield): When is the hon. Gentleman going to get to the substance of his remarks? Everything he has said has been negative, and an attempt to diminish a bold experiment which many Labour Members have supported and which has all-party support. It is a bold, imaginative project that is good for this country. When will the hon. Gentleman stop carping and say something positive about a really good idea which has support from both sides of the House and throughout the country?

Mr. Fraser: The quicker the hon. Gentleman sits down, the quicker he will hear me make that point. My speech contains plenty of quotes from the Minister, who starts to hang himself. If the hon. Gentleman hangs around, he will find out.

The Minister has been responding to substantive issues with gimmicks. I am, however, happy to pay tribute to Greenwich council, which has fought so hard and so well for the location of the dome. If the project works, it will bring Greenwich huge benefits, including economic and social regeneration, employment, the Jubilee line extension, an extension to the Docklands light railway, the development of river bus service—something that I have long advocated—10,000 new homes; it will bring back into use 1,000 acres of derelict and contaminated land. All that is to be welcomed.

The overriding reason for choosing Greenwich is obvious: it sits on the prime meridian. But believe it or not, the dome itself will not. To stand on the prime meridian, one will have to leave the all-weather dome and brave the elements, for the meridian lies outside the dome.

I referred to the absence of content, but one part of the contents is known. It will astonish the House to know that guaranteed to be in the dome is the air vent of the Blackwall tunnel. Perhaps I am being unfair, for the commitment of the Minister and his leader, the Prime Minister, to hot air is well known; they have built their careers on it.

We are assured that all will soon become clear. Ms Page, chief executive of the New Millennium Experience Company, said in her evidence:

"We are going to start the marketing in the first quarter of 1998".

We are now told that there is to be a launch on 24 February; perhaps all will be revealed, the veil will be lifted and light will be shone on the project. I certainly hope so, and I look forward to more details from the Minister this morning, for time is now short: there are, I repeat, fewer than 500 working days left.

What really concerns me is that the Minister should make his announcements about the millennium exhibition here in this Chamber, before any grand press launch. We in this House must be the first to hear the details that are apparently to be launched on 24 February. I look to the Minister to give the House and you, Madam Speaker, a concrete undertaking that that will be the case. In the absence of a satisfactory assurance from the Minister, it will be my intention to take the matter up with you. The Government have a poor record when it comes to announcements of that sort, as you have often said in the Chamber.

It might be useful to the House to be reminded of this Administration's record; it is a catalogue of muddled thinking, incompetence and double standards. The Government profess a profound concern over so-called fat cats, but one of the Minister's first acts on 26 June last year was to appoint Mark McCormack of the IMG group to attract sponsors; his commission could be as much as £15 million. Would he not be the fattest cat who ever walked? Does not that appointment reveal a certain hypocrisy?

Mr. Sheerman: On a point of order, Madam Speaker. On the subject of hypocrisy, the fact is that the hon. Member for Mid-Dorset and North Poole (Mr. Fraser) did not declare an interest this morning. He is well known as a part-time Member of Parliament; he is actually a travel agent who is very much concerned with the millennium

dome. He has not made any announcement to that effect, and if there is any hypocrisy in this Chamber, it comes from him.

Madam Speaker: I think the hon. Gentleman is showing a great deal of frustration, but is he saying to me that the hon. Member for Mid–Dorset and North Poole (Mr. Fraser) should be declaring an interest?

Mr. Sheerman: Absolutely.

Madam Speaker: If that is the case, I am sure that the hon. Gentleman will declare an interest now. Before he does so, may I make an appeal to the House? There is a great deal of demand to speak in this debate, and Members will be very disappointed if they cannot speak, so I ask for very short speeches. I return to the point about an interest. Would the hon. Gentleman declare an interest, if he has reason to do so?

Mr. Fraser: I am a director of a travel company which has absolutely nothing to do with the millennium dome and millennium experience.

After renaming the company in July, the Minister increased the pace in August. The signed contract with a German firm for the roof of the dome was cancelled, and a new one placed with an American company. Legal action for breach of contract may be about to follow. The irony that the dome is to promote the "best of British" will not be lost on the House.

Undeterred, the Minister pressed on. He dealt with an early-day motion, reported in the *Evening Standard*, tabled by his colleague the hon. Member for Hackney, North and Stoke Newington (Ms Abbott), calling for greater accountability and publication of interim accounts. However, I am sure that the Minister is not talking to his hon. Friend the Paymaster General about setting up the New Millennium Experience Company offshore.

On this occasion, the Minister is using British company law to afford himself all the secrecy he needs. He is hiding behind a code of practice on access to Government information which was put in place to protect private contractors, not to be used as a smokescreen for Ministers' accountability to the House.

Perhaps this is one of the areas where the Minister could help the House today. Although he is legally correct in saying that he is not obliged to publish last year's accounts for the New Millennium Experience Company until September 1998, does he accept that, in the case of a project involving £780 million of so-called public money, there is a moral obligation to publish sooner? Or are the finances of the project in such a state that he is petrified of publication? I trust that the Minister will address those critical issues this morning.

In November, it got even better. *The Independent* reported that the Jubilee line will not be up to full capacity by the year 2000. Only 10 trains an hour may run—rather than 36 at full capacity—a view articulated when London Underground gave evidence to the Select Committee on Culture, Media and Sport. No wonder the Government are reported to be planning a privatisation of London Underground—perhaps to blame the private sector for their own failings.

In December, the Minister has a tremendous idea. He tells the House of his inspired idea of a "junior council" of children and teenagers to advise on what is "cool". Does it not seem odd that, given the amount of money being poured into consultancy fees in this £780 million project, with fewer than 500 working days to go before the millennium, all he can do is to turn to children for advice on the contents of the centrepiece—[HON. MEMBERS: "Why not?"]—the centrepiece of the nation's celebration for the millennium? Is it not a case of the boy maketh the man?

Then the poor Minister hits a spate of panic departures. Off goes Sir Cameron Mackintosh at Christmas. Off goes Stephen Bayley in January. The chief executive of the Millennium Commission, Eric Sorensen, is off, too. That is an interesting development for a job-creating project.

In his evidence to the Select Committee on Culture, Media and Sport, the Minister spoke of an interactive exhibit in the dome with the working title "Qualify for 20 jobs you never knew existed". It seems that the list of candidates for those jobs is already growing. In 500 days' time, there may well be more applicants than jobs. If any more people were to resign, the Minister may well have to build the dome on his own. Just imagine it: Lord Puttnam could make a film about it. It could be called "Dome Alone".

Mr. Nigel Evans (Ribble Valley): My hon. Friend mentioned one movie. I was just wondering whether the Minister Without Portfolio was getting his ideas from another film, called "Field of Dreams". I do not know whether he has seen it. It is about a farmer in Idaho who hears voices saying: "Build it. They will come." Although the farmer is threatened with bankruptcy, he removes one of his cash crops to build a baseball park. I shall not spoil the end of the movie for everyone, but does my hon. Friend agree that the Minister Without Portfolio may be hearing these voices, directing him? How much longer must we wait before he hears more voices, telling him what he needs to put in the dome?

Mr. Fraser: I suspect that, as we speak, many writers are lining up to put that film into production.

I shall now turn to the financial and contingency plans—or, rather, to the absence of contingency plans. As my right hon. Friend the Member for Henley said:

> "If you cannot answer the question about the contents, you cannot get somebody to sign up for the money"—

nor, I imagine, can you get people to visit the dome.

Yet all the projections have been done on the calculation of 12 million visitors in 12 months. Mr. Bales, an ex-Disney senior executive, who has vast experience in these matters—certainly more than the Minister—was blunt with the Select Committee. He told us:

> "I do not believe those numbers".

Yet, when we ask for details of contingency plans, we are greeted with intransigence. We know only that there is to be a spurious contingency fund of £200 million of public money, to cover over-runs on the cost. Will the Minister tell us this morning whether it will also cover under-runs on income?

We have been told that 12 million people will visit the dome exhibition—more than 32,000 people a day, every day for the whole year—mostly, I hasten to say, in off-peak hours, because London Underground cannot meet the demand. What happens if the attendance does not meet expectations? How can the Minister say that

[Mr. Fraser]

32,000 people will visit every day for the whole year when he cannot say what they will see when they get there? It is time for answers.

The Minister's assurance that the dome will be on time could cause a skip of the heart in the most collected of people. The Minister said:

"This has to open and it will open on New Year's Eve at the end of December 1999. We are ahead of our critical path at the moment, touch wood, cross fingers".

How can the House be satisfied with such an answer?

We are talking about an event during which the eyes of the world will be on Britain and on Greenwich, and all the Minister can say is, "Touch wood, cross fingers." It would be hilarious, if it were not so serious. I am drawn to the conclusion that the only contingency plan that the Minister has in mind is to postpone the opening of the millennium exhibition to 31 December 2000—the date that many people believe to be the true eve of the next millennium.

Let us move on to matters of funding. In Committee, I pressed the Minister on this issue, and he told me:

"There are commitments. There are also indications of interest."

I then asked the Minister:

"Can you give us any figures for each of those two categories?"

The Minister responded directly to me in a way that beggared belief:

"No. I am not able to do so."

I asked:

"Not able to for what reason?"

He replied directly:

"Because an indication of interest, by its very nature, suggests that no firm commitment to a sum of money has been made."

The farce continues.

As the Minister will not tell the Select Committee, perhaps he tell the House this morning. What level of commitment, in cash terms, does he have? It is a simple question, and I should like to know the answer.

I bring, for the edification of the House, another surreal experience. At the same meeting of the Committee, the Minister was asked by my hon. Friend the Member for Lichfield (Mr. Fabricant):

"Can you now say, of that £150 million that is needed at this stage, as of today, how much has been committed?"

The Minister's reply was:

"Will I or can I?"

My hon. Friend asked:

"Would you?"

The Minister replied:

"No, I will not."

Oh, to live in the age of open government.

The Minister gave the game away when he was pushed further. He told us:

"On occasions, I have wondered whether there is not going to be a mad scramble by private companies to get a presence in what is a unique event."

I can almost picture the Minister late at night, dreaming of a mad scramble to put money into an empty dome—touch wood, cross fingers, as someone once said.

I entirely understand the Minister wishing to follow in his grandfather's footsteps. Herbert Morrison organised the festival of Britain in 1951. I know that the Minister enjoys the irony of that precedent. In this case, he clearly believes in the heredity principle.

We on the Conservative Benches are encouraged by that precedent, for, although the Minister's grandfather organised the festival of Britain in 1951, he also played a key role in leading his Government and party to defeat at the polls that same year. For the sake of the country, I hope that the hon. Gentleman stays close to his grandfather's path.

May I use this opportunity to ask the Minister for an update on the report of the Select Committee? Two important requests were made. The first was that a comprehensive contingency plan be completed by the New Millennium Experience Company as a matter of urgency. As the Minister is the sole shareholder in that company, I assume that he has some responsibility for seeing that that is done.

Secondly, it should be a matter of utmost priority for London Underground to work on the delivery of a signalling system to allow 24 trains per hour to use the North Greenwich station in the year 2000, to meet the capacity that the Minister has promised. My question is simple: what progress?

The Minister told the Committee:

"I will come on any occasion to meet any of my colleagues in Parliament and provide them with any information on a public or confidential basis. . . in order to make sure that people like you are satisfied that we are acting in a proper and transparent way. You have that undertaking from me today."

If the hon. Gentleman wishes to retain any credibility with the House, he has the opportunity today to make good those words and to answer the questions and concerns of the House about the matter. I urge him to come clean today.

10.1 am

Mr. Stuart Bell (Middlesbrough): I shall follow Madam Speaker's advice to be brief, so I shall not take up the statements made by the hon. Member for Mid-Dorset and North Poole (Mr. Fraser).

I must, however, draw attention to the comments of the hon. Member for Ribble Valley (Mr. Evans), who told us the wonderful story of "Field of Dreams", about the voice that said, "They will come," when a baseball park was created out of nowhere, and they all came. It was a happy ending.

Mr. Evans: The main point, which I hope the Minister Without Portfolio will take on board, is that "Field of Dreams" is make-believe. The farmer was an actor. Things like that do not happen in real life. People will need a reason to come to the millennium dome: the Minister must give them a reason to come.

Mr. Bell: The film was a true story, and it was motivated by divine intervention. I am sure that the hon. Gentleman would not wish me, as the Second Church Estates Commissioner, to say that there is no such thing.

Several hon. Members *rose—*

Mr. Bell: I shall make a few comments as the Second Church Estates Commissioner and speak on behalf of

The Churches Together in England, which are working on plans for the millennium. My hon. Friend the Minister Without Portfolio is right to recognise that the millennium is, first and foremost, a Christian event. It marks the 2,000th anniversary of the birth of Jesus Christ. We have heard the comments of Sir Terence Conran, but it is right that this is an occasion on which our Christian faith, heritage and culture are celebrated.

The other faiths in our society recognise that, and accord deference to the birth of Jesus, as of course we accord deference to them in their beliefs. They recognise the significance of the millennium event in terms of the calendar and history of this country.

The Churches Together in England recognise that not only the Churches but the nation a whole wish to celebrate the millennium. The United Kingdom comprises a multicultural society of different faiths and beliefs, and the millennium celebrations must reach out and touch the lives of all our people, and reflect the diverse religious and cultural traditions that enrich our national life.

The Churches Together in England welcome the Government's commitment to reflect Christianity as a central theme in the millennium dome and to provide a chapel. They urge that the proposed spirit zone should include a strong Christian presence, as well as reflecting the United Kingdom's multi-faith culture.

The Churches Together in England welcome the opportunity to work collaboratively with those who are organising the Millennium Experience at Greenwich, as well as the wider national celebrations. They welcome, too, the opportunity to advise on the Christian input. The Churches look forward to continuing co-operation with the Government as the plans for the millennium proceed.

The Churches Together in England use the theme "a new start" as an agenda for the millennium—a message that is at the heart of the Christian Gospel and gives everyone the chance to make something special for the year 2000.

In the wider context, the Churches are planning to give special millennium candles to every household, and to encourage people to take the candles with them wherever they go on millennium eve. Madam Speaker, along with the Lord Chancellor, has given permission for an ecumenical service of thanksgiving and commemoration to be held at St. Margaret's when the House returns from the Christmas recess in January 2000. The special millennium candle will come with the text of a millennium affirmation, which the Churches hope can be included in the official programme for the celebrations on 31 December 1999.

With reference to the intervention of my hon. Friend the Member for Huddersfield (Mr. Sheerman) and the point made by the hon. Member for Mid-Dorset and North Poole (Mr. Fraser), on millennium evening the eyes of the world will be on Greenwich. The choice that faced the previous Government and faces the present Government is whether the eyes of the world should focus on a derelict site in the middle of London, or on a dome that has risen from the ground, created by imagination and vision. What image of our country do we want to give the world, as the world contemplates Greenwich mean time and turns its eyes on the great event on 1 January 2000?

The Government are to be congratulated. My hon. Friend will no doubt suffer

"the slings and arrows of outrageous fortune".

He will not mind me quoting the words of Robert Browning: his

"reach should exceed his grasp,
Or what's a heaven for?"

10.7 am

Mr. Michael Heseltine (Henley): I am grateful for the opportunity to add a few words to those of my hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser).

The House will be aware that the dome and the millennium festival were the inspiration of the Millennium Commission, which was set up by the previous Government on a non-partisan basis. A representative of the Labour party was invited to take part. The noble Lord Montague—Michael Montague, as he then was—sat with my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley), the former Secretary of State for National Heritage, and me on the Millennium Commission.

It was always our intention that the distribution of funds of the Millennium Commission should be a non-party process. My hon. Friend was fair to make the point that that degree of commitment remains part of his purpose, and I welcome that.

As a representative of the Conservative party on the Millennium Commission at the invitation of my right hon. Friend the former Prime Minister after the election, I am privy to all the information that is available, to the best of my knowledge. If I want extra information, I can get it.

The issue of partisan controversy raised its head only once—during the difficulties that arose at the time of the election. I was critical of the Select Committee over what the present Prime Minister did, because Michael Montague had all the information all the way through the Millennium Commission's life, and was clearly supportive of the decisions we took. There was no question about that whatever. It was not until the questions became controversial that the matter was drawn into the office of the then Leader of the Opposition, and the commitments that Michael Montague had made in private were as nothing. I was deeply critical of that process, and remain so to this day.

Having said that, after the election, when responsibility shifted to the new Government, I was invited to remain a member of the commission. The Minister Without Portfolio has continued to conduct the process of government in a way that I set up when the Conservatives were the Government of the day. Indeed, I hope that he will not mind my saying that it was my suggestion that he play the role that he now plays, because, when the original arrangements were made, the commission was to be wholly responsible for the dispersal of funds, but, as we moved into the process of organising the festival, it became apparent that there were a range of issues in which the Government would have to become involved, the most obvious one being transport infrastructure, which my hon. Friend the Member for Mid-Dorset and North Poole mentioned. That is not something that the commission could in any way influence, but it is a critical aspect of the delivery of the festival experience. It became clear to me as Deputy Prime Minister that co-ordination at ministerial level was required.

[Mr. Michael Heseltine]

The second big change that took place was that the original statute passed by this place imposed on the commission a restriction that we could not initiate projects. We had to wait for people to come to us with ideas, which we could then decide to fund, or not. That process was not compatible with organising such a major festival, so it was necessary to set up the New Millennium Experience Company to bring together the private and public sectors and to have co-ordinated ministerial activity to deal with any issues that were difficult in the context of what we were trying to achieve. That having happened, the commitment remained absolute.

My hon. Friend asked: "What is the purpose? What is the message?" It has not changed: to celebrate the millennium with a great national occasion that shows pride in our past and confidence in the future. It is perfectly true that nobody has tried in public to create a more detailed blueprint of what we are trying to achieve.

My hon. Friend, with his experience in the travel industry, will know as clearly as the rest of us that, if one is launching a project, one has to be sure that it is subject to detailed criticism and questioning before it is launched. Take a new car, for example. Motor manufacturers go to huge trouble to stop the press getting photographs of cars as they are tested, because they want to have conducted all the tests to destruction until the launch.

We face the same dilemma with the festival. There is a huge, prodigious weight of work and detail about the contents of the dome. Some of it has leaked—as it does in this day and age—in the national press. There are a vast range of working models, specifications and details, and within a short time—I know that the Minister will say something about this later this morning—we will be part of the unveiling of the project. I believe that it will be extremely exciting. It will undoubtedly arouse a great deal of interest and controversy. There is no escape from that. One cannot have something like this without everybody having their own ideas about what it should be.

Those of us who are close to the process have to take decisions. It cannot be done by public consultation. One cannot have 10,000 different views on the dome. Someone has to be in charge and take a decision. That is why we invited Robert Ayling, the chief executive of one of Britain's most successful companies in the international travel business, to become the lead figure in deciding the details and masterminding the execution of the project. He has done that with great diligence.

I hope that this debate will not concentrate on the weaknesses, difficulties and delays. Now that it is clear that the money will be spent, that the project will happen, our task must surely be to avoid the mistake that our predecessors in 1851 made, which nearly destroyed the great exhibition of that year before it ever took place. Our task is to maximise the national gain and recognise that this is a non-party-controversial issue; it is an all-party endeavour.

If my hon. Friend ever wants to consult me on these matters, I shall do my best to give him any information he wants. The appointment of Mark McCormack was my responsibility, if I remember correctly. The contract was not signed by the previous Government, but the negotiations with Mr. McCormack certainly began under the previous Government. One can argue whether one wants such a fund raiser. That is a perfectly good argument. I was responsible for raising a great deal of the money that has been raised, with Lord Levene.

It would be the nicest thing in the world to produce a list of the companies that have contributed £150 million-worth, but it does not work like that. Anyone who has ever launched a project knows how the world works. One goes to see the people concerned, at a senior level, because there is no point in going to No. 10 or 15 in the company on an issue such as this. One has to go to the top, and say, "Are you going to back this project?" They say, "What's it all about?" They are told what it is about, and they say, "That's interesting. I think we can play a part in that. Come back when you've got some detail."

Until one has the most precise detail and can answer every detailed question, they will not sign; but, until they sign, the list cannot be produced. If one gives indicative figures, one can be absolutely sure that the British press, being what they are, will be off to the companies concerned, asking, "Have you signed?", to which the companies will say, "No, we haven't yet signed," so the press will ask, "Well, who is going to do the signing?", to which the companies will say, "The chairman is talking to somebody, but we don't know anything about this."

That is what goes on in the real world. Then the great British press, conducting themselves as they do, will write, "There are no commitments." Technically, that could be the case, but my own judgment is that the money that I was promised when doing this exercise is on the table today, as it was then.

That does not mean that there are contracts. I think that there will be contracts, but it does not mean that they have been signed. I think that we are close to the point at which they will start to be signed. I remain as confident as I can be today, as I was at the beginning, that we will raise the money that we intended to raise.

I have seen suggestions that the project is behind schedule and is out of budget. Yesterday I asked the chief executive of the millennium experience what the position is. The answer was absolutely clear: the project is to time, the critical path is being maintained and the project is within the initial budget.

My hon. Friend raised an important question: what about the contingency fund? What if the numbers do not come? Will the contingency fund cover it? Of course it will. I made that arrangement. It was my idea to extend the funding of the Millennium Commission to be sure that there was a contingency back-up. What else could one conceivably have done? I personally believe that, if anything, more people will come than we have envisaged.

I remember vividly my only experience of such a project, the Liverpool garden festival. I can tell my hon. Friends, as not many of them would have been in the House at the time, that, until we opened the Liverpool garden festival, it was aggro all the way. "Give us jobs, not flowers," was the great Liverpool phrase at the time. Once we opened the festival, it became a huge source of pride to the people of Liverpool—so much so that they kept the festival.

The festival is still there. I wanted to use the land for the building of houses, offices, factories or whatever, but the people of Liverpool became so pleased with the reclamation that they still effectively have the shadow of

the festival on the banks of the Mersey. We talked about 3 million people coming to the festival in Liverpool, and they came. I remember vividly that the experts who calculate these things, who look at what is happening at Madame Tussaud's, Alton Towers, and other great places, gave us the figure of 3 million.

As a Minister with no such experience, but a certain caution about this place, I was not prepared to say that we would get 3 million people, so I gave the classic ministerial reply: "I am advised that we will get 3 million people". Actually, I was too cautious, because we did, and today 6 million visitors a year visit the banks of the Mersey, the Tate and Albert dock. Thus, we are talking about only double the number of people who go to the Albert dock every year.

In answer to my hon. Friend the Member for Mid-Dorset and North Poole, the contingency covers all contingencies and has had to do so. Without it, we would never have got the festival off the ground.

I hope that the House appreciates the fact that the die is cast. This festival will happen. It has the capacity to attract dramatically large numbers of people. It will be very expensive, and we hope to pay significant sums from the private sector. However, the country will gain far more in revenue than the cost of the festival. One has only to calculate the number of people who will come, and the travel, hotel and disbursement costs, to see that the revenue will exceed even the likely outlay of £750 million on the festival experience. Much more important is the symbolism of this country turning the millennium, proud of its past and confident in its future.

10.20 am

Mr. John Austin (Erith and Thamesmead): As a former leader of Greenwich council and a former mayor, I thank the hon. Member for Mid–Dorset and North Poole (Mr. Fraser) for the plaudits that he gave Greenwich council for its vision and determination.

The right hon. Member for Henley (Mr. Heseltine) spoke about the genesis of the dome project. The idea of a millennium celebration came from Greenwich council long before the Millennium Commission was ever established, and it is right to praise it for its determination. Delays in planning have been caused by both the previous and the present Governments. I pay tribute to the right hon. Member for Henley for his appreciation of the regeneration potential of the millennium celebration.

Many people envisage Greenwich as a leafy London suburb full of heritage buildings and fine Georgian terraces, but that is not a true picture of the borough or the area of south London in which Greenwich is situated. Greenwich is the right location to celebrate the millennium, because of its association with time, its position on the meridian and its heritage buildings, not just those immediately around the site—the royal naval college, the royal observatory and Hawksmoor church—but the royal arsenal, which sits on 75 acres of derelict industrial land in my former constituency of Woolwich. I doubt whether anywhere else in Britain has such a fine collection of heritage buildings.

The history of the British empire is in that area. Whenever the British Army went to war, to build the empire or to invade, the troops camped on Woolwich common, went down to the arsenal and boarded the boats. The legacy of that history is the richness of the cultural diversity in Britain today.

As my hon. Friend the Member for Middlesbrough (Mr. Bell), the Church Commissioner representative, said, a specific aspect of the millennium is important to the Christian community. It is also important to the Muslim community, because the birth of Jesus is a significant event in the Muslim calendar. Nevertheless, I hope that the celebration will reflect the multi-faith and multicultural diversity of today's society.

I have discussed the regeneration of the area; let me now put it into context. In the borough of Greenwich as a whole, for a long time unemployment has been much higher than the average for outer-London boroughs. The Department of the Environment, Transport and the Regions' index of deprivation shows that Greenwich is 14th of all local authority districts in England. Some parts of my constituency are among the most deprived areas in the country.

The millennium experience is important in terms of regeneration potential, not only for Greenwich but for the whole of the Thames gateway, east London and south-east London, which has lost more jobs in recent years than almost any other part of the United Kingdom. In its heyday, the royal arsenal employed 80,000 people in munitions manufacture, and was the largest factory on one site in western Europe. Today, it is a derelict site that employs no one. Its regeneration depends on the regeneration potential of the millennium site on the peninsula in Greenwich.

When I first came to Greenwich in 1966, there were scores of manufacturing industries along the river front: foundries, Stones, Vickers, AEI, the Siemens factory. Within a few months of my arrival in Greenwich, GEC took over AEI and announced the closure of that factory, with the loss of 5,000 jobs at a stroke. GEC relocated to Hartlepool, so it is gratifying that the Minister Without Portfolio, my hon. Friend the Member for Hartlepool (Mr. Mandelson), can give us more jobs back—and with interest.

We have had years of unemployment and severe skills shortages, but I pay tribute to the local training and enterprise council, Greenwich council and local business, which are building on their skills for the millennium project. The section 106 agreement that has now been reached between Greenwich council and the New Millennium Experience Company will fund the development of local labour and training schemes.

The millennium exhibition and the dome will be the catalyst for change, breathing new life not only into Greenwich and the Thames gateway, but into London as a whole. The site is one of the most derelict in the country. British Gas has dealt with the problem of decontamination, and English Partnerships, the Government's regeneration agency, has put in the infrastructure. It will be an area not just for the dome but for parks, riverside walks, offices and housing. It is a barren brown-field site, on which 3,000 homes will be built. Given the subject of yesterday's debate, I should have thought that Opposition Members would welcome that housing development on an inner city brown-field site.

A further 7,000 homes will be built in the area, creating 2,000 construction jobs, 5,000 operational jobs and 3,000 jobs in secondary employment. That will generate an extra

[Mr. John Austin]

£500 million in tourist revenue and probably an extra £1 billion in revenue to the economy as a whole, as the right hon. Member for Henley said.

Mr. Jim Murphy (Eastwood): In the light of my hon. Friend's comments and the comments of the right hon. Member for Henley (Mr. Heseltine) about Mr. McCormack's role in marketing the millennium dome, about employment generated by the millennium dome and the important role that the right hon. Member for Henley played in terms of the whole structure and idea, will my hon. Friend allow the hon. Member for Mid-Dorset and North Poole (Mr. Fraser) to rise to apologise for, or to qualify or retract, the criticisms of the Minister Without Portfolio, the right hon. Member for Henley and the national celebration of our millennium?

Mr. Austin: I thank my hon. Friend for his question. It is clear from the hon. Gentleman's sedentary position that he does not wish to comment on that.

One of the essences of the exhibition is that it will be green; it will be a sustainable development in a car-free zone, with the possible exception of disabled people. The Jubilee line extension will have the largest underground station in western Europe and the capacity to bring 22,000 people an hour to the site. The Deputy Prime Minister has shown his determination to open up the River Thames, which for so long has been a barrier between the north and south of London. It is the least used highway in the capital, and, with its new piers and riverboat services, has the potential to be a vibrant part of the transport system of London. I welcome the opportunity that the millennium exhibition will give.

There is local concern about residual parking on the periphery of the area. The intention is to have "park-and-sail" and park-and-ride facilities and peripheral car parks. I understand the concern of my hon. Friend the Member for Eltham (Mr. Efford) about a park-and-ride facility at Falconwood Field. Will the Minister consider a possible alternative at Dartford Heath, which would enable traffic coming off the M25, M20 and M2 to disgorge into a car park? Public transport could then bring people to the millennium site on motorway standard roads without any incursion into residential areas.

On the possible car park in Thamesmead, I hope that the Minister will give further consideration to the provision of another pier, so that we can have a park-and-sail rather than a park-and-ride facility.

Mr. Fraser: Although you are coming to the end of your speech—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman should remember that "you" refers to the Chair.

Mr. Fraser: Although the hon. Gentleman is coming to the end of his speech, may I ask him a question? I accept his comments about Greenwich, which I also made in my speech, so it is nice to hear someone else agreeing with me. However, the purpose of the debate is to put an end to the excessive secrecy on this project. Does he agree that there should be more accountability to the House for this project, which is purported to be using £780 million of public money?

Mr. Austin: I do not share the hon. Gentleman's concerns. I hope that the Minister will give answers to many of his questions when he winds up the debate. It is not just Greenwich or even south-east London that will benefit from the dome and the millennium experience. Of the 30 contracts that have already been let, 25 have gone to United Kingdom companies. Contracts for the steel work and the cabling have benefited Bristol, Bolton and other parts of the country where the project has generated jobs.

The right hon. Member for Charnwood (Mr. Dorrell), the former Secretary of State for National Heritage, said that the Greenwich area could be the Versailles of London. I think that, given its heritage, it has more to offer than Versailles.

The right hon. Member for Henley (Mr. Heseltine) told the Select Committee on Culture, Media and Sport:

> "I feel that it is right in the conduct of the nation's affairs every so often for nations to make a great statement of confidence, of great optimism for the future. There could be no more obvious moment to do that than on the anniversary of the millennium itself."

I hope that all hon. Members agree with that. There were critics of Paxton at the time of the 1851 exhibition. Some people criticised the Minister's grandfather over the Festival of Britain. Those exhibitions were resounding successes, and I believe that the millennium experience will also be a success. When the clock strikes on that midnight hour, all the eyes of the world will be looking jealously at Greenwich and at what we have achieved.

10.33 am

Mr. Norman Baker (Lewes): I shall try to be quick, because I want to leave the Minister Without Portfolio time to respond to the points that have been made. This debate will have provided 85 minutes of discussion on the millennium dome, which is almost six times as long as we have had in this Parliament so far, and I hope that the Minister recognises that there is an appetite for more.

My party wants the millennium dome to succeed. We are not against the idea of a grand project for the millennium. However, in the spirit of constructive opposition, I want to put some points to the Minister to which I hope he will respond.

Irrespective of what hon. Members may feel about the project, many people are sceptical, because the Government have failed to sell the message of the millennium dome to the public at large. Many people think that it is a total waste of money, and that £780 million could have been better spent on other projects. Many think that it has been badly handled, and has failed to capture the public's imagination. If the Minister wants the project to succeed, it is up to him to deal with those shortcomings. Many of my constituents would have preferred to celebrate the millennium by having third-world debt repaid or the homeless housed, and I am sorry that that is not part of the Government's plans.

I have considerable concerns about accountability. Notwithstanding the comments of the right hon. Member for Henley (Mr. Heseltine), for whom I have great respect, it is incredible that we know so little about the project,

given that £780 million is a huge sum of public money. When was the last time that that amount of public money was allocated to a project without the House knowing the details? Was it the Chevaline project under the Callaghan Government? The Minister shakes his head. I draw his attention to the Select Committee report, which says that the distinction between lottery money and public money is a distinction without a difference.

The dome's former creative director, Stephen Bayley, who resigned so publicly, said that he could have constructed something stunning for £100 million. That seems reasonable to me: £40 million for the building; £40 million for the content; and £20 million for the infrastructure. Why do we need to spend £780 million on this project? No justification or explanation has been given as to why such a huge sum is required for a project that most people support, but not to that extent.

Where is the strategic thinking? If there has been some, it has not been shared with us. The Minister has attempted to keep information from the media whenever possible. We cannot be confident that there has been any strategic direction to the concept of the dome. That is Mr. Bayley's view in his pieces in *The Spectator* and in the national press. *[Interruption.]* The Labour party now considers Mr. Bayley persona non grata: he has been written out of new Labour's history books.

We should listen to him, because he was involved in the project. He argues that it has been the subject of focus groups that come up with different answers on different occasions—

"bobbing and weaving to intercept public opinion."

As he puts it:

"You are on message or you are off the job."

Mr. Gordon Marsden (Blackpool, South): Will the hon. Gentleman give way?

Mr. Baker: I hope the hon. Gentleman will forgive me if I do not give way, but the two Front-Bench spokesmen must have time to finish the debate.

What will be inside the dome? The right hon. Member for Henley said that we should not expect to know, but the details that have emerged have varied. One week it is to be a Christian festival, then there was Japan and Walt Disney.

I am not clear that there has been any strategic thinking about the project. Even now, the plans for the inside have not been properly sorted out. It is a bit late in the day to go to Disneyland to scratch around for ideas while the millennium clock is ticking away. Perhaps the Minister could arrange to have a countdown clock erected on one of the pins in his pin cushion to remind everyone, and especially him, just how few days are left until 31 December 1999.

The Minister may remember the words of Bob Ayling from the New Millennium Experience Company, who told the Select Committee that he "could not guarantee" that the timetable would not slip. I have no doubt that it will be met, but things may have to be botched for the dome to open on time. It should be a first-rate project, not a second-rate one, which is how it appears at the moment.

The Select Committee concluded that a comprehensive contingency plan has not yet reached its final form. That is extraordinary, given that we are so near the final date. It recommended that such a plan should be completed as a matter of urgency. Moreover, no accounts have yet been published.

The Minister must recognise that we need greater public accountability. We want not just 10 minutes' worth once a month from the Minister, and not just written answers, but substantive replies.

The millennium dome is a bright idea that has been sadly mismanaged by the Minister Without Portfolio. Constant changes of direction have prevented it from commanding the public support that it could have commanded.

I am sorry that I have no time to elaborate on the points I have made. The public are not committed to the project; hon. Members may be, but I hope that the Minister will recognise that there is a lot of work to be done if it is to meet its deadline.

10.40 am

Mr. Francis Maude (Horsham): I am delighted that, at long last, we have an opportunity to debate this important issue. I congratulate my hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser) on choosing the topic, and on his success in the ballot.

No one questions that the millennium should be celebrated in a uniquely memorable way. It will be a date, and a year, of extraordinary resonance for everyone—a Christian celebration above all, of course, but not just that. The last Government were right to commit themselves and the nation to a splendid exhibition, and we certainly do not resile from that original vision. I pay warm tribute to my right hon. Friend the Member for Henley (Mr. Heseltine), whose vision it was, and without whom the project would not be possible today. I know how much passion and commitment he has put into it, and we are all delighted that he is still involved and committed to making it work.

Ms Claire Ward (Watford): Will the right hon. Gentleman give way?

Mr. Maude: Let me at least get started.

If my right hon. Friend were not there with his experience, wisdom and weight, we shudder to think what state the project would now be in.

Ms Ward: Will the right hon. Gentleman give way?

Mr. Maude: I have very little time, and I do not want to impinge on the Minister's time.

When it was unveiled, the project had remarkable—almost universal—support. Its majestic scope and vision commanded respect, even awe. How is it, then, that, in a few short months, the dome has become an object of ridicule—a laughing stock; a music hall joke—so that no cartoon is complete without a gibe at it, and no stand-up comedian's routine ends without a jeer at it? How could a project that carried such high hopes, and on whose success so much national prestige rides, have been allowed to fall so low?

The Minister Without Portfolio is someone whom Conservative Members, at any rate, admire—even respect. He is perhaps the foremost master of the art of presentation in this century—*[Laughter.]*—and possibly

[Mr. Maude]

in the next millennium as well: who can say?—if he lasts that long, of course. How is it, then, that he has failed so signally to mobilise any sense of national purpose and ownership in relation to this, our most eminent national project?

Ms Ward: Will the right hon. Gentleman give way?

Mr. Maude: I really do not want to. I have very little time.

The aim was that the British people should genuinely unite in an upsurge of rejoicing and national celebration; but—I say this with melancholy—the dream has turned sour. The Minister could not resist turning a great national project into a new Labour stunt. In short, he hijacked it: he appropriated it to his hubristic scheme to "rebrand Britain". In some mysterious way, the millennium experience—as it was now to be named—was to be a symbol of new Labour. In its current state, it is an unhappily apt emblem: it is all packaging and no content.

Since the Minister took charge in June, there has been an unbroken history of error, disorder and ridicule. No sooner has one embarrassment been swept away than another emerges to humiliate the hon. Gentleman, to the ill-concealed glee of his right hon. and hon. Friends.

There has been the dithering over whether to continue with the project at all, the Front-Bench team having rubbished it in the most offensive terms when in opposition, for cynical political gain. There has been the back-tracking over the covering, with the Deputy Prime Minister—taking time off from baiting the Minister Without Portfolio—casually insulting British contractors, and the subsequent threats of legal action by the rejected firm. There has been the disclosure that the Jubilee line extension may be able to carry only a fraction of the number of visitors that the Minister predicts.

There have been the rows and resignations involving Sir Cameron Mackintosh and Eric Sorensen, and the anxieties recently expressed by Michael Grade. There has been the departure of Stephen Bayley, lambasting the Minister for his management and decisions. There has been the dispute with Sir Terence Conran over whether Christianity should have a place at all—Sir Terence believing, to general astonishment, that it should have none, and the Minister, in a desperate bid to please everyone, saying first that the Christian faith will be central, and then that the dome will be for "all faiths and none". There has been the stinging criticism by the Labour-packed Select Committee, whose report stated:

"From what we know so far, the Millennium Experience is not so much a journey through time as, at any rate for those of us not made privy to the plans, a journey into the unknown."

There have been the pleas from a growing number of the Minister's own Back Benchers that he should come clean and account to the House for how the money is being spent. There has been the decision to more than double the commitment of lottery money to the project—to the detriment of deserving community projects up and down the land—to fill the private-sector funding gap caused by the Minister's own party's cynical rubbishing of the project when it was in opposition.

There are the continuing question marks over whether the decontamination work on the site is being undertaken thoroughly and deeply enough, and whether the rush to save the Minister's reputation means that corners are being cut. There has recently been serious concern about the safety of construction workers on the site, and fears have been expressed that there is so much pressure on them to work quickly that precautions are being neglected.

I am sure that the Minister saw that story in the Sunday newspapers. One quotes a worker as saying:

"there seemed to be a drive to complete the Dome in time for the Millennium".

[*Laughter.*] Hon. Members who claim to be concerned about workers' rights may want to hear how the report continues. The worker said:

"there seemed to be a drive to complete the Dome in time for the Millennium, whatever the potential risk. 'Some abseilers are working 12-hour shifts with only a short break for lunch when the law requires a break of 10 minutes every four hours.

'It's all part of the pressure put on people around the Dome. We're told that only good publicity must be heard about the project.'"

I hope that the Minister will allay our fears about that.

Then there were the Minister's portentous announcements on his visits to the House that the project would be marked by a park-and-sail scheme, and that he proposed to appoint a junior board to provide him with much-needed inspiration. I predict that his response today will be marked by some announcement of comparable bathos, for all the world as if the House of Commons should be treated like the Red Lion at lunchtime.

There was the Minister's visit to Florida. "It will not be a theme park," he tells us—so he jets off at the taxpayer's expense to gain inspiration from Disneyworld, that well-known non-theme park. Are we to have a transatlantic cousin of Mickey Mouse on the Thames—Mandy Mouse, perhaps?

There has been the Prime Minister's trawl of Tokyo for sponsors. It really is time for the Minister to come clean. He can no longer hide behind a code that was designed to protect companies, not Ministers.

Ms Ward: Will the right hon. Gentleman give way?

Mr. Maude: I have no time to give way, much as I admire the hon. Lady's fierce criticism and questioning of witnesses—including her hon. Friend the Minister—on the Committee. We all read it with interest and admiration.

Ms Ward: Will the right hon. Gentleman give way?

Mr. Maude: No, I simply have no time.

As I have said, the Minister should no longer seek to hide behind a code of conduct on disclosure that was designed not to protect Ministers, as he seems to think, but to protect companies. Why can he not now publish interim accounts? What is the money actually being spent on? What will be the entrance fee? The Minister points at his watch; I shall give him as much time as I have had. I am confident that, as—we are told—the second most powerful man in the Government, and with his influence in the Government, the Minister could arrange extra time to hold himself accountable if he chose to; but we know that he does not choose to.

What basis is there for predicting that 12 million people will visit the dome, when the British museum—currently the most popular attraction for visitors—has half that

number each year with no charges, and when the biggest paid-for attraction has a sixth of that number? What guarantee is there that the Jubilee line will be able to carry even a fraction of that number?

Who will pick up the bill if there are fewer visitors than expected? How many commitments of sponsorship has the Minister received? Can he assure the House that men's lives are not being placed at risk because of the mad rush to save his reputation? Does he understand the depth of concern about the contents? Some 20 unheard-of jobs, surfball, the 21st century game, and food from around the world will seem a little flat unless more can be added.

Will the Minister give a firm undertaking that the announcement about the dome's contents on 24 February will be made openly in a statement in the House, and not in some glitzy multi-media press conference elsewhere? The stark reality facing the Minister is that secrecy and arrogance carry their own penalties. If he had been open in answering the questions that we have been asking for months, he would not face reports such as that which appears in a national publication under the heading "Jobs for the Boys":

"Eight months since his appointment, it is clear that the most feared member of Tony Blair's inner circle has used those powers of patronage to put business the way of a close associate of a major party backer."

I cannot say whether that story is true, but such allegations are the harvest of secrecy and arrogance.

We wish the project well, but we fear for it. If the Minister cannot come clean and reassure the millions of people who are concerned that public money is being wasted, the project may be doomed.

10.50 am

The Minister Without Portfolio (Mr. Peter Mandelson): If the speech by the right hon. Member for Horsham (Mr. Maude) was to wish the project well, I shudder to think what he would sound like if he were attacking the millennium experience and what we are doing. He attacked the health and safety record. There have been three accidents on the site. One was a minor cut on an elbow on 1 August last year, and there were two examples of bruising: one when a dumper moved forward while someone was standing next to the wheel, and another when a person was standing beside a wheel that entered a rut. There is no health and safety problem at the site, and we are proud of that record.

I congratulate the hon. Member for Mid-Dorset and North Poole (Mr. Fraser) on initiating the debate. He said that I would be hanged, but he is a little premature, because I do not feel so much lynched as liberated by his speech. The debate gives me the opportunity to file an encouraging progress report.

Construction is on time. If anything, it is ahead of time. Spending is within budget, costs are firmly under control, and the creative development of the dome's contents has leaped ahead. Arrangements for the national programme are well in hand. The millennium company is performing highly competently. It is doing a job of the utmost importance to the country, and it thoroughly deserves our support.

I am pleased to say that, of 99 construction contracts that have been let to date, 90 have been awarded to British companies or to the British arm of major international firms. That is a great tribute to British engineering and construction genius, and represents an enormous return and benefit to many people and communities throughout the country.

Much has been said about alleged secrecy and lack of accountability—I notice the lack of time that I have been given to reply to the debate. The New Millennium Experience Company is accountable to Parliament in the same way as any other non-departmental public body. Unlike any other such body that I can think of, its affairs have been the subject of nearly 150 parliamentary questions since the summer. It has been subjected to a thorough inquiry by a Select Committee, to which I pay tribute. As the company's shareholder, I answer questions for 10 minutes a month.

Mr. John Hayes (South Holland and The Deepings) *rose—*

Ms Diane Abbott (Hackney, North and Stoke Newington) *rose—*

Mr. Mandelson: Perhaps my hon. Friends will forgive me if I do not give way.

It is worth taking a minute to remember where the project stood this time last year. In January 1997, the project did not even have planning permission. Work had not begun to clear the site of 150 years' worth of polluting chemicals. The company had a small board and an energetic chief executive, but little else—no staff, no money, no offices and no business plan.

It was courageous of the Conservative Government to take on such a bold and complex project. When we reviewed it in May, I make no apologies for saying that we thought hard about whether it could be delivered. We decided that it could be, and that it should be. I think that that was the right decision, as did the Select Committee of which the hon. Member for Mid-Dorset and North Poole is a member.

That is enough of history: the debate should be about the future, and in addressing it I shall comment on the Opposition's role. The right hon. Member for Henley (Mr. Heseltine), the Opposition representative, who spoke eloquently in the debate, has played a full, helpful and thoroughly constructive role. I pay tribute to his wisdom and vigour throughout, without which we would not be where we are. I hope that the right hon. Gentleman will not mind me quoting what he said recently about my role. He said:

"I think that the Minister Without Portfolio is doing his job as well as it can be done."

I am grateful to the right hon. Gentleman for that. I travel in hope that good will of that kind will extend to all wings of the Conservative party.

It is prudent for us all, and especially for Opposition Members, to remember that the millennium dome being constructed is exactly the same as the one that was conceived by the Conservative party. It is to the same plan; it has the same goals; the same company is building it; it has the same system of accountability, the same Mark McCormack, the same budget and costs, and the same revenue projections and halo effect for the national economy. There is just more progress in delivering it.

I accept that the Conservative party has nothing to thank me for, but I hope that Conservative Members can

[Mr. Mandelson]

find it in themselves on this issue to put country before party, and restore the bipartisan basis of the millennium celebration. I told the Select Committee:

"if we fail to deliver it, we shall never be forgiven. If it succeeds, as I am confident it will, it will never be forgotten."

I want everyone, including those in the Conservative party to share in its success. I hope that they will not remove themselves from it.

The site at Greenwich is now clear, the dome is growing before our eyes, designers are working on the content, and, under the excellent management of the board and chief executive, the project is on time and on budget. The right hon. Member for Henley has testified to that.

When we decided in June to back the previous Government's decision on the millennium experience, it was on the basis of five clear commitments. They were, first, that it would cost no more to the taxpayer than the sum that had already been committed to prepare the site. We will stand by that commitment. The second commitment was that the contents would entertain and inspire, and they will.

Mr. Robert Marshall-Andrews (Medway): Will my hon. Friend give way?

Mr. Mandelson: In view of the time, I am sure that my hon. Friend will forgive me if I do not give way.

Our third commitment was that it would be a truly national event. It will be. Our fourth was that it will provide a lasting legacy—and it will—and the fifth was that the management structure of the company would be strengthened by the best creative and business talent that was available. It has been so strengthened. Those commitments set a challenging agenda for the Government and the company, and in many ways the questions and issues that have been raised in debate focus on that agenda.

We have been asked about cost. The project is developing well within the set budget of £758 million. That is not all public or lottery money. Only about half that amount is lottery grant from the Millennium Commission.

As for content, it is true that "Guess what will be in the dome" has become something of a national sport. Much as I hate to spoil the nation's fun, we will be giving away yet more of the secrets, in February, when we unveil some of the designers' working models.

My hon. Friend the Member for Middlesbrough (Mr. Bell) rightly stressed the millennium's importance as a Christian anniversary. I assure the House that that will be reflected in the dome's contents and in the national programme.

In June, when I became shareholder, I felt that our greatest challenge was the national impact—how to engage and involve individuals and communities in a project whose physical focus was in Greenwich. We have been working very hard on that, and I should like to express my grateful thanks to my right hon. Friends the Secretaries of State for Culture, Media and Sport, for Education and Employment, for Scotland, for Wales and for Northern Ireland for their help and support in developing the national programme.

As every day passes, not only job creation is becoming clearer but—

Mr. Deputy Speaker: Order. We must move on to the next debate.

Road Safety

11 am

Mr. Michael Wills (North Swindon): I am very grateful for this opportunity to bring an important—but, unfortunately, not new—matter to the House's attention. Since 1992, as far as I can discover, the House has had 27 debates, 35 oral questions, 514 written questions and 21 early-day motions on road safety. Nevertheless, last year, 3,500 people lost their life on our roads. All of those people lost their lives tragically, and most of them did so avoidably.

Another 48,000 people were seriously injured on the roads, and, although there has been a decrease in fatalities in the past 10 years, the rate of decrease has slowed considerably in recent years. In the past three years, the figures have been virtually static. Since at least the early 1980s, there has been no significant change in the total number of injuries on our roads.

Perhaps that dreadful litany is becoming so familiar that people are becoming immune to it; they accept death on the roads as another fact of life. However, the figures are unacceptable, and we must keep reminding ourselves of that.

Throughout history, human beings have learnt how to do many wonderful things, but we have not yet learnt how to avoid each year more than 50,000 avoidable human tragedies. In 150 years, I believe that people will look back and wonder how we could have tolerated the situation for so long—just as we look back now and wonder how, 150 years ago, children were allowed to work down the mines or up chimneys. The dreadful situation cannot continue unchanged forever, because it is, literally, intolerable. However, until we do find ways of tackling it, thousands more lives will be lost, and even more lives will be wrecked.

Like so many hon. Members, perhaps the most heartbreaking cases that I have dealt with in my surgery have been those of relatives of victims of car crashes. How can we not respond to stories such as that of the man who came to me and told me how his wife was driving home with his daughter along a narrow country road, when a car driven on the wrong side of the road and way over the speed limit by a young man—who was not drunk—smashed into their car. His wife was taken from the car alive, but, unfortunately, she died a few minutes later on the grass verge in the arms of her daughter.

Such stories are all too familiar. In one awful moment, lives are changed for ever, devastated by a dreadful loss that those of us who have not experienced one can only imagine with awe. Their pain continues through every waking hour, although it is not only over the loss of someone whom they have loved—although, God knows, that is hard enough. Every one of them has told me that what hurts so much is the fact that their loss was so avoidable.

I asked for this debate for those reasons, and I am grateful for the opportunity to suggest some possible positive action. We will not be able to begin to change the situation until we understand why it persists.

No one could possibly be in favour of continuing such carnage, and many people daily continue to do their best to change the situation. Successive Governments have been committed to promoting road safety. The police do their very best—and more. I have been struck by the heartfelt tributes paid by victims' relatives to the police's dedication and sensitivity in dealing with road accidents. Motoring and road safety organisations do admirable work in campaigning for change, in which they are supported by responsible businesses.

Why are we seemingly unable to make more progress in dealing with that blight on our society? There are no easy or simple answers, and I do not want to suggest that there are. There are many reasons for the appalling casualty levels on our roads, such as: momentary human error, which nothing will every completely eradicate; badly maintained vehicles; and dangerous roads and road conditions. Above all, however, it is clear that responsibility lies with dangerous human behaviour. If we are to change such behaviour, we must change our toleration of it.

Successful action has been taken in dealing with one specific form of dangerous behaviour: driving under the influence of alcohol or drugs. We now have to tackle more effectively our toleration of all forms of dangerous driving. Clearly anyone who drinks and drives exposes himself and others to great risk; but surely a driver who aggressively speeds is equally culpable? Speeding has been shown to be a factor in more than a third of all accidents. Although the danger of speeding should be reflected in the sentences passed by courts, sadly, that does not seem to be happening.

Although I stress that the figures are not conclusive—they cannot be conclusive, because they involve difficult matters of the relative ease of proof—the courts seem to treat motoring offences causing death or bodily harm more seriously if drugs or alcohol are involved. A motorist is twice as likely to be acquitted of a motoring offence causing death or bodily harm if alcohol or drugs are not involved than if they are.

Why should dealing more severely with dangerous driving be axiomatically justifiable? Surely any person guilty of aggressive, dangerous behaviour should be treated as equally culpable. I cannot understand the logic of arguing that someone who causes death by driving aggressively is somehow less culpable than someone who causes death because he has drunk too much.

The issue of aggressive driving lies at the heart of the problem. Anyone who drives a car sees examples daily of such dangerous behaviour as speeding aggressively, tail-gating and reckless overtaking. The fact is that 80 per cent. of road deaths do not involve alcohol; they involve dangerous driving by sober people.

Characterising much of that dangerous driving is the type of aggressive behaviour biologically associated with young males. Of course not all men are dangerous drivers, just as all dangerous drivers are not men. Many women are dangerous drivers, and not all young men are dangerous drivers. Many dangerous drivers are older than 24. The facts, however, speak for themselves. A male driver is two and a half times more likely than a female driver to be involved in a road accident causing death or serious injury. A young male driver aged 17 is three times more likely than a 17-year-old female driver to be involved in a road accident causing death or serious injury.

Such differentials between men and women drivers are apparent regardless of how one considers the figures—whether in rates per thousand licence holders or rates

[Mr. Michael Wills]

per thousand kilometres travelled. Moreover, the figures show also that male drivers are far more likely than female drivers to have an accident when overtaking or going round a bend—a particularly avoidable type of accident, which often signals a particular aggression or recklessness. Significantly, there is a steady decline in the likelihood of that type of accident occurring when a male driver is over 24 years of age.

In the 21-to-24 age group, more than twice as many male drivers as female drivers have accidents overtaking. A male driver aged 21 to 24 is 80 per cent. more likely than a female driver in that age group to be involved in a single-vehicle accident—another particularly avoidable type of accident.

The figures suggest that, as much as anything else, attitude—the aggression that is associated with but, unfortunately, not confined to the behaviour of young men—causes death and injury on the roads. If we can stop the carnage caused by testosterone-crazed young men and those who act like them, we will not stop death on the roads, but we will make a significant start in reducing the current obscene levels.

How can that be done? Many measures have been suggested by campaigning organisations, and I see merit in many of them. Today, I shall focus on a few that could help bring about the sea change in culture which is so desperately needed.

We need to send clearer and stronger signals that dangerous driving will not be tolerated. In the past, such signals have not been as strong and clear as they could have been because we have a central ambivalence about the motor car. The motor car has been a great force for personal liberation in the 20th century; it has brought the freedom of individual and autonomous travel to millions of people. For the past 50 years, more and more people have enjoyed the great benefits that motor cars can bring. Now, we are coming to terms with the costs.

Environmental consequences are now central to Government and public policy, but unfortunately the same does not appear to be true of the role of the car as a lethal weapon. Every year, there are five times as many road deaths as murders, yet the Home Office does not appear to consider that road safety should be a core activity for the police. Relatives of victims frequently complain that the system is too lenient. Constituents of mine who have suffered such tragedies all complain bitterly—and with evidence—about how lightly the death of their loved ones seems to be treated by the legal system. There is evidence to bear them out.

Between 1993 and 1995, for example, more than 25 per cent. of those convicted for causing death by dangerous or careless driving escaped a custodial sentence. All too often, the treatment of driving offences seems to be governed by the feeling of "There but for the grace of God go I", and its companion instinct that driving offences should not be treated as severely as other offences.

That attitude perilously conflates two quite different phenomena: on one hand, the momentary lapse, of which we are all capable, and on the other, the persistent dangerous driving of a minority which is responsible for the majority of serious crashes. All too often, the belief that we are all capable of occasional error seems to mitigate the treatment of criminally dangerous driving, which is quite different and could and should be seen as such. We need to send out different signals. I hope that the Government will give serious consideration to doing so. I shall suggest just a few measures which might help.

I suggest three reforms of the licensing system. The age threshold for a driving licence should be raised from 17 to 18. Figures show that casualties decrease with age. That partly reflects the fact that inexperience is an important factor in road casualties—the more one drives, the safer one gets—but age is significant. The figures are clear. In 1991, for example, the rate of casualties for male drivers of 100 million vehicle km fell 40 per cent. between the ages of 17 and 18. It fell a further third between the ages of 18 and 19, and a further 15 per cent. between the ages of 19 and 20. The rate for those aged between 21 and 24 was half that for those aged between 25 and 34.

Driving experience alone cannot account for that steady decline over age. Maturity, too, must be a critical factor. If we believe that someone is not sufficiently mature to exercise the right to vote until they are 18 years old, I see no reason why we should believe that someone is mature enough to take control of a lethal weapon before that age. Changing the age threshold would send an important signal about how seriously we should take the act of driving.

In the same spirit, I suggest that everyone should take a driving test every five years. That would be a powerful discipline for us all. A five-yearly assessment of our ability to drive responsibly would remind everyone on the roads of the fact that they are in charge of a lethal weapon—something that all too many forget.

The third reform is minor but culturally significant. We should take action to tackle the problem of motorbike deliveries. At the moment, anyone who wants to deliver pizzas, be a courier or undertake any other commercial activity on a motorbike can do so without having to pass a driving test. Although people are required to undergo compulsory basic training, they do not have to pass a driving test before they take on work that involves travelling long distances under great pressure on roads on which they are most likely to have accidents. What kind of signal does that send? If we are serious about improving safety on the roads, a minimum requirement should be to ensure that those whose work renders them more likely to be involved in accidents have passed a test of driving competence.

My second area of suggestions relates to the policing of road safety. We need to give the police more support. Road safety must be made a core priority for the police. What message is sent by the fact that it is not? We must give them the tools to do the job. Every policeman to whom I have spoken has asked for more speed cameras. Let us give them such cameras. The Association of Chief Police Officers has made an eminently sensible suggestion about how to pay for the cameras: that an administrative charge be levied for each convicted offender. Implementing that need not breach any Treasury principle or create any precedent. All the evidence suggests how effective an increase in the number of speed cameras would be in disciplining dangerous driving.

I should like to suggest two changes to the legislative framework. This area is critical. Law and its implementation sends powerful messages about a

society's values. The road safety organisation, Brake, has suggested that, where death or injury has been directly caused by dangerous driving or by using a vehicle in a dangerous condition, there should be only a charge either of manslaughter or grievous bodily harm, and that the option of the less serious charge of careless driving should be removed. I support that proposal.

The legal leap between a charge of causing death by dangerous driving and manslaughter is not great, but the signal that such a change would convey is. It would signal that killing someone with a car is not somehow different from killing someone in another way so that it merits a different charge. It is exactly the same and should be treated in exactly the same way.

I recognise that some may argue that juries would be reluctant to convict if any more serious charges were available, but that argument does not stand up to close scrutiny. Even if juries were less likely to convict, it would only be because they did not believe that the offences were sufficiently serious to merit such punishment. How are we ever going to change such an attitude, which—I hope—I have demonstrated is profoundly wrong, if courts persistently offer offenders no more than the traditional equivalent of a slap on the wrist?

Whatever sentences the courts impose, they need to send a clear signal that there can be no universal right to drive without a clear acceptance of the serious responsibilities that go with it. If individuals reject the responsibilities, they should forfeit the right. My proposal is simply that, for anyone convicted of dangerous driving, whether or not it results in death or injury, there should be an automatic ban from driving for three years. Any three such convictions should result in a lifetime ban—three strikes and out.

I recognise that some people may object to the proposal because they are worried by the removal of the traditional discretion in sentencing, but the proposal maintains such discretion in every area other than in respect of the licence. Others may worry about severe penalties being imposed for momentary lapse—the "There but for the grace of God go I" argument—but the jury would retain the discretion to decide whether a person is guilty, and the sentence would be able to distinguish between a one-off error and persistently dangerous behaviour.

It may also be argued that there is little point in banning more people from driving when such bans are routinely imposed. Every year, the number of those found guilty of driving while disqualified amounts to about 25 per cent. of those disqualified in that year. That is not an argument against extending driving bans but an argument for tightening enforcement and the penalties for driving while disqualified. Perhaps automatic confiscation of the cars of those found guilty of such an offence might encourage greater compliance with the law.

For those who complain about such measures on libertarian grounds, I suggest that they are shown a video of interviews with relatives of victims of such dangerous driving, which—I hope—would encourage them to make a clearer distinction between liberty and licence. I suspect that, after a few examples of such lifetime bans, we would start to see a new spirit of discipline in drivers who currently feel that it is quite acceptable to tail-gate for 30 miles down a motorway or overtake at 50 mph on a narrow winding country road.

Of course I recognise that change will not come overnight, but such measures, and others like them which have been proposed by those who are very concerned with such issues, could begin to make a difference. The reforms, unlike so many others, do not run into the familiar problem of costing money. The long-term economics all in favour of such changes. In 1996, the cost to society of road casualties was calculated by the Department of Transport to total £11 billion a year. That is £3.3 billion for accidents causing a fatality, £4.8 billion for accidents causing a serious injury, and £2.75 billion for accidents causing a slight injury. Just think what a fraction of that—even a 10 per cent. reduction—could do for our pensioners, our schools and our health service. Think of the difference that that would make to the 1,500 people who would otherwise be dead and the 24,000 who would otherwise be seriously injured.

Every debate and every question in this place that does not achieve a significant reduction in those dreadful statistics diminishes the stature of the House. What use is Parliament if we cannot save those whom we represent from such avoidable and needless tragedies? Whatever the Government's view of my proposals, I hope that my hon. Friend the Minister will give us real hope that we can make a difference, and make those dreadful statistics a thing of the past.

11.19 am

Mr. Charles Wardle (Bexhill and Battle): I congratulate the hon. Member for North Swindon (Mr. Wills) on obtaining the debate. I associate myself with many of his remarks, particularly what he said about grieving families. I am sure that we all have experience of tragic situations such as those that he described.

I should like to raise two matters briefly. First, had I not been here this morning, I would have been in my constituency for the local launch by the Highways Agency of the Government's 1998 child pedestrian safety campaign at Mountfield and Whatlington primary school at John's Cross on the A21, where the speed limit has recently been halved because of the need to restrict speeding.

The Highways Agency, the county council and Sussex police have all had to contend with the dilemma of needing to keep traffic moving down the A21 while also putting sensible restrictions in place, as has been done at Hurst Green, a little further north on the A21. The community is relieved that that has now been accomplished at John's Cross as well. I hope that the campaign is successful throughout the country. It is vital that children learn at the earliest possible age the importance of road safety, starting as pedestrians.

My second point touches on the kind of case to which the hon. Gentleman alluded. I was approached last week by two constituents—Mr. and Mrs. Gildea of Battle—whose son Christian was killed on 6 December while cycling back to Battle from the Conquest hospital. Christian Gildea, who was in his 20s, had obtained a degree and then decided to become a doctor. He started from scratch, taking two fresh A-levels at Hastings college. To keep himself in employment and get some experience, he found work at the Conquest hospital. He cycled to Hastings college and to the hospital. He was killed by a young driver who admitted that he had been travelling at 60 mph and had lost control of his vehicle. That young driver, who is no doubt as shocked as anyone by what happened, was fined for careless driving.

[Mr. Charles Wardle]

Mr. and Mrs. Gildea asked me to press for cyclists on the highway to wear helmets and illuminated flashes. I hope that the Minister will consider that. I am sure that she is already thinking about it. Mr. and Mrs. Gildea pointed out poignantly that wearing a helmet would not have saved their son, but they would like to work for road safety for others, particularly young cyclists, as a memorial to their son. I hope that the Minister will give further consideration to the wearing of helmets by youngsters doing paper rounds or anybody of any age on a bicycle on the highway. If helmets can save one life or illuminated flashes can cause one motorist to avoid a cyclist, they must be worth while.

11.23 am

Mr. David Kidney (Stafford): I congratulate my hon. Friend the Member for North Swindon (Mr. Wills) on securing a debate on such an important subject, and on his thoughtful contribution. I particularly appreciate what he said about the relatives of people killed in accidents. We should bear in mind that every death on our roads is needless and tragic, causing great pain to the bereaved families. I appreciated his call for the criminal legal system to take such deaths more seriously and to reflect the pain that we are all caused in the charges and the sentences.

I initiated a similar debate last November, which makes this the second debate on road safety in just three months. That shows how seriously the House takes the subject—and so it should. The number of deaths and injuries on our roads is still too high. For every murder victim, six people die on our roads.

In November I made two requests to the Minister. The first was for a lowering of the blood alcohol concentration limit from 80 mg per 100 ml of blood to 50 mg. The second was for the police to be helped with the cost of speed cameras through an administration fee added to the fines for speeders—a request repeated by my hon. Friend this morning. It has been pleasing to hear public statements since then that the Government are considering both issues. I hope that my hon. Friend the Minister can tell us about progress on them.

The number of deaths caused by drinking and driving fell sharply in the 1980s, but in recent years the death toll has remained stubbornly at about 10 every week. We can do more to reduce the loss of life caused by drinking and driving by lowering the limit and enforcing it effectively. Happily, I am not alone in believing that reducing the limit from 80 mg to 50 mg will save lives. Professor Richard Allsop, of University college London, was quoted in *The Independent* on 19 January as saying that a reduction of 100 fatalities a year could be achieved by it.

There is much debate about whether we should introduce random breath testing or an unfettered discretion for the police on breath testing. That is an important debate, but I shall not delay the House with the subtleties of it. It is important for drivers to know that drinking and driving will be detected.

Last Christmas was the first when all 43 police forces in England and Wales routinely tested all drivers involved in road crashes. That was not just a Christmas campaign—the practice is here to stay all year. The message to those who take the risk of drinking and driving is clear: "Your crime will be detected and you will be punished."

My hon. Friend also talked about driving under the influence of drugs. That is the subject of a three-year research programme organised by the Department of the Environment, Transport and the Regions. Police officers regularly tell me that the difficulty is detection at the road side. Drug-influenced driving is not as simple as the breath test for alcohol. I hope that the research will lead to the development of devices to assist the police on that.

My hon. Friend talked in great detail about the problems of speeding. As he said, research suggests that speeding is a contributory factor in one third of road crashes. Speed may be excessive by being beyond the legal limit or simply inappropriately fast for the conditions. Reducing speeding will cut the number of road crashes, saving lives and lessening the number of injuries. This has been proved in Stafford—the town which I have the honour to represent—where a vigorous speed reduction policy, including the widespread use of speed cameras, has reduced road crashes and injuries; hence my interest in helping the police to mount and maintain such effective enforcement. If the police receive an administration fee, charged with every fine imposed for speeding, they could uphold the law more comprehensively.

Speed also kills children, who are particularly vulnerable to death and injury on our roads. Usually, the danger arises in close proximity to their homes. Therefore, I particularly welcome recent Government initiatives aimed at protecting our children. I am pleased that this year's transport policies and programmes give priority to safer routes to school projects. These promote safety engineering schemes in the vicinity of schools, such as self-enforcing 20 mph zones and traffic calming measures. In Stafford, the borough council is concentrating very limited resources on such schemes.

I am pleased also, as the hon. Member for Bexhill and Battle (Mr. Wardle) mentioned, that the Government are retaining the successful Hedgehog education campaign for children, with the message "Stop, Look, Listen, Live." I also wish to praise my hon. Friend the Member for Peterborough (Mrs. Brinton)—who is not here today—who yesterday proposed her Home Zones Bill.

I sometimes feel that road safety lacks the priority that it deserves. As my hon. Friend the Member for North Swindon pointed out, it is not a core national priority for the police to tackle traffic matters. I am heartened by this second debate in the House within three months, and by the Government initiatives that I have mentioned. I hope that we are getting across to the public the message that alongside our right to drive is our responsibility; a responsibility to ourselves and to others. Reducing death and injury on our roads is a collective responsibility.

11.31 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate the hon. Member for North Swindon (Mr. Wills) on raising this issue—an issue that has probably touched us all. My grandmother was killed in a road accident. She was old and could not see or hear well. She stepped off the pavement and, unfortunately, was hit by a car. The dad of my best friend at school was killed in a car crash, as was the son of close friends of the family. The issue has probably affected each and every one of us.

Road safety is a matter for the Government, local government, the police, voluntary groups and schools—often working in partnership. However, there are some things that we as hon. Members can do to improve road safety. I should like to run through a couple of those.

I arrived here breathless and in a hurry at 11 o'clock because I had been outside with Friends of the Earth, which is publicising the Road Traffic Reduction (United Kingdom Targets) Bill, which comes to the House on Friday. The more hon. Members who are present to show their support for that private Member's Bill the better, and I welcome the Government's support for it.

The Government can encourage Members of Parliament to use their bicycles, thereby reducing the number of cars on the road. I have asked whether a cycling allowance could be made available to hon. Members who use their bikes for parliamentary business, and I understand that that suggestion is under review. I hope that the Government will respond positively. Anyone on a bike means one less journey in a car, and that helps road safety.

Hon. Members have mentioned speed cameras. My party's view is that responsibility for them should lie with local authorities, particularly if it involves an automated process. I should like local authorities to have the power to collect fines, as the system would be more effective for that. According to constituents who write to me regularly, local councils in London are all too effective at enforcing parking regulations, now that they are responsible for traffic law enforcement.

As well as helping to improve road safety, road safety measures will help the Government to meet their commitment to reduce carbon dioxide emissions by 20 per cent. Law reforms have been mentioned, and there is a case to be answered in terms of the appropriateness of fines. Is it right that the fixed penalty fine for speeding is less than the fine for dropping litter? There is perhaps a question mark over the value judgments that we are making on road safety.

In one matter—the "Speed Kills" campaign recently launched by the Government—better co-ordination would help road safety. My local superintendent said that the first he knew about the campaign was when he saw posters for it. Perhaps he had not read the correspondence, or perhaps the information had not been circulated, but there was not the co-ordination between the police and the Home Office that existed over the drink-drive campaign. That may have been a localised problem, but there may be a need for greater co-ordination between Departments on that issue.

I welcome the importance that the Government attach to road safety and the fact that the Labour party manifesto gave priority to road safety. It stated that cycling and walking must be made safer, especially around schools. However, the budget allocated for local safety schemes has been reduced from £60 million to £50 million in the next financial year—something at which the Government must look.

I have one further concrete and effective proposal for improving road safety. It relates to speed, which, as we have heard, is a contributory factor in up to one third of accidents. The briefing on the subject—which many hon. Members will have received—states that, for every 1 mph reduction in average traffic speeds, deaths are reduced by 7 per cent. and casualties by 5 per cent. I suggest that the Government act to stop the sale of speed camera detectors, which are on sale openly and, in some cases, illegally in Tottenham Court road. My researcher can give the Minister the addresses of the premises that are selling speed camera detectors.

I have here a flyer for a company, which was sent to me by a constituent, Mrs. Houghton, who asked me to investigate the matter. The flyer gives details of speed camera detectors, and describes features such as a one-mile range for detecting cameras and the fact that it can pick up radar.

I am pleased to say that the Advertising Standards Authority has investigated and found against that company. Hopefully, it is no longer putting out flyers that alarm drivers by asking what they would do if they could not drive their car, and adding that speeding attracts fines of up to £2,500. The flyer encourages people to buy a product that will help them to break the law. In that case, action has been taken, but if action is taken at the point where the flyer has been distributed, it is too late. It will have gone through people's doors, and people will be aware of the product.

Mr. Alan Clark (Kensington and Chelsea): Only a Liberal could argue for making illegal something that encourages one to remain within the law. The hon. Gentleman said that the detector would make it easier for people to break the law, but surely the whole point is that it gives prior warning and that only a complete lunatic would then proceed to break the law.

Mr. Brake: Hon. Members will judge for themselves whether people purchasing the detector are trying to stay within the law or will use it to break the law.

The Home Office view is not terribly helpful, because it judges that primary legislation, which would be needed to deal with the problem, is not at present justified. My view is that the Home Office should take a much firmer line on any such product and should ensure that it cannot be sold openly and, in some cases, illegally, in Tottenham Court road. I hope that the Minister will respond positively on that issue and on the other points that I have raised.

11.40 am

Mr. Christopher Chope (Christchurch): It is a disappointment that there have been fewer contributions to this debate, on road safety, than there were on the previous one, on the millennium dome, but, for a Government who have gained themselves the reputation of never answering any questions, this is a great opportunity, because the Minister will have a substantial period in which to answer some of the points that have been made. Perhaps, Mr. Deputy Speaker, you will allow her to range a little more widely and answer questions that were not answered in yesterday's debates by other members of her ministerial team.

We welcome the opportunity to discuss this matter again, and I congratulate the hon. Member for North Swindon (Mr. Wills) on the way in which he introduced the debate. He used statistics to support his argument and expressed concern that still too many people are killed on our roads, as indeed they are. We all know people who have suffered the effects of road tragedies.

[Mr. Christopher Chope]

We must none the less keep the matter in context: fewer people are killed on our roads now than in 1926, when statistics were first collected. The figure has been coming down steadily over the past 15 years of Conservative government. Before we propose, for example, the idea of raising from 17 to 18 the age at which people would be allowed to start driving, let us think about whether the countries where the minimum age is higher have a better road safety record.

Mr. Wills: Does the hon. Gentleman accept that there has been no significant change—1,000 or 2,000 out of 300,000—throughout the period of Conservative government in the number of injuries on our roads, and that, in the past three years, the number of fatalities has hardly decreased at all and seems to have reached a plateau?

Mr. Chope: No, I do not accept that. The number of people killed continues to fall, and the number of serious injuries has decreased significantly. The number of slight injuries has not decreased significantly, but I understood that the burden of the hon. Gentleman's concerns was about deaths and serious injuries, because only those could possibly justify an enormous intrusion into the freedom of 17-year-olds to begin driving.

On the continent, where many young people are not allowed to drive until they are 18, do they have better road casualty figures? On the continent, where there are nominally lower breathalyser limits, do they have better figures? Elsewhere in the world, are the figures better? The answer is no.

In the 10 years to 1996, the number of people killed on our roads fell by 33 per cent., despite an increase in motor traffic of 27 per cent. The number of breath tests administered rose by no less than 169 per cent., to more than 133,000, but the number of people failing those tests fell by 27 per cent., to just over 7,000.

In Great Britain, we have six road deaths a year per 100,000 population. I agree that that is six too many. In Austria, however, there are 15 deaths per 100,000 population; in Belgium, 14; in France, 15; in Germany, 12; in Greece, 21; in the Irish Republic, 12; in Italy, 12; in Luxembourg, thought by many to be the best European country of all, 19; in Portugal, 29; and in Spain, 15. All those countries have a significantly worse record than we have and they are improving, if at all, at a far slower rate than us.

I urge the hon. Member for North Swindon not to say that we should adopt a policy willy-nilly simply because it is adopted in the rest of Europe. I urge caution on him and suggest that our policy of education coupled with regulation has been extremely successful. We have educated people into recognising that, if they drive with excess alcohol levels, they are likely to be in an accident that could have dire consequences for themselves and others, and we have a strict law to reinforce that.

We know from the tragedy in Paris last August and its aftermath that in France they have nominally tighter breath test limits but a very weak system of penalties for those who are in breach of them. That may be one of the reasons why they have a substantially worse road casualty record than we do. The analogy is not only with countries in the rest of Europe but with Australia, Canada, New Zealand, the United States of America and Japan, all of which have significantly more road deaths per 100,000 population than we do.

I understand that the Government intend to accept, almost without consideration, the European Community line on the rights of people who suffer from diabetes to drive motor vehicles. The matter has been of considerable concern to many people, and there has been correspondence from the British Diabetic Association asking the Government to consider the facts and the evidence, but the Government have effectively said, "Well, this is what the European Commission says, so it must be a good thing and we must adopt it."

That is not the right approach for a responsible Government to take. They should consider the issue on its merits and not be so arrogant, just as they should consider beef on the bone on its merits and not ride roughshod over the humiliating defeat that they suffered in the other place last night.

Mr. Andrew Robathan (Blaby): Is it not the case that the British Diabetic Association considers the evidence concerning diabetics to be flawed and has produced evidence supporting exactly the opposite case to that which the Government have accepted? There seems to be no consideration of that.

Mr. Chope: I agree. It is a matter of great concern that the Government do not seem to be prepared to engage in a dialogue with the British Diabetic Association and get to the core of the issue, with the consequence that many people who have hitherto been able to drive light goods vehicles will no longer be able to do so, because of a European directive.

Interestingly, that European directive permits of exceptions

"only in very exceptional circumstances . . . and then only when duly justified by authorised medical opinion".

So there is a way out for the Government in discussing the matter with medical experts and the British Diabetic Association. However, the Government are not using that loophole. The Minister for Roads responded to my letter, and no doubt responded in similar terms to other hon. Members, by saying:

"The advice of our Panel is that there are no exceptional cases which medical opinion would recognise as being lower risk than others".

That is an extraordinary statement, and it makes a mockery of the arrangements that are being phased in to make existing drivers subject to the new regulations. If the consequences for road safety are as dire as the Minister for Roads would have us believe, there should be an outright and immediate ban. The fact that there is not such a ban on all the drivers affected tells me that there is scope for dealing with cases in a much more sympathetic way than the Government have done so far.

My hon. Friend the Member for Bexhill and Battle (Mr. Wardle) made an exemplary speech. He had a couple of points to make and he made them clearly and succinctly. The Conservative Government put a lot of effort into reducing the rate of child fatalities. Although our record on road safety compares favourably with that of other countries, our record on child injuries and fatalities is worse. So, on the basis of good benchmarking

practice, the Conservative Government decided to tackle that issue. Road safety campaigns were directed to child road safety. When I was the Minister responsible, I was much involved in the campaign to encourage parents and children to wear cycle helmets. Texaco supported a national campaign with the slogan "Children should be seen and not hurt." That altered the climate of opinion. Now we see many more cyclists, especially children, wearing cycle helmets.

Helmets are no panacea, as my hon. Friend the Member for Bexhill and Battle said. They do not prevent every casualty, but they ensure that many fewer people suffer severe injury if they fall off their bicycle in a collision or as a result of riding into one of the increasingly large number of potholes that are appearing in our roads as a result of the Government's neglect of standards of road maintenance. My hon. Friend made some excellent points about the need to get even more cyclists wearing helmets.

The hon. Member for Carshalton and Wallington (Mr. Brake), the spokesman for the Liberal party on these issues, was rightly taken to task by my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark). More and more controls are what the Liberal party is all about. We heard last night in the debate on the London Underground that it wants to impose another £1 billion of taxes on Londoners. Yet I know from visiting some Liberal-controlled constituencies in London that the standard of road maintenance in those boroughs leaves a lot to be desired.

Mr. Brake: Does the hon. Gentleman agree that, on an issue such as road safety, we should take a non-partisan approach, and that the issue is too important to be treated in a political manner?

Mr. Chope: I am not trying to make party political points, but this Chamber is a political chamber. In so far as we have any influence over the way in which resources are allocated and how local authorities decide to allocate resources, all of us in the Chamber today who care about road safety should say, "Let us invest more resources in the maintenance of our highway infrastructure. Let us repair those pavements, get rid of potholes in the roads and invest in road safety measures that reduce further the number of casualties on our roads."

In my local area, Christchurch, a big issue is running in the local newspapers. Bournemouth council has announced that it intends to ban cyclists from using the Wessex way. There has been a long-running campaign with the local newspaper because there have been several horrible, fatal accidents involving cyclists on that stretch of road. The cycling fraternity are understandably concerned. They want to know what alternative arrangements will be made for cyclists. Cyclists feel that the council is giving in to the pressure from lorry and other traffic. There has been no effective response from the local authority on how it intends to accommodate the legitimate needs of cyclists who would otherwise use that route.

More investment is needed to solve that problem. I shall repeatedly make the point from this Bench, until Ministers understand, that we need to invest in road safety measures more of the money that motorists pay in taxation. I hope that the Minister will say that she has now accepted that argument.

The Minister is much accustomed to responding to parliamentary questions by saying, "I shall answer this question shortly." She did so on Monday in response to a question from me about the deaths of two cyclists on the track of the Sheffield supertram. In my submission, that is a serious situation. A new and much-vaunted form of transport seems to have been designed in such a way as to make it difficult for cyclists to avoid getting their wheels caught up in the tram tracks. I hope that the Government will investigate the matter seriously. Although it may be a good thing to have public transport, it is not good if the consequence is to put cyclists in jeopardy.

I shall not be tempted to go into the saga of the waste of so much money on the supertram project by the local authorities in Sheffield. Nor shall I ask the Government how they intend to deal with the likely consequences of that expenditure—an increase in council tax of £40 a year for 30 years for every resident living in the four boroughs affected. However, if the Minister wishes to deal with those points, we shall welcome her responses.

The hon. Member for Carshalton and Wallington referred to the Road Traffic Reduction (United Kingdom Targets) Bill, which is to come before the House on Friday. He said that it had been launched today. It is matter of great regret that such an important Bill has been published only two days before it is due to be debated. The fact that it would have a prominent position in the private Member's ballot was known more than six months ago, and it seems to have taken all that time for the details of the Bill to be prepared. We now have a couple of days before it comes up for debate, and we are told that it is to be published today. Contrary to previous hints, we have heard that the Government will accept the Bill. Perhaps the Minister will comment on that and, in so doing, say whether she thinks that the Bill will contribute to further improvements in road safety.

Friends of the Earth claims that the Bill will save our children by cutting traffic. However, parents seem to think that the way to protect their children from traffic and to make their journeys to school safer is by taking them in the car rather than leaving them to walk or cycle. Ergo, cutting traffic would not result in fewer children being at risk from being injured on the roads. Certainly that is not the verdict of parents. I shall welcome any observations that the hon. Lady has on that.

Mr. Kidney: With regard to the knotty problem of children being safe if they walk or cycle to school, parents' experience is that those are not safe forms of transport, and that has led more of them to put children in the back of the car to take them to school. The hon. Gentleman referred to greater investment in safety for cyclists in particular, so clearly he understands that, if we are forced to make less use of the car, it should follow that we must be forced to find more investment for the alternatives.

Secondly, another aspect of road safety is the problem of fumes from cars and the growing incidence of asthma in recent years. Does the hon. Gentleman accept that reduction in traffic would at least be beneficial to future generations of children if they experience lower levels of asthma as a result?

Mr. Chope: I agree that the reduction in noxious emissions from motor vehicles will be beneficial, but we should not forget that that can be achieved even with a constant level of traffic through the application of new technology, and that is what is happening. That is why,

[Mr. Chope]

even with traffic levels as they are, and they are projected to grow, the total amount of noxious emissions from that level of traffic will fall during the next 10 or 15 years. Beyond that, there is a problem that must be addressed. let us not think that the only way to reduce noxious emissions is to reduce traffic. We can reduce the noxious emissions from each vehicle.

We also have the anomaly that people are concerned about their children's road safety, yet too many children on the journey to school in the car do not wear seat belts. That is a tragedy. Many parents have not yet got the message that their children should wear seat belts whether they are in the front or the back of the vehicle. That is a matter of education as much as enforcement. The Government could put some effort into one of their next road safety campaigns to re-educate parents about the merits of their children wearing seat belts.

12.3 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate my hon. Friend the Member for North Swindon (Mr. Wills) on introducing again in the Chamber the exceedingly important issue of road safety. He referred to the number of times and the variety of ways in which the House has debated road safety. This is the second time in three months that we have debated the issue on a Wednesday morning, and I make no complaint about that.

My hon. Friend seems to feel that there is a kind of passive acceptance in Britain on road safety matters; but there is a rising tide of concern throughout Britain about transport issues generally, which is why the Government are so committed to introducing an integrated transport strategy—on road safety matters in particular.

Despite the United Kingdom's good road safety record as compared with other countries—a point detailed by the hon. Member for Christchurch (Mr. Chope) via the list method—by the time we finish our debate this morning, in all probability five people will have been killed and 60 seriously injured on our roads. I have little doubt that all will regard that as a salutary reminder of how much remains to be done.

On 15 October we announced that we had begun work to devise a road safety strategy and a casualty reduction target for the coming decade. Work is now well under way, and we are trying to develop our strategy in collaboration with others who are active in road safety—local authorities, the police and independent experts—so that we can collect the available ideas informed by experience and expertise.

We trust that there will be wide consultation and are discussing with the Local Government Association and others how that can best be conducted. Road safety is a topic with a particularly strong local element and with local reverberations throughout communities because most casualties happen on local roads. Motorway crashes may grab the headlines, but the terrible tragedies all too often happen locally, as all hon. Members well know from their constituents and as my hon. Friend the Member for North Swindon so poignantly reminded us today, as did the hon. Member for Carshalton and Wallington (Mr. Brake), whose own family has had dreadful personal experience. Our purpose is to apply properly thought through ideas that will have a practical effect in reducing road casualties.

The United Kingdom now holds the presidency of the European Union, and many member states are concerned, as we are, about road safety. Each member state can learn lessons from others, and the Commission proposes to help by collating Unionwide experience and expertise to enhance and ease co-operation. Road safety must be driven by local circumstances because solutions which have worked in one country may not work in another. Nevertheless, it makes sense to share knowledge, and we support the Commission's efforts to disseminate best practice.

In April, we shall be providing a platform for a Commission-funded programme to persuade people, among other things, to wear their seat belts. The UK has a good record on the wearing of front seat belts but not as regards rear seat belts, which are also an essential safety measure. There will be two conferences, one on safe driving and the other on road safety education. It is no coincidence that the emphasis of both conferences is clearly on the young driver. One of our greatest challenges is to reduce the accident involvement of novice drivers, many of whom are young. My hon. Friend the Member for North Swindon was right to point out the cultural and social aspects of that problem. New drivers have more accidents for two reasons: the first is inexperience, which may well be improved by better training and testing; the second is irresponsibility, as my hon. Friend said.

We now know a great deal about new drivers, thanks to a large study conducted by the Transport Research Laboratory of nearly 30,000 drivers who passed their driving test on one of four dates in November 1988 and July 1989. Of those candidates, 18 per cent. had at least one damage-only or injury accident in the first year after passing their test; 6 per cent. of those accidents involved an injury. The study also found that far more of the drivers who had fixed penalty tickets or summonses were involved in accidents. That is why it is important to impress on them the need to obey traffic laws such as speed limits. It underlines the fact that attitudes are as important as skills.

Many young male drivers in particular are extremely good at manoeuvring their vehicles but, because of their attitudes, they are a hazard to themselves and a menace to all other road users. It is that bad driving behaviour that we need to curb. The Road Traffic (New Drivers) Act 1995 is a start. The Act revokes the licences of drivers who tot up six or more penalty points within two years of passing the driving test. It came into operation last June, so it is too early to say how it is operating.

Several restrictions on new and young drivers were discussed by the previous Government in the 1993 "New Driver Safety" consultation paper, which concluded that such restrictions would either be impracticable for Great Britain, bordering on the unenforceable, or have heavy social costs. Most had major cost implications for the Government, or, if self-financing, for the drivers themselves. However, we were not elected simply to reinforce the conclusions reached by the previous Government and we are prepared to look at the measures afresh if they seem likely to promise casualty reductions. I trust that that reassures my hon. Friend the Member for North Swindon.

One of those measures was to put back the time at which a person could take a practical driving test to their 18th birthday—a proposal mentioned by my hon. Friend. The conclusion in 1993 was that there was no clear case for doing so. It will be a matter to be addressed in our road safety strategy, but we must recognise that, regrettably, some people are still dependent on being able to drive to get work. We are therefore not talking exclusively about a road safety issue—the point underlines this country's urgent need for a properly integrated transport policy. Research is continuing and any new policy must take the latest findings into account, but all the research so far in this area leads us to the same conclusion—that irresponsibility is a major cause of accidents.

Whatever legal limits we impose—and they must be credible and enforceable—it is attitudes that we need to change. My hon. Friend referred to sentencing policy and the attitudes of juries. I am straying off my departmental territory in this respect, but he raises an important point. The courts are composed of people just like us and not necessarily professional lawyers. Juries and, I dare say, many magistrates are people just like us and have similar views on society. They say to themselves, "This young man is accused of dangerous driving, but perhaps he just chanced his arm and was unlucky, so we shall bring in a verdict of careless driving and pass a light sentence." The police or the Crown Prosecution Service may take the view that they will never make a dangerous driving charge stick, so they opt for charges of careless driving.

I admit that all that is speculation, but my Department and the Home Office intend to conduct real research into developments since the Road Traffic Act 1991 was passed—a matter to which my hon. Friend the Member for Stafford (Mr. Kidney) referred in our previous debate on this issue. We must arrange matters so that the proper level of criticism and opprobrium is brought down on the heads of those who, in many instances, have caused death or serious injury and whose gross lack of responsibility must be highlighted.

My hon. Friend the Member for North Swindon raised the issue of re-testing. There is already an element of re-testing, either of new drivers who offend, or of drivers who have been convicted of dangerous driving offences, or of drivers who are, at a court's discretion, ordered to take a re-test. That illustrates the point about targeting: massive costs would be involved in re-testing everybody in the way that some—although not, I hasten to add, my hon. Friend—have suggested.

We know that casualty accidents are caused by specific groups of drivers, and it is our belief that we should be targeting them. There is no real evidence yet that older drivers are substantially more accident-prone than others. We shall, however, need to consider the matter because there will be many more older drivers in 15 years or so as the population ages and—crucially—as more of them have driving licences. However, testing and re-testing are not necessarily a good way of detecting irresponsibility, and to fail someone without objective evidence of bad driving would put a massive burden on driving examiners.

My hon. Friend referred to the police objectives set by the Home Secretary every year. Various interests have been pressing successive occupants of that office to make road policing a key objective. Last November, my right hon. Friend went further in that direction than his predecessors had done. His letter to chief constables said:

> "Traffic policing is a central part of the police's responsibilities for maintaining law and order and preventing and deterring crime and reducing death and injury on the roads. I will therefore expect traffic policing to play a full part in achieving my overall objectives for the police service, particularly in relation to community safety and crime reduction, and in achieving a safer environment on the roads."

I would also draw attention to our objective of promoting community safety, which encompasses much of the bad behaviour we have been discussing and which brings me to the subject of road rage. It is not a term I like, nor a definition that I would necessarily accept. The term can be perceived as trivialising what we would normally describe as murder or grievous bodily harm. It is as if driving on the roads is some drug taken in all innocence which takes away responsibility for our own actions. There is no excuse for such behaviour.

For the ordinary motorist, aggressive driving usually manifests itself in dangerous driving practices, such as following vehicles too closely, cutting in on other drivers and speeding. Such driving practices often cause accidents. Curiously, researchers have found that some normally calm people admit to losing their tempers when driving, but that some normally angry people are calmer in that situation. As yet, nobody knows why that is so.

Several hon. Members mentioned speed cameras, which are indeed a potent weapon against people who break the speed limit. They are also proved to reduce accidents. We need more of them, and we need the resources to process the results. We are considering carefully the idea that at least some of the revenue from fines, or a separate administrative charge, should be used to finance cameras and the subsequent issue of fixed penalty notices. However, behind that action there remains the need to secure much more widespread observance of limits. It is not only young male tearaways who are to blame: 70 per cent. of people exceed the 30 mph limit and they cannot all be young men, unless the population has changed dramatically and in an exceedingly short time.

I should also refer to a matter raised in the previous debate on this subject by my hon. Friend the Member for Huddersfield (Mr. Sheerman)—the advertising of new cars. That is very relevant to the attitudes which my hon. Friend the Member for North Swindon rightly identifies as a danger. The House will know that there are codes of practice for printed advertising, run by the Advertising Standards Authority, and for television advertising, run by the Independent Broadcasting Authority. Those codes are aimed, among other things, at advertisements that appear to endorse or promote irresponsible driving or irresponsible attitudes towards driving. That is a matter of some interest in other EU member states. With car manufacturers and others increasingly addressing international markets, Community action is sensible. So the Commission, supported by the UK Government, is trying to broker a Europewide voluntary code of practice.

I urge all hon. Members to refer bad advertising to the ASA or the IBA, whichever is appropriate. My noble Friend Baroness Hayman has done so in respect of two recent advertisements: one for the Volkswagen Passat was withdrawn and the other for the Honda Civic Vti was modified. The more such action is taken by responsible

[Ms Glenda Jackson]

people, the more notice advertisers will take, because it costs their clients money if they have to withdraw advertisements in those circumstances.

The House also discussed drink-driving in our previous debate and hon. Members will know that we shall shortly be consulting on a wide range of measures aimed at further reducing the number of accidents in which a driver or a rider has been drinking—a decision I know my hon. Friend the Member for Stafford and others will welcome. I should prefer not to anticipate the outcome of that consultation at this stage.

The most recent Christmas campaign has been and gone, and this time the police changed the way in which statistics were collected. Now that all forces breath-test all the drivers involved in accidents to which they are called, we shall have a useful benchmark against which to measure progress. In past years, it has been impossible to do that properly. Just as public opinion has moved sharply against those who drink and drive, the police, too, take the offence very seriously indeed; hence the increasing number of tests. In 1996 there were 780,000 breath tests in England and Wales and figures for 1997 will be available in the spring.

Given the time still in hand, I trust that you, Mr. Deputy Speaker, will consider it in order if I touch on some of the specific questions raised in today's debate. I shall begin with some of the questions posed by my hon. Friend the Member for North Swindon. Manslaughter was supplemented by the dangerous driving charge in the 1950s because juries were not convicting. Lifetime bans are available to the courts and were used 35 times in 1995—the most recent figures available.

The hon. Member for Bexhill and Battle (Mr. Wardle) raised the issue of child safety on our roads—and, in particular, the safety of child pedestrians. He touched on a campaign that is being launched in his constituency today which he would have attended had he not wished to participate in the debate. The national child pedestrian campaign was launched only this morning across the road at Westminster school by my noble Friend the Minister for Roads. We hope that it will be extremely successful.

The hon. Gentleman also raised an issue which had a particular poignancy, indeed, a tragic dimension, for some of his citizens: the wearing of cycle helmets. The Government strongly recommend that they should always be worn, because statistics show that 49 per cent. of cycling accidents involve head and facial injuries. We are looking at the possibility of campaigning on that issue this year.

The hon. Member for Carshalton and Wallington raised a number of issues, including that of local authorities and speed. If we hand over enforcement powers relating to speed to local authorities, we will, in essence, be decriminalising the offences. I am sure that the hon. Gentleman would not wish us to do that. Local authorities are particularly well placed to target the locations in their locality where speed cameras could be positioned.

The hon. Gentleman mentioned the selling of devices warning of speed cameras; I was not aware of the problem. The use of such detectors is an offence under the Wireless Telegraphy Act 1949 and cases have, in the main, been successfully prosecuted by the courts. We are not, however, at present persuaded of the case for prohibiting the sale of such detectors, but I can assure the hon. Gentleman that we are keeping the issue under review.

The hon. Gentleman also mentioned fixed penalties. We shall be reviewing the level of penalty for road traffic offences later this year. We use the same methods for publicising drink-driving campaigns as for speed campaigns. The hon. Gentleman was entirely right to say that accidents are often caused not so much by excessive speed as by inappropriate speed. As he knows, that is something that the Government are keen to explore, especially in terms of providing children with safe routes to and from school.

I shall now turn to some of the points raised by the hon. Member for Christchurch. It is becoming something of a cliché that, whenever the hon. Gentleman participates in debates, he begins by welcoming cross-party support, then proceeds to attempt to turn the discussions into a party political rant; he did pretty much the same today. I do not think that I need spend much time responding to his complaints about this Government's failure adequately to maintain our roads; nor shall I spend time responding to his comments on the amount of funding for road safety. He is aware that, year after year, his party's Government reduced funding for road safety and road maintenance. Year by year, that Government deprived local authorities of the power to spend such money as they had managed to find, in ways that met the needs of local communities.

The hon. Gentleman also raised the subject of answers to questions about accidents on the Sheffield supertram. As he well knows, inquiries on that subject are the responsibility of the coroner. The hon. Gentleman made allegations about money being—I admit that I am paraphrasing him—mis-spent. The Sheffield supertram came into being while his Government were in office.

One of the hon. Gentleman's most serious allegations today involved driving licence entitlements for insulin-treated diabetes. He averred that the Government had not consulted the British Diabetic Association. My noble Friend the Minister for Roads has sent a letter to every Member of Parliament, one paragraph of which warrants quoting:

"It is not correct to say, as the BDA's letter does, that there was no consultation on the new requirement. The consultation paper of August 1996 on proposals for implementing the requirements of the Directive covered this issue. It proposed that holders of such licences"—

I shall touch on what those licences are a little later—

"should retain all their existing entitlements until the licence expired—normally at the age of 70, but earlier in the case of those with short period licences on grounds of health—but should then be required to meet the higher health standards if they wished to renew the C1 and D1 entitlements. It also proposed that the change would be deferred by a year from implementation of other Second Directive changes, (which came in on 1 January 1997) and would apply to licences expiring from 1 January 1998, so that drivers affected would have time to adjust to the change. (The DVLA has also been writing to drivers before their licences expire, to give them warning.) The car licences issued to insulin-treated diabetics are normally for three years, and so their existing C1 and D1 entitlements will expire between now and 2000."

The hon. Gentleman's allegation that the Government are simply reacting to some order from the European Union and the Commission could not be further from the truth. The essential issue is that of road safety. It is well established that there are road safety dangers associated with insulin because it can lead to hypoglycaemia,

which can cause loss of consciousness, often without warning. The extension of the new rules prohibiting insulin-treated diabetics from driving lorries of between 3.5 and 7.5 tonnes and minibuses with nine to 16 seats is endorsed by medical experts, including the honorary advisory panel on diabetes and driving.

The Government have every sympathy with drivers who lose their entitlements, particularly those who drive such vehicles for a living. But in the light of today's debate, we must take seriously the possible dangers to road users; the advice is clearly based on those who are in the best position to advise politicians of whatever nation. The advisers are medical experts who have given their view of the inherent dangers.

Undoubtedly, on any medical issue, one or two individuals will have a different opinion from others—in this case, the honorary advisory panel. It is the responsibility of the Government to assess potential dangers. I would argue that it is better to err on the side of what some might call over-caution than to increase the already unacceptable statistics on death and injury not only on our roads—as the hon. Member for Christchurch made clear—but on roads throughout the European Union.

Mr. Chope: Will the Government support the Road Traffic Reduction (United Kingdom Targets) Bill on Friday 30 January?

Ms Jackson: I am happy to say that the Government will support the Bill. We believe that it may need to be amended. However, we are very conscious of the fact that—as a wide variety of organisations have said, and as emerged during our seminars on the consultation document on an integrated transport strategy—as a country, we simply cannot sustain a year-on-year growth in road traffic. It is already costing us—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We must move on to the next debate.

Policing (Devon and Cornwall)

12.30 pm

Mr. Matthew Taylor (Truro and St. Austell): Mr. Deputy Speaker, like most people, regrettably—perhaps even you and the Minister of State, the hon. Member for Cardiff, South and Penarth (Mr. Michael)—I know at first hand what it is like to be a victim of crime. Very recently, my car was stolen from the local railway station. The police were very good and tracked down my car quickly—and the insurers paid to repair it. For many other less lucky people, a stolen car can be irreplaceable and repairs unaffordable, and—in rural areas especially—a lost car may even mean a lost job.

My Cornish researcher, Charlotte Callen, who helped me to gather information for the debate, had her bag stolen last night. It certainly brought home the reality—a morning off work cancelling cards, talking to the police, and an even bigger overdraft, one hopes not added to by illegal use of the card.

I sought this debate because I am sure that such incidents would happen less often if there were more police. It is not just that there would be a greater chance that criminals would be caught. More important, the expectation that the police may be on patrol, or that they will have time to detect and apprehend a thief, means that many crimes would be prevented. I shall focus on that argument.

Like most places, Devon and Cornwall have experienced a significant increase in crime figures during the past 20 years. It is an out-of-date theory that rural areas are almost crime-free. In fact, the figures have doubled since the Conservatives came to power in 1979. The problem of crime is no longer largely confined to the cities. The police tell me that a significant trend is that of up-country criminals leaving the heavily policed city areas for a weekend car trip to Cornwall or Devon—not for the beach, but to pick off isolated rural homes—where they know that a police officer will never be just around the corner, and where they cannot be on the local list of likely suspects.

It is time that we listened to the recommendations of the people who know the police. Officers from my constituency, and throughout Cornwall and Devon, work extremely hard and do a great job. When I get the chance to spend time with police officers, I ask them what they would most like changed: the prosecution rate, the length of sentences, child curfews perhaps? Time and again they give the same answer: more police officers, so that criminals can expect to be caught, which helps to prevent crime and stops criminals in their tracks if they start.

That is the answer I received when I spent an evening on patrol with the police in Truro. It is the answer that I received in the very different surroundings of the Plymouth control room. It is the answer that I hear time and again, every time I speak to our local police—whether a bobby on the beat or a chief inspector.

And no wonder. The vast majority of serious crimes—murders, rapes, serious assaults—are solved because, rightly, all the police needed are made available. Well over eight out of 10 serious offenders are caught, and almost all murderers and rapists are brought to justice, so it can be done—crime can almost always be cracked if the police have the resources to do so.

[Mr. Matthew Taylor]

However, when it comes to the vastly greater number of robberies and thefts, detection falls to just a third, and for vehicle crimes the figure is less than a sixth. This is not about bad policing—our police do an excellent job in the circumstances—but about under-policing. With more officers, the general public could feel safe again. I am not suggesting that a burglary could or should be met with a response on the scale of a murder hunt, but I am saying that we could and should resource the police to do a lot more.

The regular presence of the police, even a special constable, not only deters crime but—perhaps equally important—helps people to feel more secure in their homes. For many elderly and frail people especially, fear of crime is perhaps the greatest threat. A feeling of security is hard to put a price on, but it is crucial to anyone's quality of life. I praise the Cornwall and Devon constabulary for the work they put in with specials to provide such reassurance and support for policing in local communities.

However, police resources are simply failing to keep pace with the change in rural areas. Locally, in 1997 we actually had 45 fewer police officers than in 1994. The funding of the police force nationally is £138 per resident on average. In contrast, the Cornwall and Devon constabulary can spend only £109 per head, which means that the Cornwall and Devon police force are facing crime with far less manpower than the average. No wonder our local police feel overstretched.

In addition, Devon and Cornwall experience an influx of tourists every year, which swells the population massively. The resident population of both counties combined is just over 1 million, and police funds are already overstretched, as I have explained. However, during a year, the Devon and Cornwall area witnesses an influx of 9 million tourists, which obviously places a huge strain on police resources. In peak summer, the population of Cornwall alone increases from approximately 500,000 to 750,000—in other words, it goes up by half. Sadly, not only traffic and accident problems increase for the police; between May and August, crime increases significantly.

Devon and Cornwall are also confronted with the problems of all rural areas. Call-out and response times are inevitably slightly longer, and regular patrols in scattered isolated hamlets are simply impractical. In addition, we are a coastal peninsula. In most of England, in an emergency, neighbouring police forces can be called in as back-up. That is only true for us on the eastern border—otherwise, we are surrounded by water. That adds real costs to the police, not least because they must be prepared to cover for themselves what others might reliably expect to have covered by others.

Mr. Andrew George (St. Ives): Like my hon. Friend, I have experienced a night patrol with the local police a few times. Once, a firearms incident occurred, to tackle which eight authorised firearms officers, in a firearms team, were needed. It occurred in west Cornwall, very close to Land's End, and officers throughout Cornwall were taken out to deal with that event. Obviously, it was impossible to call on officers from constabularies to the west, the nearest being in Newfoundland. I wonder whether my hon. Friend would comment on the fact that, in the extreme west of the region, we have specific difficulties in meeting the problems of police provision.

Mr. Taylor: My hon. Friend makes the point more than adequately. In most parts of the country, support can relatively easily be called from the surrounding area. That cannot happen in Cornwall and Devon, and, by necessary implication, Cornwall and Devon police must make sufficient provision to take that into account, whereas other forces do not.

In theory, there is an allowance in the funding to cover at least rural sparsity, but the Library tells me that other consequences of the formula's impact on rural areas effectively offset that, to the extent that the net additional funding is zero. On tourism, although our daytime population can double in summer, the funding allowed is less than 4 per cent.

The combination of those issues—especially the peninsularity, which goes way beyond anything that the formula can allow for—causes me to conclude that Cornwall and Devon's police need fairer funding.

I remind the Minister of the key figures. Police resources are failing to keep pace with rising crime. In 1993, we had 45 more police officers in the local force than in 1997. In fact, according to the Library, between 1993–94 and 1996–7, real cuts in spending for the Devon and Cornwall constabulary were the third worst in the country—at a time when funding should have been increasing to cover the then Conservative Government's pledge to increase police numbers. I know that the Minister will join me in condemning that broken Conservative promise.

The funding of the police force nationally averages £138 per resident, but the Cornwall and Devon constabulary are allowed only £109 per head, as I said. The result is that, for each police officer in our region, there are 538 people. The national average is a fifth lower: just 414 people. I understand that an Audit Commission report on the police service is due for publication tomorrow, and it is likely to confirm those figures.

I do not expect us to be resourced at the level of the inner cities, nor do I expect everything to change overnight. Those problems have not been addressed for 18 years of Tory rule, but it need not cost a fortune. When Conservative central office costed the Liberal Democrat pledge to give chief constables the extra police they said they needed, it put the cost at £50 million a year. No hon. Member would expect Conservative central office to underestimate the cost of fulfilling a Liberal Democrat election pledge. That amounts to less then £1 per person per year across the country. I believe that the British public would be delighted to pay that for adequate policing and cutting crime.

This is not an attack on the new Government. They have made a start, albeit a small one. They seem to recognise that Devon and Cornwall have been underfunded, and the constabulary have received an above-average increase in funding—4.5 per cent., compared with 3.7 per cent. However, I think that the Minister would accept that that rise still does not bring us anywhere near the level of funding in the rest of the country, as the spending figures per head of population show.

We recently released an updated Liberal Democrat report on crime and policing in the south-west. In it we repeated our costed general election pledge to give, in the short term, 100 extra police officers to Cornwall and Devon. Over time, we want the number to move further towards the national average. The extra funding that Devon and Cornwall received this year has been a step in the right direction, and, after cuts under the Conservatives, it is a welcome step. Nevertheless, extra cash is still needed to provide more police. That is what Devon and Cornwall need.

Can the Minister, first, give us some assurance that this year's above-average funding for the region is a sign of things to come? Do the Government recognise that we had a raw deal from the previous Government on police funding, and that that must change? Will our police numbers now go up?

Pressure on police can be reduced in other ways. Closed circuit television cameras installed in town centres serve as a deterrent against crime.

Mr. Colin Breed (South-East Cornwall): It is a pity that no Conservative Members are present to take part in the debate. One of the good measures introduced by the Conservative Administration was a bidding system by local authorities, in conjunction with retailers and other local groups, to put CCTV cameras into town centres. That was a welcome approach. Does my hon. Friend agree that it should be restored, and possibly increased?

Mr. Taylor: I agree with my hon. Friend about CCTV. The cameras installed in town centres have been shown to serve as a deterrent against crime. In Truro, for example, CCTV cameras helped to reduce crime by 40 per cent. after they were installed in 1995. I have discussed the matter with the police, as there is an obvious concern that crime may simply be displaced to the streets that do not have the cameras. The evidence is that that has not happened—certainly not to the extent that would explain the fall in crime. Traders in the surrounding streets in smaller towns now also want CCTV.

I have supported successful applications for CCTV funding for Truro and St. Austell in my constituency in the recent past, but there is concern about whether funding will continue. CCTV is expensive to install. The chambers of commerce in our part of the world are not wealthy, because the population are not wealthy—nor, under the strictures of local government funding, are the local authorities.

My second question to the Minister is whether funding will be made available for the further expansion of CCTV to build on the initial success. Will consideration be given to support for the on-going costs? Although those are not huge, they can become a burden on the police or on local authorities or both, as they find that more and more installations are paid for, but running costs and monitoring can prove more difficult.

I agree with my hon. Friend also about the extraordinary absence of Conservative Members from the Chamber in a debate on a region that has Conservative Members of Parliament and which they used to regard as their own. I understand that there is a Home Office Opposition spokesman, and it is a pity that Conservative Members are not here. They have a lot to answer for, although it is for the Minister to say what will be done.

The Minister may be aware that there are currently three police control rooms in Devon and Cornwall, but the police say that one will close, and Cornwall's—in Camborne—is at risk. As the Minister knows, Cornwall has a unique identity, and local knowledge can save vital time. Moreover, Camborne is one of the worst unemployment black spots in the country. For all those reasons, it is vital to retain a control room in Cornwall. My third request, therefore, is for the Minister to look into the matter and encourage a conclusion that retains a control room in the county, although I know that the decision does not rest with him, certainly at this stage.

The same points apply to the proposed closure of Camborne Crown court, incidentally. That would cause extra costs and difficulties for the hundreds of people who use it. If it closes, they will have to travel to Penzance. Although the report from the Court Service suggests that that is easy—a train ride costing a few pounds—that is difficult for people living in one of the poorest communities in the United Kingdom, where every penny counts and getting about is a struggle. Not all live near the railway station. Will the Minister look into that matter as well?

We have a massive 124 people more for every police officer than the national average. The crime rate has rapidly increased over most of the past 20 years. Closures of police operation centres are looming. The previous Government took inadequate action to help. Crime figures doubled during their term in office, and in recent years they cut police numbers. The people in Cornwall and Devon expect the new Government to show more commitment to providing an improved police service for both counties. I have acknowledged that a small start has been made.

At the election, I made a pledge to the people of Devon and Cornwall to monitor and argue for our police service and the funding it receives under the new Government. I intend to continue to do so. I hope that I will have good news to give them.

12.46 pm

The Minister of State, Home Office (Mr. Alun Michael): I congratulate the hon. Member for Truro and St. Austell (Mr. Taylor) on obtaining the debate, and on the way in which he has introduced it. The absence of Conservative Members from the Chamber shows their embarrassment on policing issues, but it allows us to have an intelligent debate. I shall try to respond sensibly to important points that the hon. Gentleman raised.

I am sorry to hear that the hon. Gentleman has been the victim of crime. The fact that that experience is so widespread is precisely why we are introducing a series of measures to cut crime in the Crime and Disorder Bill, which the House will have an opportunity to debate in the near future. That Bill contains significant measures that will make a considerable impact at local level.

The hon. Gentleman referred to the experience of car crime. I agree with him about its importance, especially in rural areas, where transport is essential. That is one reason why, in recent months, I have taken a particular interest in the matter. We have launched various initiatives, including the secure car parks schemes, which I commend to any area trying to attract visitors. We want to reach the critical mass, with enough safe car parks for people to go looking for them. That will bring about the virtuous circle, where other car parks will have to be made safe because the public will go looking for safe ones.

[Mr. Alun Michael]

We have published a comparative document on the security of different makes of vehicle, which I commend to the hon. Gentleman. He might like to study it before he replaces his current vehicle.

The personal impact of theft, particularly when crimes of theft are associated with violence, such as mugging, is extremely damaging, not only in the immediate upset caused, but often because of the serious long-term effects of such events. We are trying through the Crime and Disorder Bill to put in place measures that will affect the prevalence of such experiences.

The Bill includes measures to nip things in the bud when youngsters start to offend; to speed up youth justice in particular; and to bring about effective sentencing. The police and local authorities are making an effort to cut crime together. It is a matter not just for the police but for everybody. I am delighted at the positive response that we are getting from the police and from local authorities in discussions about the implications and implementation of the Bill.

The hon. Gentleman referred to the recruitment of specials. I have put some personal commitment into that by visiting every region in England and Wales in the past two weeks with the recruitment exercise. One thing we have seen is the much more professional training of specials. Greater demands are being made of them, but those demands are being met. The way in which specials and regular police officers work together as a professional team in many parts of the country is a particular pleasure.

Mr. Paul Tyler (North Cornwall): Will the Minister address the equipping of specials? I am not surprised that no Conservative Members are present—Labour Members are here, and there are five Liberal Democrats—as the meanness with which the previous Government approached this problem was outrageous. In my constituency, a special was recruited but could not be equipped even with a radio.

I put a similar point to the Minister, again on the prevention theme, which I acknowledge that he and his colleagues are tackling vigorously. Closed circuit television is fine, but if there are difficulties over VAT, or, as my hon. Friend the Member for Truro and St. Austell (Mr. Taylor) said, difficulties with the maintenance and monitoring of CCTV, it is investment down the drain. I hope that the Minister will be able to reassure us on that.

I also ask the Minister to address the point about Victim Support if he has time.

Mr. Michael: The hon. Gentleman needs to ask for an extra hour on the debate.

As far as specials are concerned, work has been going on. I met and listened to specials about the proposals in the working party report. I shall attend a conference in a few weeks' time that will include representatives of specials from every police force. I shall attend personally because it is so important. I hope that that will help to achieve the professional approach to specials that the hon. Gentleman suggests.

I shall deal with CCTV in a moment.

There are two approaches to victims of crime. The hon. Gentleman will be aware that my right hon. Friend the Prime Minister has announced an additional grant of £1 million to help Victim Support to continue to move forward. It is a high-priority issue for us. My right hon. Friend the Home Secretary and I continue to work closely with Victim Support in government, as we did in opposition. We want the care of victims and attention to their needs to be at the heart of the criminal justice system, not just through the work of Victim Support.

In particular, a task force across Government Departments has looked at the needs of vulnerable witnesses and victims to try to improve the situation in court. There are quite a variety of victims and witnesses, as the hon. Gentleman will appreciate—people with learning difficulties, women who have been through a traumatic experience, children who have been subject to abuse, elderly people who feel nervous about the courts. It is not an easy topic to deal with, but I hope that he will accept my assurance that we treat it seriously.

I appreciate that the hon. Member for Truro and St. Austell and his colleagues have raised a number of important points. I rather suspect that, because of the additional questions, I shall not be able to cover all the points. I shall write to the hon. Gentleman afterwards to reinforce points, where necessary, and to answer the ones that I do not reach.

The hon. Gentleman raised important points about the finances of the police service. The formula is supposed to reflect need rather than the historic level of staffing. The historic level of staffing, which influences the formula, is distorting it. That element is down to 20 per cent. this year as a result of the decisions we took, which is one reason why the formula has benefited Devon and Cornwall. We intend to continue to taper that increasingly anomalous factor in the formula.

The formula includes an allowance for differences, particularly in relation to sparsity and visitor numbers to an area. The hon. Gentleman referred to those two factors.

We intend to commission research on sparsity. There has been much debate about it. There is some evidence to suggest that there is not a definable element of sparsity that causes additional problems to the police. Not surprisingly, large rural areas contend that it is there, that it affects them, and that it jolly well should be definable. We will get some independent research to try to lay that to rest. It is silly to argue about it year on year. We should try to reach an objective point where we can settle it, at least dependably, so that forces know where they stand.

The basic point that I am making is that areas differ, and the formula seeks to reflect that difference. The formula has been distorted in recent years, which is why it is taking time to taper. The previous Government put in odd sums of money here and there in what seems an arbitrary fashion, which has distorted the impact of what was intended to be a needs-based formula. All forces I have met—I have met many police authorities and police representatives in recent weeks—make detailed and compelling special cases, not all of which are about being a peninsula. There needs to be a dependable formula, one that is as fair as it can be, although I doubt that it will ever be possible to get one that is perfect.

On a specific point, I shall not prejudice next year's funding settlement, but I think that I have indicated, in the way in which we intend to treat matters and try to get

a wholly needs-based formula, that the approach is likely to be helpful to Devon and Cornwall. I shall not give a commitment on police numbers, for reasons that I shall come to in a moment if there is time.

On CCTV, we have announced a further round, but there are difficulties, as I explained to the House a few weeks ago. The previous Government made no provision beyond March 1999, and when we came to power we discovered that they had spent half of next year's money for us in advance. Finances are being squeezed by the various problems we found, so the amount that we are putting into CCTV is £1 million—a small sum rather than the larger figure that we would have liked.

We are asking for carefully targeted small bids to look at the ways in which CCTV might be used in fresh and innovative ways. One or two examples have been given, including one by the specials in the hon. Gentleman's police area, which have given rise to the thought that there may be ways in which CCTV would be productive.

CCTV also benefits the police, the local authority and the wider community, particularly businesses in shopping areas. A variety of places in the country that have not succeeded in getting Home Office money have gone ahead anyway. People should not wait for Home Office money before considering whether the benefits to them are substantial enough to proceed.

I had the opportunity of a discussion with the chief constable and some of his officers when I visited the police headquarters a few weeks ago. I assure the hon. Gentleman that we will do all we can to ensure that the police have adequate resources to play their part in cutting crime and in preventing it. We have been careful not to make rash promises about police manpower, because those promises, as the previous Government discovered, cannot always be delivered.

One of the many mistakes that the Conservatives made was to plan and project specific increases in police numbers, when, in the Police and Magistrates' Courts Act 1994, they handed powers to decide numbers to chief constables and the new police authorities, which have the freedom to decide whether to use their available resources on recruiting more police officers or on other expenditure, such as information technology and equipment.

With the efficiency of new technology, there are gains to be made in getting police officers out on the beat and not spending a lot of time travelling back to headquarters. It is not a straightforward issue; it has to be decided in relation to the geographical area that is being covered.

I shall not fall into the trap of promising more police officers—that is a matter for the chief constable and his police authority—but I promise that Devon and Cornwall will get their fair share of police resources.

As the hon. Member for Truro and St. Austell acknowledged, Devon and Cornwall police authority benefited from an increase in spending power of 4 per cent., or £6. 1 million, this year. For next year, we are committed to remaining within the previous Government's overall spending commitments. Nevertheless, I can promise even more good news for policing in Devon and Cornwall. Under proposals announced by my right hon. Friend the Home Secretary on 2 December, Devon and Cornwall will be able to increase its spending by 4.5 per cent. over this year. That is an extra £7.2 million, giving the police authority a total spending power figure of £167.5 million.

Once again, the proposed budget increase for Devon and Cornwall of 4.5 per cent. is significantly above the national average of 3.7 per cent. for police forces across England and Wales. That is a very healthy settlement, and the question for the force is how to make the best use of the finances available.

Police authorities were given the opportunity to comment or make representations to me on the proposed financial settlement for next year. We had no representations from Devon and Cornwall police authority, so it is reasonable to conclude that it is content that the proposed funding allocation gives it the capacity to police the area.

Bingley Relief Road

1 pm

Mr. Christopher Leslie (Shipley): I am grateful for the opportunity to discuss the A650 Bingley relief road scheme, which has been debated in my constituency for longer than I have been alive. As I grew up in Bingley, the issue was constantly present. I walked to school along the Bingley main street for many a year having to breathe in and live with the choking fumes from the traffic that was spewing out emissions, so no one is more familiar than I with the congestion problems faced by Bingley, and no one is more aware of the need for the completion of the relief road scheme.

Since the general election, when I was pleased to be elected to represent Shipley, I have been involved in discussions with colleagues from the Bradford district, particularly my hon. Friend the Member for Keighley (Mrs. Cryer). Although she cannot be here today, she supports the completion of the relief road.

To a large extent, today's debate was prompted by a 10,000-signature petition, which I have passed on to the Secretary of State, asking for the scheme to be completed as soon as possible. I pay tribute to some of the scheme's most forceful advocates: Philip Smith from the Better Bingley campaign, who organised the petition; Mark Rand and others from Bingley Civic Trust; Alan Whetton and Jim Stephenson from the Bingley environmental study group; and some of the Bingley councillors, including Eileen Sinclair and Jim Flood.

Many others have been pushing for the scheme's completion for many decades. Local people cannot believe that the scheme has been in the offing for so long, yet has never really been completed. That is the point I want to emphasise to my hon. Friend the Minister. I am not asking for a new start to a new road; I ask only that the scheme be completed, because it has already been constructed to a large extent.

There is an enormous amount of traffic in the area, and the scheme is designed to take traffic away from the Bingley main street. Bingley used to be a small market town, but now forms part of the Bradford urban conurbation. It is located in a narrow, constricted, high-sided valley where most of the existing roads converge. That has created many problems because of the volume of traffic trying to squeeze through such a small geographical area.

The scheme consists of 5 km of dual carriageway. The local authority's study on the capacity of the new relief road concludes that, given the existing traffic flows and the rat runs on either side of the valley, the new scheme will not significantly increase the volume of traffic. Capacity will be sufficiently increased to relieve congestion in the town and ameliorate the problem of rat running, but, as a trans-Pennine route, the new road will not attract an increased amount of traffic.

Work has already been done on the scheme. Indeed, about £23 million has been spent: £6.5 million on the compulsory purchase of land and property; £6.2 million on diverting a canal and building a new bridge over Park road; £3.5 million on retaining walls and sewers; £3.3 million on a new aqueduct; and £3.5 million on a new railway bridge. That is an enormous sum. A roadway has been created where the relief road is due to go and much of it is simply waiting for a tarmac topping so that it can be used.

Bingley has suffered dereliction, decay and decline. The town centre has been blighted for a long time because congestion has put off most shoppers, and the retail industry has seen a steady and steep decline. Vacant premises have been boarded up in the town centre and along the route through the valley. The town has experienced chronic economic decline, compounded by the recession but undoubtedly accelerated by the congestion in the centre of Bingley.

The Government's roads review was correct to focus on accessibility, the impact of schemes on the economy, safety, environmental improvement and an integrated public transport strategy. On all five criteria, the Bingley relief road scores highly. First, on accessibility, according to the Department of the Environment, Transport and the Regions, traffic flows are extremely high—38,000 vehicles a day. The A650 is the busiest A road in the Yorkshire and Humber region after the A1, so I hope that the Government will see fit to give the scheme priority. It would provide improved local access to the town centre, allowing residents to move about more freely. Currently, their options are restricted by the substandard road network in the district.

The relief road would also improve links across the district between the large town of Keighley and the city of Bradford. It would ensure that those two parts of the same district council were properly linked.

Mr. Gerry Sutcliffe (Bradford, South): I congratulate my hon. Friend on his work in trying to get the Government to support the relief road. Its effect will be dramatic not just on Bingley but on the whole Bradford district. Its completion would be an ideal opportunity to get away from the environmental damage caused by the current congestion and to develop investment opportunities in that corridor of Bradford city, which suffers from high unemployment.

In my constituency, development is concentrated around the M606 and the M62 motorways. We are overdeveloped and would like some of the prosperity, investment and development transferred to Bingley and Keighley. The completion of the Bingley relief road would help to achieve that.

Mr. Leslie: I am grateful to my hon. Friend for pointing out those facts.

Secondly, the economic aspects of the relief road scheme form much of the argument in its favour. Firms such as Schindler's Lifts and Peter Black's in Keighley have reduced the number of employees, and many other firms have been put off locating in the district. Some have moved out, citing transaction costs and extra expenses caused by delays as reasons for doing so—Peter Black's said that it amounted to millions of pounds over the years. It is a significant deterrent to business.

The third criterion in the Government's roads review is safety. It is important to stress that aspect, because there is a vast amount of pedestrian-vehicle interaction on the Bingley main street. Cars and people mill about and mix together. Each year, there are an average of 35 accident casualties, some of which are quite serious. The Bingley relief road would remove much of the traffic, so the number of casualties would be significantly reduced. It would also improve access by the emergency services to Bingley and the villages on each side of the valley: ambulances and fire services have had difficulty getting to those areas.

The fourth criterion is the environmental impact of schemes. The Bingley relief road would not only help to regenerate the town centre environment and to rejuvenate the shopping and community areas, but would lessen dramatically town centre pollution.

A recent study undertaken by Bradford council's environmental protection division used a statistical model of emission levels to date to make projections for the future. Emission levels are at their minimum at 45 to 50 mph. Because of the congestion, traffic goes very slowly through the town. If the constant stop-start, stop-go of traffic could be ended, expected pollutants would be reduced massively. Nitrogen dioxide levels, which are currently above the European Union's health guidelines, would be reduced to a much safer level; particulates would be reduced significantly; and carbon monoxide emissions and benzene levels would be halved.

Local general practitioners and doctors often call Bingley and the Aire valley "asthma valley": the Bingley chest has been a local phenomenon for a long time. I am keen to stress the air pollution benefits that would be gained from the completion of the Bingley relief road.

Concerns have also been raised about the Bingley south bog. However, the Highways Agency has amended its design plans significantly, and has mitigated many of the problems. English Nature, the countryside service and the ecological advisory service have said that they are comfortable with the proposed scheme. According to the Department's own ecological study of the Bingley south bog, it contains no nationally rare or scarce plants, no plant species from the Department's red data book, no protected species under the Wildlife and Countryside Act 1981, and none of the 315 plants on the Nature Conservancy Council's nationally scarce plants list.

In weighing up the environmental factors in the Bingley district, it is important to study air quality in the town and other physical factors. I strongly believe that the environmental benefits far outweigh other considerations.

The fifth criterion relates to the contribution that a scheme can make to an integrated public transport system. Moving traffic from the Bingley main street on to the relief road would create a potential thoroughfare for public transport that would link the whole of the Aire valley, and would provide an integrated public transport network across the district. Buses could be timetabled. That problem is not often mentioned, but the bus route to Airedale general hospital has been cancelled because of the difficulties of timetabling a service in such a congested area.

There is a point at which relieving congestion creates new possibilities for public transport. It facilitates cycle routes and town centre pedestrianisation, and would aid the "park and ride" facilities at Bingley and Crossflatts, where there is an electrified railway that should be used more.

Everywhere in the district has transport difficulties: Shipley and Saltaire also face problems. However, without the completion of the Bingley relief road—the link that has been missing for so long—we will face congestion and traffic problems for many years to come. My constituents find it unbelievable that the scheme has taken so long. The route has been decided, but we are waiting for the Government to finish the job.

Given the benefits of the scheme to the community and to the environment, its contribution to public transport improvements in the town, and the economic and road safety aspects, I strongly urge the Government, in their roads review in the spring, to prioritise the Bingley relief road and to complete the job.

1.15 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): It is usual in Adjournment debates to congratulate the hon. Member on securing the debate. I think that congratulations should be offered to the residents of Shipley on having returned my hon. Friend the Member for Shipley (Mr. Leslie) to the House. He has raised this issue, which is of particular importance to his constituents, not only this morning but virtually ever since he walked through the Member's Entrance. He has devoted a great deal of time, effort and energy to drawing to the attention of my noble Friend the Minister for Roads the need for the Bingley relief road, as perceived in his constituency.

I also congratulate my hon. Friend on his generosity in allowing my hon. Friend the Member for Bradford, South (Mr. Sutcliffe) to intervene, and on being so particular in underlining the fact that my hon. Friend the Member for Keighley (Mrs. Cryer) endorses what he has said.

The issue is clearly of great importance to the area, and my hon. Friend the Member for Shipley presented the case to the House succinctly and in detail. I understand that, only last week, he made an able presentation to my noble Friend when she met hon. Members from constituencies in Yorkshire and Humberside to discuss the Government's roads review.

Before I deal with the particular issue of the Bingley relief road, it may be helpful if I said a little about how the roads review fits into the overall thrust of the Government's transport policies. Our work to develop an integrated transport policy provides the immediate context for the roads review. The backdrop to that fundamental review of transport policy is a candid recognition that we cannot carry on as at present. The predicted growth of traffic and the consequent congestion are unsustainable: the environmental, economic and social implications are unacceptable. However, the appropriate response cannot be simply to hack away once again at the roads programme without taking any further action. We need to adopt a much broader view: we should examine all modes, and use broadly based criteria to assess schemes. One of the encouraging aspects of what is, we acknowledge, a hugely ambitious task is the degree to which there is consensus on the need for change.

We should examine the role of the motor vehicle in providing mobility in a more integrated transport system. Such a system should make the best use of each mode of transport. All options should be considered on a basis that is fair and is seen to be fair, and takes into account from the outset safety, environmental, economic, accessibility and integration considerations—my hon. Friend touched on all five points. That must be done in such a way as to give us all confidence and, above all, in a way that is sustainable.

That is the context for the roads review, which is an integral part of our integrated transport policy work. It is about the role that trunk roads should play alongside other modes in an integrated and sustainable transport policy.

The issue that looms largest in the roads review is undoubtedly congestion. We have three broad options: making better use of the existing infrastructure; managing demand; and providing new infrastructure.

[Ms Glenda Jackson]

Making better use of the existing infrastructure is the obvious first choice. It may also be the least painful. Making better use of the network may help to provide a much-needed breathing space, but there must be some doubts about whether it can cater for more than a small fraction of the forecast increase in demand. That means that we have to look very seriously at the other, harder options: managing demand and providing new infrastructure.

Managing demand is a vast topic which cuts across all modes. It encompasses reducing the need to travel, through land use planning, and by changing the way in which we live, work and enjoy our leisure; it must also include an assessment of the extent to which we can encourage a shift to other modes, and, inevitably, it involves the question of controlling demand by pricing or rationing mechanisms, unpopular though they may be. At the very least, managing demand is about changing human behaviour, so it follows that it is a very difficult thing to do. I am sure we could readily achieve a consensus that, as a society, we should use cars less; making it happen is another matter.

That brings us to the third and last option—providing new infrastructure. That is also a very difficult option, both financially and in terms of the impact that it may have on the environment. Circumstances vary from case to case. In some cases, a new or widened road may be the only option to provide a comprehensive solution to the problems caused by traffic and congestion in a particular community. There is no substitute for rigorous case-by-case examination of the options, and to that end we have carried out a regional consultative exercise led by the Government offices for the regions. We have looked, region by region, at the perceived traffic problems and the roads programme that we inherited from our predecessors. We regard the existence of a scheme in the inherited programme as prima facie evidence of a transport problem.

The aim of the regional consultations is to give us a view on which problems deserve the greatest priority. Once we have identified the priority problems, the next step is to ensure that all the credible options are properly evaluated. There is no presumption that a road scheme is the right solution, or that a scheme in the roads programme is the best option. We envisage two outputs from that part of the review: a short-term investment programme, and a programme of studies to examine the remaining problems. From that, we will develop the medium and longer-term investment programme.

The short-term programme will include both measures to make better use of the existing network, and new construction schemes. The new construction schemes are likely to be schemes from the inherited roads programme that address priority problems in a way that is consistent with our integrated transport strategy. We will not put schemes into that programme if it is clear that there is an alternative option that could obviate the need for the existing schemes. The right thing to do in those cases would be to study the alternatives more fully before reaching decisions.

Let me turn to the specific issue of the A650 Bingley relief road. The development of road improvement proposals in the Aire valley has a long and controversial history, which—as it is part of the personal history of the hon. Member for Shipley—I will not rehearse today. However, the Bingley relief road is one of a number of schemes originally designed to provide a good route between the settlements in Airedale, the centre of Bradford and, beyond that, the motorway network. Two of those schemes have been completed: the dual carriageway sections between Kildwick and Beechcliffe and between Victoria park and Crossflatts, which opened to traffic in 1988. As well as the Bingley relief road scheme, the roads programme inherited from our predecessors includes schemes to improve the A650 Hard Ings road in Keighley, and the A629 between Skipton and Kildwick.

Significantly, in previous reviews of the roads programme, schemes to provide a tunnel under Saltaire and to build an eastern bypass of Shipley have been withdrawn. Associated local authority road schemes to improve the route between Shipley and the centre of Bradford are also being reconsidered. The comprehensive strategy to improve the route as a whole has been reduced over the years, not least on financial grounds, and we have inherited a set of proposals to address local congestion, safety and environmental problems along the Airedale route.

The regional consultation undertaken as part of the roads review has emphasised the severity of the problems in Bingley, and highlighted the strong feelings about the relief road scheme—feelings which were underlined by what was said by my hon. Friends the Members for Shipley and for Bradford, South. The Government office has received about 100 letters in support of the proposals, and 36 opposing them. In addition, a 10,000-signature petition in support of the new road has been submitted.

The submissions supporting the scheme echo the points made by my hon. Friend, highlighting problems of congestion, road safety, pollution, commercial decline in the town centre, the need to encourage regeneration along the Aire valley and the extensive blight caused by the protection of the road line. On the other hand, a number of representations from environmental groups have argued strongly against the building of the relief road. They claim that it would generate additional traffic and shift traffic bottlenecks further down the route to Saltaire and Shipley, and that it would therefore not solve the current problems of congestion and pollution.

We shall want to give careful consideration to all the representations in reaching a decision on the Bingley relief road. The decision must be firmly based on the principles of our integrated transport policy, which I outlined earlier. I fully recognise the serious existing problems of congestion, road safety and environmental damage, which need to be addressed. We need to consider the contribution that demand management and improved public transport can make to the solution of the problems in the corridor that we are discussing. Indeed, I think that there is a great deal of common ground between different sides in the debate about the future of the relief road scheme. Many of those arguing for the construction of the new road recognise that a package of measures to improve public transport is also necessary.

I fully appreciate that the residents and business community in Bingley have been looking forward to the construction of the relief road for many years, and I am sensitive to the argument that £23 million has already been spent on advance works to create the path for the

new bypass; but we must assess fully the justifications for spending a further £64 million to complete the scheme, to assess the proposal within the new appraisal framework that we are developing against the five criteria set out in the roads review consultation document, and to assess the priority to be given to the scheme against other schemes that are candidates for the short-term programme. In our deliberations, we must consider solutions in an integrated way, assessing carefully the contribution of different modes, and looking at the problems of Bingley in the broader context of the strategies required for the route as a whole.

I am grateful to my hon. Friend for bringing the matter to the attention of the House. He put the case for the construction of the Bingley relief road very forcefully. I am sure he will appreciate that, until the review of the roads network has been completed, I cannot tell him what the future of the scheme will be. The results of the review are expected to be published later this year, but we will examine all my hon. Friend's representations, and those of others, in detail.

Railway Noise

1.27 pm

Mr. Nick St. Aubyn (Guildford): I thank those in Madam Speaker's Office for selecting my debate. I also thank hon. Members who have expressed their support, but who—understandably, given that this is a busy time—cannot be present.

One of the things that I have appreciated since becoming a Member of Parliament is the way in which Members are prepared to debate not just great matters of state, but issues that—although they affect the lives of only a small number of people—raise principles of wider significance. That is particularly appropriate when we are discussing remedies that the House intended to be available to such small groups, but which have been discovered to be defective.

The subject of the debate directly affects residents of Rupert road in Guildford—whose petition I have here—but it also raises three matters of wider principle. First, how are the railway operators to be made accountable for their impact on the environment? Secondly, are those who live near railways receiving fair compensation for that, at a time when it is intended that there will be investment in the rail network so that it will be improved and its use intensified to a greater extent than for many years? Thirdly, when the use of rail and road networks increases, do we reflect the cost to those who live nearby of the benefits that accrue to the rest of us, as a result of such intensification of use?

I have always been a friend of the railways. The garden of my previous home abutted the main railway line. Equally, those who live in Rupert road in Guildford chose to go there in the full knowledge that their road abutted a busy main-line railway station. They had been there for many years when our saga began 21 months ago, when Railtrack decided, without any apparent consultation or a requirement for detailed planning permission, to take advantage of a disused siding and erect what is effectively a new maintenance depot to service its mainline operations and to help in its vital signalling work on that line. That involved the creation of new road access, the erection of offices and electrification of disused line.

As I said, the developments did not require Railtrack to consult local residents or even the council. However, when the project was under way, the noise began for those who lived in the immediate vicinity. I shall quote from one of the letters that I received from the residents, to give a flavour of the noise and difficulty that they face. In her letter, a lady states:

> "I do not think we have had an uninterrupted night's sleep this week. On Monday I was woken at 3 am by what sounded like someone throwing bricks at a metal sheet for half an hour. On Tuesday night my neighbours called the police after South West Trains left a diesel engine parked by the fence with the engine roaring and the compressors screaming every three minutes. The Environmental Health Officer came out and took measurements which recorded this at over 70 decibels."

There are many similar incidents to which I could refer. Residents have had to take days off work to recover from the night-time noise and they have had to take days away from home. A family with three children who live by the railway were especially affected by the fumes from the new activity. The three children have asthma, and I presume that "Thomas the Tank Engine" is not their favourite bedtime reading.

[Mr. Nick St. Aubyn]

I pay tribute to Guildford borough council, and especially to the environmental health officer, Mike Keetch, who has worked tirelessly on the case from the end of 1996, when the residents asked for his help in the matter. That has required the installation of detailed recording equipment and being available at all times of the day and night to ensure that evidence is properly gathered. A council report states that on one occasion

"the normal background noise level of about 44 decibels was raised for periods as high as 76 decibels which is a loud and intrusive noise level."

Railtrack took nine months to respond to entreaties by the council, let alone the earlier entreaties by residents, for a meeting to resolve the serious problems that the new and intensive development had caused. In view of what was agreed at that meeting, it is striking how simple were the steps that Railtrack had to take to at least alleviate the problems that it had caused. They included such simple measures as erecting signs along the railway telling drivers and workers that they should keep noise to a minimum, and noise control provisions in the contract terms of Railtrack operators.

One would have hoped that such simple measures would be implemented without delay. However, a Guildford borough council officer who wrote to me about the matter stated in his letter:

"Since that date efforts have been made to contact Railtrack and seek confirmation of the steps that they propose to control noise. No response has been received . . . although a meeting has been arranged at my request on 3 February."

Over the past week, since this debate was scheduled and in the light of the next week's meeting, there has been a short respite in the noise and difficulty caused to residents. I hope that the attention that has been drawn to the matter will have the effect that was intended and desired by legislation.

I contacted the Department of the Environment, Transport and the Regions and discovered that it was its understanding that the Environmental Protection Act 1990 governed Railtrack and other rail operators. Guildford borough council took a great deal of trouble in collecting the required evidence and information, and was on the point of issuing proceedings against the rail company. It discovered that section 122(3) of the Railways Act 1993 gives all rail operators a statutory defence against the Environmental Protection Act. Those who take action against the rail operators have to prove that their operations and actions were, in the words of the section, "totally unreasonable".

Hon. Members will be aware that it is difficult in law to prove that an action is totally unreasonable even if it appears to be unreasonable and, as in this case, the rail operator has admitted that an equally viable site could have been chosen away from housing. It is a measure of the deficiency of the legislation that, because no consultation was required, that alternative proposal was not presented, although its implementation would have relieved the residents of the difficulty.

The residents also examined the Land Compensation Act 1973, to see whether there were legal requirements on the rail operator to give grants to the residents for the cost of insulation. Noise regulations issued in 1996 require that, if noise during the day is more than 68 dB or is more than 63 dB at night, compensation should be paid to residents. However, that is restricted to cases in which a new line is to be opened or when additional tracks are laid alongside an existing line. It does not take account of the revival of a long-derelict line. Even the electrification of such a line or the erection of depot buildings alongside do not count. Those are all signs not just of intensified use but of a material change in the use of the rail network.

It was also decided to seek the aid of the Rail Regulator, who issued environmental guidance in March 1996. The foreword states:

"There is of course in place in this country extensive and detailed legislation aimed at protecting the environment. It would not be appropriate for me to try to summarise current requirements and standards in a document of this kind."

The implication is that the regulator assumed that operators such as Railtrack would be subject to the environmental legislation. The regulator's guidance is therefore sadly lacking in specifics. When he speaks of railways' impact on the environment, for example, he states merely:

"mitigation of noise nuisance will require measures to be taken by train operators, rolling stock companies, Railtrack and the infrastructure maintenance companies".

That long list of those involved shows just how difficult it is to ensure that everyone involved in the railways heeds an effectively voluntary regime. Moreover, the voluntary regime specified in the guidance note is not nearly specific enough.

The problems at Rupert road have continued—although, as I said, they have abated somewhat in the past week. It is very much hoped that, because attention has been drawn to the matter, Railtrack will recognise its responsibilities to the community. Where Parliament has given any exemption from mainstream legislation—particularly from environmental legislation—a duty of care surely rests on those granted the exemption or licence to act extremely responsibly and, wherever possible, to observe the spirit and the letter of the law.

I believe that the Minister and her Department can make a difference in three specific matters. First, I hope that they will support the call for the regulator to issue to the rail operators new and more specific guidelines on environmental impact. I suggest that such guidelines should spell out how, before an intensification and material change of use occurs, operators should undertake a process of notifying local residents and the local authority, and undergo a period of consultation during which they must demonstrate the reasonableness of their proposals and the lack of any alternatives.

Secondly, the regulator should propose model clauses on environmental impact, so that those who work for the rail operators are bound by a legal and effective system to ensure that the type of suffering and disruption caused to the residents in Rupert road does not happen again there or elsewhere. The operators could use such clauses in negotiating contracts with their subcontractors.

Perhaps the Minister will confirm that the Government intend to introduce a new transport Bill. If so, will Ministers consider incorporating in it a revision of the terms of the Railways Act 1993—thereby changing the terms of the section effectively exempting rail operators, so that their operations are more tightly and more clearly defined when they impact on the environment and cause a nuisance to those living near railways?

Thirdly, there is the wider issue of the Land Compensation Act 1973. I speak as an hon. Member representing a constituency through which a main road—the A3—thunders, and in which the intensification of road use is every bit as much of a problem to constituents as the intensification of rail use. The Land Compensation Act 1973 is now 25 years old. Even if the regulations could have been extended—I do not believe that they could have been—to deal with the situation in Rupert road, there are many deficiencies in the way in which we assess and measure the effect on those living near our roads and rail networks.

I hope that the Minister and her Department, in promoting those suggestions, will bring pressure to bear on the rail operating companies so that they re-examine their scope for agreeing discretionary grants in cases that are currently in a grey area. The operating companies certainly have power to make discretionary grants to alleviate the noise caused to local residents.

Above all, I hope that this Adjournment debate will promote a wider debate on the issues that have been raised.

1.43 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate the hon. Member for Guildford (Mr. St. Aubyn) on obtaining this debate and on learning so soon after his election to the House that the Chamber is not reserved for matters of great moment—although I argue that no matter is of greater moment than the concerns of one's constituents. I congratulate him also on presenting those concerns so cogently and in such detail. The issue that he raises is particularly important.

I am sure that the hon. Gentleman will agree that, on balance, railway transport is more environmentally friendly than road transport. Undoubtedly, however, it still generates noise. Although noise from railways tends to be less disruptive than noise from motor vehicles, and noise experts consider it much less of a problem and much less disturbing to sleep than road or aviation noise, that is of little concern to those of his constituents suffering from the instance that he described in such detail.

The hon. Gentleman will know that the Government are committed to developing an integrated transport policy and that, this spring, we intend to issue a White Paper detailing a strategy for the United Kingdom. As part of that strategy, and within an environmentally sustainable framework, the Government wish to encourage greater use of the rail network for both passengers and freight.

With greater passenger usage of the rail network and with moves to increase the percentage of freight traffic transferred from road to rail, there will inevitably be increased railway noise for many people who live close to railway lines. Our aim must therefore be to minimise railway noise as much as possible.

For many years, I lived over a very busy main line and, like everyone who has lived in a property near a railway line, I was aware that traffic patterns can change and that volumes can increase. However, some of the hon. Gentleman's constituents are particularly concerned about noise from engineering trains using sidings in the Guildford station area. Of course I regret any inconvenience caused to his constituents, but I am advised that those sidings are used by vehicles employed on essential maintenance or on major investment projects to modernise signalling systems in the area. That activity is centred in Guildford because it has easy road access and the necessary services, and it is close to stores and stockpiles of necessary materials.

I regret that the efforts of Railtrack and its contractor to reduce noise at the site have not been successful in reducing the disturbance to local residents. I understand that residents have now been given a 24-hour Railtrack helpline number so that they may contact the company when necessary, and that Guildford borough council has arranged a meeting with Railtrack, on 3 February, to discuss the problems being caused to local residents.

Railtrack has advised me that the project to modernise signalling systems in the Guildford area is due to be completed in July 1999, and that that will reduce some of the disturbance to local residents. However, engineering trains and sandite trains—which put sandite on to the rails to help adhesion during leaf fall in the autumn—will continue to use the sidings at Guildford. The major Railtrack investment programme to improve signalling will bring benefits for many thousands of rail commuters across the south-east, but the related works will cause some inconvenience to people living nearby until they are completed.

Railtrack has assured me that it wishes to be a good neighbour to those who live adjacent to the operational railway—not only in Guildford but across the country—and that it tries to do all that it can to mitigate noise and nuisance caused by track or line-side works.

In major works, Railtrack gives advance notice to the local authority and line-side residents and, in some cases, has offered to accommodate residents in hotels. However, if Railtrack has to perform emergency safety-related work, it may not be possible to give advance notice to residents likely to be affected.

Although there is no statutory limit for railway noise, both Railtrack and train operators are subject to the statutory nuisance provisions of the Environmental Protection Act 1990, which are enforced by district councils. Under section 79 of the Act, it is the duty of district councils occasionally to inspect their areas to detect any statutory nuisances, and to take such steps as are reasonably practicable to investigate any complaint made by a local resident. Section 80 of the Act provides for the serving of abatement notices where a local authority is satisfied that a statutory nuisance exists, or is likely to occur or recur. In addition, a magistrates court may act under section 82, following a complaint by any person aggrieved by a statutory nuisance.

The hon. Gentleman referred to section 122 of the Railways Act 1993, which provides Railtrack with some defence against the Environmental Protection Act 1990 where it is carrying out works as a statutory authority, but it is not an open-ended defence to nuisance proceedings. Although the burden of proof required for conviction would be greater than if section 122 had not been enacted, it would be up to the local authority to convince a court that the noise generated by Railtrack was greater than might be reasonably thought necessary in order for Railtrack to carry out its statutory functions. I understand that the local authority has already taken up the case with the Rail Regulator. The Rail Regulator monitors the environmental performance of train companies and may be able to exert some pressure on Railtrack.

[Ms Glenda Jackson]

I turn from the specific case raised by the hon. Gentleman to railway noise more generally. There is no statutory provision for noise mitigation for those who live next to stations or shunting areas. It has always been accepted that those who buy property next to such areas do so in the knowledge that they will be affected to some extent by noise from the railway.

The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996 provide statutory noise protection measures for people who live near new railway lines, or where a line is moved or widened. That is in line with noise insulation regulations offering statutory protection to people who live near new or widened roads. In recent years, a number of new railway projects have been planned or built, ranging from light railway systems to the channel tunnel rail link. The previous Government recognised that it was only fair that people living near new railway lines should be no worse off than people living near new roads.

The 1996 regulations confer a duty on the body responsible for the construction of a new railway line or additional tracks alongside a line to offer insulation when noise exceeds certain levels. There are two noise trigger levels: one for daytime and a separate, lower one for during the night. The standards reflect the character of railway noise—usually short bursts of noise followed by longer periods of quiet—and are expressed as an average noise level over a given time period. In addition, insulation may be offered against excessive noise from railway construction. In all cases, residents have the option of receiving a grant to cover the costs of carrying out the insulation work themselves.

The adoption of national standards ensures equity of treatment regardless of the area where people happen to live. That is very important. If noise insulation standards had to be determined separately for each individual rail project, unnecessary costs would be incurred and there would be a strong chance that people in one area would receive less protection than those in other areas. The certainty provided by setting national noise insulation standards benefits both line-side residents and promoters of new railway projects.

There is no provision in the regulations for insulation to be offered when use of a railway line intensifies. Again, that mirrors the position on roads. Successive Governments have taken the view that those who choose to live adjacent to roads or railways do so in the knowledge that the volume or composition of the traffic may change, and the householder must therefore bear the risk of that.

Although the Land Compensation Act 1973, of which the hon. Gentleman is clearly aware, would not seem to benefit those in his constituency whose plight he has so cogently detailed, the Act allows householders to claim compensation from the responsible authority when the value of their property is diminished by physical factors, such as railway noise or vibration, caused by the use of new or altered public works. For railways, the Act is not specific as to what is meant by "altered works", but it refers to their being

"reconstructed, extended or otherwise altered".

There is no statutory requirement for compensation to be paid purely because traffic on a railway line has increased. That again parallels the situation for roads. For an altered railway line, it is for Railtrack to determine whether particular works undertaken are covered by the meaning of the Act.

Noise mitigation measures are one aspect of tackling noise, but train operators and Railtrack need to take reasonable steps to reduce railway noise at source. For example, railway noise can be reduced by measures such as replacing jointed track by all-welded track, the use of electric locomotives instead of diesel locomotives for hauling freight trains, and the use of lighter freight wagons. The Government propose to discuss noise levels, exhaust emission levels and energy efficiency with the railway industry with a view to gaining an understanding of what improvements the industry can deliver in those areas.

Noise barriers have proved effective in some instances, but they are undoubtedly expensive and, on occasion, replace noise disturbance with visual intrusion. Although there was no statutory entitlement to noise protection, sound barriers have been erected in a number of locations in London and the south-east on lines affected by increased noise from channel tunnel trains. Voluntary jointly funded noise mitigation schemes were agreed between the British Railways Board, Railtrack and the local authorities concerned. Such noise barriers are, however, likely to remain the exception to the rule, and I expect the railway industry to concentrate its efforts on reducing noise at source. New projects such as the CTRL have been very successful in incorporating noise mitigation measures in the design from the beginning.

Looking to the future, a general European Union noise directive is likely to be the main driver of tighter standards for railway and other noise across Europe. Hon. Members may know that the EU published a Green Paper on future noise policy on 5 November 1996. The Commission proposes to establish a framework of working and steering groups to consider noise policy, which will include a railways working group.

I regret that the hon. Gentleman's constituents are suffering from noise from the sidings in Guildford. The resignalling scheme that causes part of that noise is due to be completed by July 1999, but I hope that, before then, Railtrack will be able to find ways of reducing the disturbance to local residents. In the longer term, there is always likely to be some noise disturbance for those who live next to railway sidings, and I fear that little can be done about it.

Although railways are generally more environmentally friendly than roads—the Government want to see more use made of the railway network—I assure the hon. Gentleman that the Government take the wider issue of railway noise very seriously and will be talking to the railway industry about what can be done to reduce noise at source. I must stress that there are no easy or cheap solutions.

The hon. Gentleman raised three particular points. He said that the Rail Regulator should issue guidelines on the environment and that there should be consultation with residents, and he raised the issue of contractors. I believe that Railtrack should be undertaking such things anyway. There should be no formal requirement concerning the regulator. Railtrack, in the main, exists only as a result of vast public subsidies, which go into our railways via access charges. It is surely in Railtrack's best interests, as a good private company that wishes, as it has

said, to be a good neighbour, to ensure that the kind of actions that the hon. Gentleman has proposed are part and parcel of its work in every way.

With regard to the possibility of a transport Act, we shall be publishing a White Paper on our integrated transport policy—how we can make best use of all transport modes, including roads, railways and waterways. I am not able to say that there will be a separate transport Bill, but as the hon. Gentleman knows, we are looking at the creation of a strategic rail authority.

I am in no position to comment on—nor have any knowledge of—the possibility of a review of the Land Compensation Act. I have made a note of what the hon. Gentleman said. His comments stem directly from his constituents' concerns about a particular incident, and I shall look further into the matter.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Dependent Territories (Assistance)

1. **Mr. Swayne:** How many of the United Kingdom's remaining dependent territories receive development assistance; and if she will make a statement. [23858]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): The dependent territories receiving British development assistance are Montserrat, St. Helena and, to a lesser extent, Anguilla, the Turks and Caicos Islands, the British Virgin Islands and Pitcairn. The scale of our support to the poorer islands in particular illustrates the UK's commitment to the development of those territories.

Mr. Swayne: There seemed to be a note of menace in the Foreign Secretary's remarks, reported at the weekend, urging dependent territories to adopt our practice and expand their range of sexual experience. Who is in charge of the budget? Does the Minister believe that it should be transferred to another Department? Mindful of the fate of the cities of the plain, is he prepared for the Secretary of State to be cast in the role of Lot's wife?

Mr. Foulkes: There is no menace in my voice, despite the obvious temptations. Responsibility for the dependent territories is under consideration. We are looking at the representations made by the International Development Select Committee, which were far more reasoned and reasonable than the hon. Gentleman managed to be.

Tibet

2. **Mr. Godman:** When she last met her colleagues from other member states of the European Union to discuss matters relating to the provision of multilateral aid to the indigenous people of Tibet. [23859]

The Secretary of State for International Development (Clare Short): I have not personally discussed aid to Tibet with my European colleagues, but my officials are in touch with the Commission about the proposed Pa Nam rural development project, which will provide assistance for indigenous small farmers in Tibet. One condition of the agreement with the Chinese Government was that there should be clear provision for participation by local communities.

Mr. Godman: Not a penny of European Union funding should be given to the project until certain guarantees are met, one of which should be that the project must be managed and staffed by indigenous Tibetans. Before the agreement with the Chinese Government is signed, the involvement of non-governmental organisations must also be guaranteed. I understand that the Save the Children Fund could help with the project.

Clare Short: Agreement has been reached with the Chinese Government that the project should involve indigenous Tibetans and NGOs. On the non-renewal of a visa for an education worker with the Save the Children Fund, Sir Leon Brittan decided, without consulting member states or the Save the Children Fund—I think that my hon. Friend will approve of the decision—to suspend implementation of the project until the problem is resolved. We very much hope that it will soon be resolved.

Rev. Martin Smyth: During a recent visit to India—at my own expense—I joined Lord Weatherill to visit Dharmasala. Would the Secretary of State be prepared to consider, and perhaps act, on providing scholarships for young Tibetans to come and be educated so that they might give leadership to their own people?

Clare Short: Most of the help which Britain bilaterally gives to Tibet is provided through local non-governmental organisations to get the help into the hands of local Tibetans. On scholarships, we are trying to move the emphasis towards training in the country because we can achieve more for our money and provide training that is relevant to the needs of that country. I will look at the hon. Gentleman's proposal, but that is the way in which we are moving.

Development Issues

3. **Mr. Hope:** What initiatives she is taking to promote greater awareness of development issues; and if she will make a statement. [23860]

Mr. Foulkes: We attach great importance to this area. Everyone has a right to understand the global considerations which shape their lives. I will have the privilege of chairing the first meeting of our new development awareness working group in March which will put in place an ambitious and exciting new strategy.

Mr. Hope: I thank my hon. Friend for his reply, and I congratulate him and my right hon. Friend the Secretary of State on the excellent nationwide tour that is currently taking place in which local organisations, Church groups, non-governmental organisations and councils have the opportunity to debate at first hand the issues in the White Paper. I stress that we are impatient for change on development education, and raising awareness is important. Will my hon. Friend confirm that the development awareness working group will meet soon, will have proper terms of reference and will take early action to raise public awareness of the need to eradicate world poverty?

Mr. Foulkes: I thank my hon. Friend for his kind remarks about the programme of visits. I had the great pleasure of starting off the programme, and we chose Belfast as an appropriate place to start. In Belfast, and in Aberdeen, I found great enthusiasm for the principles and the programmes of the White Paper, and very great enthusiasm for the work of the Department. I can confirm that my right hon. Friend the Secretary of State has just sent out invitations to hon. Members to join that working group. We hope to have the meeting as quickly as possible to produce the kind of programme of activities which I know my hon. Friend will enthusiastically endorse.

Mr. Rowe: Without seeking to prejudge what the working group will decide, I must point out that the

Minister will be well aware that most of the development education so far undertaken has been undertaken by NGOs. It seems to me that there is very little need for huge Government funds to be involved—m rely the facilitation of high-quality education, sponsored by those NGOs.

Mr. Foulkes: Part of the work of the working group will be to mobilise and extend the work being done by NGOs, to learn from their best practice and to spread it around. There is a big job to be done in relation to the formal curriculum. The working group will look at the curriculum and informal education, and will try, through the wider media, to get the message over to as many people as possible.

Ms Squire: I welcome the initiatives taken by my hon. Friend the Minister and my right hon. Friend the Secretary of State to increase international development awareness throughout the UK, and I especially welcome the establishment of the working group. Will that group address the concerns which all of us have about child poverty and exploitation, especially when such exploitation produces goods that go on sale in our high street stores? What specific action do the Government intend to take to raise awareness of the part that we can all play in ending such exploitation throughout the world?

Mr. Foulkes: The Department is taking action through our contribution to the Independent Labour Organisation, where work is being done on core labour standards. I am sure that the working group will look at this matter to get over a wider awareness of the way in which children are being exploited—for example, there is bonded labour in some countries. This is a way of making people in the UK aware of some of the practices currently taking place which ought to be stamped out.

UNESCO

4. **Mr. Ian Bruce:** What is the annual cost of the United Kingdom's UNESCO membership. [23861]

Clare Short: The cost of UK membership of UNESCO for the calendar year 1998 is £11 million, although that might vary slightly with currency fluctuations. UNESCO's remit is the promotion of international co-operation in education, science, culture and communications. We welcome UNESCO's commitment since we rejoined to strengthening its contribution to meeting the international commitment to primary education for all children in the world by 2015.

Mr. Bruce: I know that the Secretary of State will be proud of meeting the commitment in the Labour party manifesto to rejoining UNESCO; but there was also a promise to pay for that out of savings from the rest of her budget. I understand from answers given by the Minister that membership is being paid for out of the contingency reserve. The previous Government would not have rejoined UNESCO, because the £11 million could otherwise have gone directly into schemes that we know get better value for money than UNESCO ever provides.

Clare Short: I am very grateful to the hon. Gentleman for his concern for my budget. I am concerned to ensure that every farthing is well spent. In fact, the payment came out of my contingency reserve, which is part of my budget. If it had not gone on that, it would have gone on some other project.

We are proud of the quality of our bilateral programmes, but we are strengthening our commitment to the multilateral system. We cannot reach the poverty eradication targets alone, no matter how good our programmes are, so we must strengthen our commitment to making the international system work well, so that the targets can be reached in every country, including the ones in which we do not work individually.

Dr. Palmer: In view of the concern expressed by the hon. Member for South Dorset (Mr. Bruce) about the Department's budget, will my right hon. Friend urge the Conservative party to donate the £1 million that it has received from drug dealers?

Clare Short: I am grateful for the suggestion, but I am proud of the fact that the House has generally dealt with International Development questions in a bipartisan way, without playing political games. That is right, because these matters are of such concern to all parties. I hope that Opposition Members will support our tightened commitment to poverty eradication and our strengthened commitment to the multilateral system. In that way, Britain can make a bigger contribution to eradicating poverty throughout the world.

Montserrat

5. **Dr. Tonge:** What progress has been made on a sustainable development plan for Montserrat; and if she will make a statement. [23862]

Clare Short: Discussions have taken place at official level on the basis of an initial Government of Montserrat draft of the sustainable development plan. A revised draft will be circulated for comments in a few weeks' time. We are working on a plan for meeting the needs of those on the island while the volcano is active—as the hon. Lady knows, we do not know how long that will be—and we are also taking account of the longer-term investment needs once the volcanic activity has abated.

I want to take this opportunity to inform the House that I have approved £1.3 million in budgetary aid to cover Government of Montserrat costs for the first quarter of this year, and £450,000 to support small and medium-scale enterprises on Montserrat, to help people to be self-sufficient. That brings my Department's total commitment to the island to £51 million since the crisis began.

I have also approved £410,000 to help Montserratian small businesses on Antigua; and this week, because of the need to relocate from the central region, we are providing for 50 more houses and sites for 150 houses, some of which will be used for self-build.

Dr. Tonge: Does the Minister accept that while the volcano remains active there is a continuing threat to the people remaining on the island? There is a threat in the long term of damage to their lungs from the ash. There is also a threat of loss of life from an inadequate evacuation, should the volcano explode, as people try to get off the very temporary jetty.

Would it not be better to spend aid money on persuading people to leave and relocating them comfortably in Antigua, Britain or elsewhere, than to pour it into the northern tip of the island, which may, some say, benefit the rich landowners of Montserrat more than the people themselves?

Clare Short: As the hon. Lady knows, I am desperately concerned to ensure that all the people living on Montserrat understand the danger that the ash poses to their lungs. We have taken scientific advice, but no one knows exactly what will happen. We are monitoring people's health, but there is a link with silicosis, which is extremely serious.

We can get scientific risk projections, but the volcano is extremely unpredictable and there could be an explosion that leads to loss of life in the central zone. So I have been putting enormous effort into a public education programme to get people to understand the risks and the support that is available to enable them to come to Britain, relocate in the Caribbean or remain in the north of the island. I share the hon. Lady's concern that that communication has not been as effective as it should have been. I promise her that I will do everything in my power to make sure that it is.

Ms Abbott: Will the Secretary of State accept my thanks and the thanks of the many thousands of Monserrat evacuees living in Hackney and thereabouts for the extra aid that she has announced today? Will she bear in mind that the people still on Monserrat are aware of the risks? They are covered in ash and see the smoke every day. People in Monserrat and evacuees in my constituency tell me that, as long as it is possible to live in the north, the people still on the island want to maintain a community on Montserrat. They are passionate about some kind of stable development for Montserrat. I am sure that she is aware of that.

Clare Short: There are a number of evacuees from Monserrat in Ladywood. I know that what my hon. Friend says is true. I agree that there are people who wish to remain on the island. Elderly people, for understandable reasons, are less keen to relocate. I have never had any wish to tell people on Montserrat what to do. I am enormously keen that they understand the risks and the choices and that they really can choose which is the best solution for them. Our communications could still be better so that people really understand the risks and that no one is taking a political position. Some people have been led to believe that that is not the case.

Sir Alastair Goodlad: Is the right hon. Lady aware that the Select Committee's report on Monserrat was published as long ago as 18 November 1997? It would be helpful to confidence in Monserrat as well as to the House if she could produce an early Government response. When might it be available? Is she also aware that the criticisms of the Government's strategy for Monserrat were recently echoed by the Chief Minister, giving rise to unease among hon. Members on both sides of the House that confidence among the people and in the Government of Montserrat in the Government's handling of the emergency is at a low level? Could she give some forecast of her response to the question of sustainable development or otherwise in the north of Monserrat?

Clare Short: Yes, I am conscious of the Select Committee report. I gave a large amount of evidence to the Select Committee. It is an excellent report and the analysis that it contains is very much in tune with the evidence that I put before the Committee.

Montserrat is a complex emergency because the volcano's behaviour has been unpredictable and has constantly changed. Great parts of the island have become uninhabitable bit by bit. Most of the activity occurred when the previous Government were in office. It has never been possible to plan for the position that faces us now because the volcano's behaviour has changed.

I am aware of some of the statements made by the Chief Minister. Some of them are highly political. My concern remains that the people of Montserrat know the truth about the risks that they face and the commitment of the British Government. Our response to the Select Committee will be ready soon. There is to be a debate in the House, in which my hon. Friend the Under-Secretary of State will participate. I can assure the right hon. Gentleman that we are determined to do everything that we can to protect the interests of the people of Montserrat. This is an ever-changing emergency. We are just evacuating zone 3 and many people in quality houses are having to move again. That makes things very difficult.

Know-how Fund

6. **Mr. Llwyd:** What current projects are being supported from the know-how fund; and if she will make a statement. [23863]

Clare Short: A full record of projects is set out in the know-how fund report for 1996–97, which has been widely circulated and which I am placing in the Library. I published my new strategy for the know-how fund in mid-November which will shift the emphasis of our work to take more account of the terribly high levels of poverty while continuing to help build democratic and free-market institutions.

Mr. Llwyd: I thank the right hon. Lady for that response. In view of the perilous state of the Belarus economy, does she agree that it is important that further technical advice and financial assistance should be given to develop the role of non-governmental organisations in Belarus? It seems that that is the way forward for that country.

Clare Short: I cannot pretend that I have any personal expert knowledge of Belarus. Generally, we are moving efforts on the know-how fund eastward because the EU accession countries are most advanced and are receiving other assistance. We are trying to support good regulatory systems, better social provision—because so many people are falling through the system—and the building of civil society. To get local non-governmental organisations operating helps to create a democratic culture, and that is a major part of our strategy.

Mr. Sheerman: Does my right hon. Friend agree that know-how projects, and many other projects,

are beneficial to organisations such as UNESCO which have a positive role to play in evaluating different nations' and different regions' attitudes to helping those very economies that need such know-how help? Does she agree that UNESCO plays a vital role in spreading that best practice in information?

Clare Short: I agree with my hon. Friend, but we are moving to a new phase where Government and UN institutions and NGOs see their work as complementary, not in conflict. We get the best programmes where civil society, lively voices, different interests, UN agencies and Governments are all in honest dialogue. That is true of UNESCO and all the rest of our work.

Mr. Soames: Does the right hon. Lady agree that the know-how fund has been an astonishing success and represents extraordinary value for the taxpayer's money? The British taxpayer can be proud of the work that has been done through the Department for International Development, both under the previous Administration and her own. Does she further agree that the concept of the know-how fund could be applied to other countries? Will she consider whether it might be a good idea for us to consider establishing a know-how fund specifically for the Palestinians, who badly need to rebuild their self-confidence in order to make them a real, equal partner to Israel and more capable of paddling their own canoe?

Clare Short: The know-how fund's work is respected everywhere, and more respected than some other programmes with more funds which are disbursed less effectively. We are considering how the lessons of that transition might be applied to help China with the sort of restructuring that it is planning.

I share the hon. Gentleman's concern with regard to the Palestinians. We have a considerable programme with the Palestinian authority and we have been moving from the phase of emergency intervention to helping the Palestinians to build their own institutions and prepare for self-governance. However, as the hon. Gentleman knows, the peace process is going slowly, and that makes it difficult to take that work forward.

Micro-credit Schemes

7. **Mr. Reed:** What measures she is taking to promote micro–credit schemes in developing countries. [23864]

Mr. Foulkes: We are increasing support to micro-credit and saving institutions in developing countries. Our total funding now amounts to nearly £42 million. Most of our funds go towards capacity building and encourage best practice in collaboration with developing country Governments and other donors. My hon. Friend will welcome the news that following the election we joined Results International.

Mr. Reed: Yes, I welcome that important news. Does my hon. Friend agree that, while we welcome many large projects in developing countries, capacity building is one of the most important aspects of micro-credit schemes? Micro-credit schemes play a vital part in helping those in the poorest developing countries. Will my hon. Friend assure me that in future, when the aid programme is being considered, micro-credit schemes will play a much larger role in the way in which we help local developments and communities?

Mr. Foulkes: I thank my hon. Friend for his welcome of our joining Results International and I direct his attention to a project that the Government have been supporting since 1993 in Kenya, the rural enterprise programme, which is now witnessing its transition to a banking institution, helping the poorest people, particularly women, to create their new enterprises. I am sure that hon. Members will agree that that is a model for other countries to follow.

Water Scarcity

8. **Mr. Ottaway:** If she will make a statement on measures to address water scarcity in developing nations. [23865]

Clare Short: I am grateful to the hon. Gentleman for raising this very important issue. As he knows, water scarcity is a critical issue for many developing countries. Twenty per cent. of people lack access to clean water and—this is very serious—on current trends, two thirds of the world's population will face water shortages by 2025, with the pain and conflict that that might cause. We have a special responsibility through our presidency of the EU to work with the Commission for Sustainable Development to reach international agreement to conserve and share water resources equitably and to meet the international target of providing clean water and sanitation to all by 2015. I shall attend the ministerial and expert meeting hosted by France in March, which will help to build support for an international programme of action.

Mr. Ottaway: From that answer, I am sure that the right hon. Lady will agree that water scarcity is the sleeping tiger of the world's environment programmes, with water consumption increasing at twice the rate of population growth. May I draw her attention to the Population Action International report, which illustrates that population programmes are an effective way of conserving the world's resources, especially water, by stabilising population growth and protecting the environment?

Clare Short: The hon. Gentleman is right. Our commitment is to give access to basic health care and reproductive health care to the whole population of the world and to let people take control of their own fertility. When that is done and people can raise healthy and educated children, population levels fall because people know that their children will live and be safe. We must also take action on water: the projections for water consumption are greater than for population growth and we must move on both fronts. We intend to ensure access both to reproductive health care and to clean water and sanitation for everybody in the world.

Mr. Pike: What projects in the world for desalinating water to make it fit for drinking are the British Government helping?

Clare Short: I have to tell my hon. Friend that I cannot answer his question. Desalination is relevant in some

places, but tends to be very expensive. The challenge is not only to provide water to everybody, but to get agreement on the world's use of its water resources. Otherwise, we will have a security problem as well as one of human suffering.

Mr. Brooke: What danger does the Secretary of State see of international warfare due to water scarcity during the coming decade?

Clare Short: The right hon. Gentleman points out the logic of the figures on water scarcity by 2025, which will be a serious problem. We need an international programme of action in respect of the world's shrinking water resources. That has been a priority since the meeting of the United Nations General Assembly special session on environment and development. If we fail to get such an international agreement, as well as pain and suffering, there will be conflict across the world over water. *[Interruption.]*

Madam Speaker: Order. The House must come to order.

EU Aid Policy

9. **Mr. Bayley:** What are her Department's priorities during the EU presidency in respect of EU-wide aid policy. [23866]

Clare Short: During the UK presidency, our top priority is to agree the EU negotiating mandate on the future of the Lomé convention, which governs the trade and development relationships between the EU and 71 African, Caribbean and Pacific countries. We shall also seek to secure commitment to the international development targets across all the EU development programmes and to increase the effectiveness of such programmes.

Mr. Bayley: I thank my right hon. Friend for that answer. May I tell her that people throughout the development lobby in Britain have warmly welcomed the tough targets that she has set for the UK aid programme on poverty reduction, literacy, primary health care and child deaths? Given that 30 per cent. of our aid budget is channelled through the EU, will she make it a high priority to get the same targets agreed by all the other EU member states, both for EU aid and, as far as possible, for their domestic aid programmes?

Clare Short: My hon. Friend is right. The EU spend is £4.5 billion and our total budget is £2.2 billion, of which one third goes through the EU, so efforts to make the EU contribution more effective are enormously important. The beauty of the international poverty eradication targets—if we can get the institutions of the world to take them seriously—is that they can provide a framework for all our international work and enable us to measure progress, year on year and in every country, in health, education, clean water and so on. That is one of my overriding objectives for the EU presidency and we are holding a seminar on 17 March to try to get the member countries, the Commission and the European Parliament committed to that objective.

Mr. Faber: Will the right hon. Lady confirm that the conditions attached to the European Union aid programme to Zimbabwe, negotiated by Mr. Jens Laerk, head of the EU delegation, will only delay, not cancel, the proposed seizure of farms by the Government there? Will she explain why, in our role as president of the EU, we are happy to promote the tying of aid to Zimbabwe on condition that farmers there can seek redress through the courts, but refuse to stand up for those very same farmers' democratic rights ourselves by insisting on similar conditions for our own bilateral aid programme?

Clare Short: I am surprised at the hon. Gentleman's question, as we discussed the subject at the last Question Time, when I made it clear to him that we have said that we think that there is a need for land redistribution in Zimbabwe, but it needs to be properly organised, transparent, relocated—*[Interruption.]* If the hon. Gentleman would let me answer, instead of hectoring, he might learn something.

I have discussed the subject with Commissioner Pinheiro, and the European Union is taking exactly the same position as us on land redistribution. There have been separate talks with the International Monetary Fund and the World bank—and we are in communication with them. We believe that, if we can get everyone to hold together on a sensible land redistribution strategy that complies with Zimbabwe law—that means that compensation has to be paid, as that is the law of Zimbabwe—we can pull Zimbabwe back from the brink of what might otherwise happen to its economy.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [23888] **Dr. Palmer:** If he will list his official engagements for Wednesday 28 January.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Dr. Palmer: I am grateful to my right hon. Friend the Prime Minister for that information.

Will my right hon. Friend confirm that the Government have a three-part strategy for welfare reform: the welfare-to-work programme to get people back into jobs, the minimum wage so that the jobs are worth while and the benefits reform so that people who cannot work receive the help that they need? Does he agree that, as the Conservative party opposes the first two and is interested only in cuts in the third, its offer of help is nothing more than pathetic political posturing?

The Prime Minister: Yes. The welfare-to-work programme will be of enormous benefit to hundreds of thousands of people, particularly young people and the long-term unemployed. Of course, the provisions that will allow more people to get off benefit and into work, through changes in the benefit system, will do likewise.

The 10p tax rate will help many low income families and the minimum wage will provide the first real attempt to put a floor under wages and get rid of the appalling poverty pay that exists in many parts of our country. It is fair, it is right, and the fact that it is being opposed so staunchly by the Conservative party only reveals the difference in values between the two political parties.

Mr. Hague: Does the Prime Minister agree that there is a difference between a spouse and a partner?

The Prime Minister: Yes, and the rules that have been applied are the same rules that have been applied under all Governments.

Mr. Hague: They are not the same. My right hon. Friend the Member for Huntingdon (Mr. Major) never applied the rules in the way that the Prime Minister has applied them. If he thinks that there is a difference, will he say whether Ministers who treated the word "spouse" in their code of conduct as meaning "partner" have broken that code?

The Prime Minister: No, they have not.

Mr. Hague: The Prime Minister has made those bland assertions. He published a code of conduct with a great fanfare; he ordered Ministers to obey, not just the spirit, but the letter of that code. The first time that it is not obeyed, he says that it meant something different anyway. Will he now publish a new code of conduct for Ministers so that taxpayers can be clear when they are paying for spouses and when they are paying for partners, and that they are not paying for both at the same time?

The Prime Minister: No.

Mr. Hague: I am sorry that the Prime Minister is so tetchy today. Let me ask him another question. He said that his Government believe in high standards. Let us get this straight—*[Interruption.]*

Madam Speaker: Order. I want less of that behaviour.

Mr. Hague: Let us get this straight. If it were true that a Minister sacked a civil servant and sought to replace her with a close friend at public expense, that would be unacceptable. Does the Prime Minister agree with that?

The Prime Minister: Of course that would be wrong. That is not, however, what happened. As the right hon. Gentleman knows, the particular person was not a career civil servant. She was appointed personally by a former Conservative Foreign Secretary. When her contract came to an end, she was replaced by a career civil servant.

Mr. Hague: Will the Prime Minister agree that the Foreign Secretary's behaviour was certainly secretive, clearly open to misinterpretation, probably unwise and possibly worse? Is it not time, in everyone's interests and so that the Foreign Secretary does not have to use the time in international press conferences to mount a public attack on one of his own office staff, for him to come to the House and give a full statement to clear the matter up?

The Prime Minister: No is the answer to that. The fact that the right hon. Gentleman engages in that type of question shows how completely useless and pathetic the Conservative Opposition are. Since he appears to be suggesting that the sleaze and scandal that enveloped the previous Conservative Government are the same under the present Government, let me tell him what people objected to. They objected to cash for questions for Conservative Members of Parliament. They objected to money in brown envelopes for Conservatives who became Ministers. They objected to money coming from Chinese drug dealers. They objected to parliamentary Committee reports about Back-Bench Members of Parliament being suppressed before the most recent general election.

You know, Madam Speaker, since he became Leader of the Opposition, the right hon. Gentleman has not asked a single question on schools, on health, or on crime. He is Leader of the Opposition, and today we have seen why he will stay so.

Mr. Hague: It is not the Opposition who have made this an issue; the behaviour and incompetence of Ministers have made it an issue. People throughout the country think that the way in which Ministers have behaved in recent weeks shows that power has gone to their heads, and, if they have nothing to hide, they should be prepared to come to the House and make a full statement and be accountable to it.

The Prime Minister: Since I am on my feet and the right hon. Gentleman has made mention of other allegations, let me give the House the facts on the so-called amount of money being spent by Ministers. On overseas visits, considerably less money will be spent by the Government this year than was spent by the Conservative Government in their last year. On official residences, including refurbishments, more money was spent by the previous Conservative Government than has been spent by the Government this year. On ministerial hospitality, in the last full year of the previous Government, more than £2 million was spent; this year, we have spent £1 million.

While I am on my feet, on the subject of Downing street receptions, there will be fewer receptions this year, under me, and they will cost less money than under the previous Prime Minister. My case rests.

Q2. [23889] **Mr. McAllion:** Friday marks the 26th anniversary of Bloody Sunday in Derry, and my right hon. Friend knows that the families of those who were killed and wounded by British Army gunfire on that day have been trying, ever since, to establish the truth of what happened and the truth about who is responsible for what happened. Will my right hon. Friend take the opportunity of this anniversary week to announce his intention to establish an international committee of lawyers to carry out an open, honest and comprehensive inquiry into all the events surrounding Bloody Sunday, so that those matters may be finally laid to rest?

The Prime Minister: As my hon. Friend might have anticipated, we are discussing and considering the

material that has been submitted to us. When we are in a position to make a statement, we shall do so, and it will be announced to the House in the usual way.

Mr. Ashdown: The Prime Minister might like to address a serious question. Does he rule out the possibility of a referendum on a single currency in this Parliament?

The Prime Minister: As I explained to the right hon. Gentleman last week, we have made it clear that we do not believe that this country will be in a position to join a single currency or to have a referendum on that subject during this Parliament.

Mr. Ashdown: The question that I asked the Prime Minister was whether he rules that possibility out. His answer last week and today was so "majoristic" that it might have come from his predecessor. To the question, "Is it possible to have a referendum on a single currency during this Parliament?", there are three possible answers: yes, no or maybe. Which is it?

The Prime Minister: I have made it clear that we believe neither that there will be a referendum during this Parliament, nor that there should be, for the reasons that I have given. I gave them to the right hon. Gentleman last week, and I shall give them to him again this week. The position is such that the economic convergence necessary simply will not be in place. That is why we have said no.

Mrs. Gilroy: Is not the minimum wage a key part of helping people out of poverty and into work? Will my right hon. Friend join me in congratulating our hon. Friends who have just completed a marathon twenty-six and a half hours in Standing Committee to make progress on the National Minimum Wage Bill, in the face of ill-founded delaying tactics from the Opposition?

The Prime Minister: My hon. Friend is right to point out that a huge benefits bill is paid by this country—more than £3 billion a year—as a result of low pay. It is surely right that we should bring Britain into line with virtually every other civilised country by providing a floor underneath wages, so that they should not fall beneath a certain minimum level. Many countries, including the United States, have even lower levels of unemployment, yet there is a minimum wage. I do not believe that treating people fairly, paying them a decent minimum wage and offering them good job prospects are inconsistent with each other.

Q3. [23890] **Mr. Green:** Can the Prime Minister explain how Britain's reputation in the world is improved by having a Minister in his Government who dare not set foot in Belgium because he is wanted for questioning by the Belgian tax authorities?

The Prime Minister: That is rubbish, again. On this smear, the Tories began by claiming that the Paymaster-General had taken money out of the country and avoided paying UK tax. Neither of those allegations is true. The Tories carry on making those allegations because, as ever, they have nothing to say about the important issues of the day.

Mr. Paul Clark: I welcome the decision to abolish the nursery voucher scheme, which was bureaucratic and wasteful. We know that that will release £126 million towards implementing our pledge to provide a place for every four-year-old who wants one. Young families and those involved in that service provision in my constituency of Gillingham welcome that decision. Will my right hon. Friend ensure that the pledge is rapidly implemented, so that we give our children a good start in life?

The Prime Minister: We are making as much progress as we can. We shall be able to fulfil our pledge of nursery places for four-year-olds, then we shall make a start on three-year-olds as well. That is an important part of providing the education system that we need for the 21st century. Across every aspect of education—in primary schools, secondary schools and higher education—we are making progress in raising standards and giving our children the education that they need.

Ministerial Visits

Q4. [23891] **Mr. Edward Davey:** When he next plans to visit the Royal Borough of Kingston-upon-Thames.

The Prime Minister: I have no plans to do so.

Mr. Davey: I am disappointed that the Prime Minister is not planning to come to Kingston, as there are some people whom I should like him to meet. Has he heard of the case of the head teacher at St. John's Church of England primary school, who has resigned because he is fed up with having to implement Government education cuts every year? Ofsted described that head teacher as inspirational. Is the Prime Minister happy to lose head teachers of that quality, just to implement Tory spending cuts? Now that the Institute for Fiscal Studies has confirmed that the Treasury has a war chest, will the Prime Minister assure the people of Kingston that his Government will start to invest in education to meet his early years pledge before he reduces income tax to 10p?

The Prime Minister: First, of course I regret any head teacher who does not want to be part of our education system.

In relation to the IFS, the hon. Gentleman is wrong. It does not confirm the Liberal Democrats' figures at all. Indeed, it is extremely important that we keep a tight rein on public spending because of the mess that we inherited—a large structural deficit that we must cure. We have to do that.

However, substantially more money is going into education under this Government than under the previous Government. An extra £1 billion is going into next year's budget. There is the £1.2 billion school repairs programme. As I have pointed out before from this Dispatch Box, the Liberal Democrats before the election asked for money to be spent on school repairs, and on current expenditure.

Mr. Davey: This year.

The Prime Minister: We have the school repairs programme, and the money is going in this year. They asked for £500 million. We have given £1.2 million and they still complain about it.

Engagements

Q5. [23892] **Mr. Pike:** Until 1 May last year, we had 18 years in which the rich got richer and the poor got poorer. The people in my constituency of Burnley welcome the steps that the Government have taken to address the problems of giving the poor a fairer deal. What other steps does my right hon. Friend consider as priorities to eliminate poverty for those in work and those out of work?

The Prime Minister: The first thing to do to eliminate poverty is to get into work those who are presently out of work and who could and want to work, which is why we are making the largest single investment that any Government have ever made—£3.5 billion into the welfare-to-work programme. That is already helping young people and others to come off the benefit system and into work. Under the Conservative Government, the number of workless households doubled in 20 years. Many people on benefit want to work.

Secondly, the 10p starting rate for tax will help to incentivise many people and reduce some of the problems in the interaction of the tax and benefit system.

Thirdly, of course, the minimum wage will make a difference, because it will allow people some dignity in the pay packet that they get and make it clear that employers cannot undercut other employers by paying poverty pay.

Q6. [23893] **Mrs. Gorman:** Given that the Prime Minister and his Government are now in office, and therefore are answerable for their spending, does he agree that the £12 million that was detailed in the national press, and that his Government have squandered on wallpapering, partying and taking their friends and relatives abroad goes against the exhortation that he gave to his own Members of Parliament: that they were not in office to enjoy the trappings of power? Does that not mean that his exhortation has fallen on deaf ears?

The Prime Minister: No. The hon. Lady obviously was not listening to what I said earlier, when I made it clear that, on all those items that the Conservatives are belly-aching about, spending by this Government is less than that by their own Government.

As for the other items that the hon. Lady mentioned—all that stuff about VIP suites and everything—again, the rules are precisely the same. The spending is precisely the same. Those are never criticisms that we made of the Conservatives. The criticisms that we made of them were to do with the conduct of Members of Parliament, in particular taking money for questions. That has not happened under this Government, and never will.

Ms Blears: The Prime Minister has reiterated today his belief that education is the foundation for success in life. Will he join me in congratulating Lowry high school, an inner-city school in Salford that was virtually written off by the Tories—*[Interruption]*—where school attendance has improved by a massive 20 per cent. in the past 12 months? Does that not show that, with confidence, determination and the support of a Labour Government, we can all succeed? *[Interruption.]*

The Prime Minister: Just look at Conservative Members, who were shouting and bawling during that question. When questions are about schools, they now groan as if they were irrelevant. The education changes that we are putting through are already yielding results. These are difficult times, given the spending proposals that we inherited from the previous Government. But the extra money will get there, the reform will take place, standards will improve and the education revolution that we promised will be delivered.

Q7. [23894] **Mr. Yeo:** Why did the Government overrule the unanimous view of all three political parties on West Sussex county council and the view of their own specially appointed expert panel, and insist that West Sussex accept another 13,000 homes over and above the 38,000 already agreed?

The Prime Minister: We did it for precisely the reasons that, under the previous Government, such plans were also altered on several occasions. That happened in relation to Kent, Berkshire, Bedfordshire and several other counties. As Conservative Members keep talking about the green belt, may I say that we are applying precisely the same policy as the previous Government, except that we plan to tighten it to ensure that the green belt is better protected. Once again, the Conservative party defines opposition as opportunism and hypocrisy.

Q8. [23895] **Ms Keeble:** Does my right hon. Friend join me in welcoming the improvement in primary school test results?

Mr. Soames: What about Cheltenham Ladies College?

Ms Keeble: Is my right hon. Friend aware that, in Northamptonshire, the decision to switch funding from the assisted places scheme to primary schools means switching the equivalent of £949,000, which is enough to employ more than 50 extra teachers? Does he agree that that is a powerful sign of the Government's determination to improve education for all? *[Interruption.]*

The Prime Minister: There they go again—it is unbelievable. What about Cheltenham Ladies college? That is the Conservatives' education priority—*[Interruption.]* We are trying to raise education standards for all the children of the country. Just look at Conservative Members—they have nothing to say about it. We are getting the extra money from the assisted places scheme and using it to reduce class sizes; we shall have extra money next year; and primary school results are improving already. In both secondary and higher education, we shall achieve results that are the product of investment plus reform. Twenty years of educational betrayal by the Conservatives will be turned round by a new Labour Government.

Mr. Brazier: The Government have shown a lenient and compassionate attitude towards terrorist prisoners, particularly over the Christmas period. Will the Prime Minister turn his mind to the plight of Guardsmen Fisher and Wright, who were convicted of a killing that was carried out on duty, unpremeditated and in dangerous

circumstances? After nearly six years in prison, is it not time that those two young men, who risked their lives to serve all of us, were granted a compassionate release?

The Prime Minister: I understand the concerns that the hon. Gentleman raises, but, rather than comment on the individual cases, it may be better if I express my view to him in writing.

Q9. [23896] **Ms Ward:** Is my right hon. Friend aware that, in my constituency of Watford, the previous Government's legacy is an ever-increasing housing problem caused by their refusal to release capital receipts for house building? A constituent who came to my surgery on Friday has been on a council house waiting list for more than 11 years, with no prospect of getting accommodation. Does my right hon. Friend agree that the decision of the Secretary of State for the Environment, Transport and the Regions to support Hertfordshire county council's plans for building on both urban and limited green-belt areas is right? It will ensure that homes are available to my constituents, that the environment and green belt are protected, and that urban areas are not further packed with housing, taking away the green belt available to my constituents.

The Prime Minister: Yes, and on Hertfordshire my hon. Friend did not mention that, as a result of the proposals over all, there is greater protection of the green belt. In Hertfordshire, as in Newcastle, which the Conservatives have also been going on about, the rules have been applied in precisely the same way as before. The big difference, to which my hon. Friend rightly draws attention, is the additional £900 million from the release of capital receipts that will allow homes to be built and refurbished for people in our constituencies who really need them. As a result of the previous Administration's policies, whereas we used to spend £11 billion on housing investment, we now spend roughly that or more on housing benefit. We must build homes for our people to live in, and clean up the mess and the rubbish left to us after the Conservative years.

Mr. Malins: All hon. Members want to continue the battle against crime: the Prime Minister has said so on many occasions. Is he not making a mistake, so far as the county of Surrey is concerned, by cutting dramatically the budget of the probation service and the police? Does that not send the wrong message? The only people to benefit will be those who practise crime.

The Prime Minister: I do not know enough about the particular circumstances in Surrey, although I shall look into the matter, given the issue that the hon. Gentleman has raised. Overall spending on the police has increased, not diminished, and is more than the Conservative Government intended to spend. I do not doubt that there are problems with his police authority. Indeed, there are problems in schools and hospitals in many parts of the country: that is what the new Government are addressing. The plain fact of the matter is that we are being more, not less, generous than the Conservative Government whom he supported.

Q10. [23897] **Mrs. Ellman:** Does the Prime Minister agree that concentrations of chronic ill health found in constituencies such as mine after 18 years of Tory rule can be tackled only by mounting a major assault on poverty, unemployment, poor housing and social exclusion? Does he also agree that, to be successful in achieving change, efforts are required at national, regional and local levels?

The Prime Minister: Yes. The social exclusion unit is designed precisely to bring together the work of different Government Departments. In the past 20 years, an increased number of people have suffered problems of poor housing, poor educational opportunity, crime, drugs and low levels of employment, which must be tackled together. That is the purpose of the new unit that we have established. The additional money from capital receipts, the welfare-to-work programme and the raising of standards in schools will all play their part in regenerating such areas, many of which are urban areas where levels of unemployment among young people are sometimes as high as 50 per cent. We must tackle unemployment, because it is not just a problem for those individuals; it is a blight on the whole country.

Q11. [23898] **Sir Peter Emery:** Can the right hon. Gentleman be happy, as he promotes policies for the unity of the family, at the private actions of his Ministers at the Foreign Office? Would he recommend their behaviour as an example to the rest of the country?

The Prime Minister: There have been Ministers in Conservative Governments whose marriages have broken up and who have remarried. That will happen in our society today. It is typical of Conservatives that they seek to exploit that, and it is beneath the right hon. Gentleman. Let me nail another part of the lie, which is that I used to go on about the private lives of Conservative Ministers. That is rubbish: it is not correct. Conservatives pretend that the problems that they got into with financial sleaze are echoed in the Labour party, so they continue to raise those matters. However, the country will not be fooled.

Mr. Alan Simpson: When the President of the United States rang the Prime Minister to ask about plans to attack Iraq, did my right hon. Friend inform him that there would be no international consensus in support of such adventurism? Whatever plans the President may have, at this time more than any other, he would be well advised to keep them in his pockets.

The Prime Minister: It is foolish to call "adventurism" attempts to bring Saddam Hussein back into line with United Nations Security Council resolutions. In the past few years, the inspectors who have been inspecting the so-called sites in Iraq have uncovered detailed evidence of the building of biological and chemical weapons of warfare and of nuclear weapons. That process carries on the whole time. Saddam Hussein has tried to prevent access to 45 presidential sites. There is no doubt at all about what is going on beneath cover of those sites.

Incidentally, lest people think that this is a case of Saddam Hussein's not having enough money to provide

for his people, let me point out that he is spending billions of dollars on new presidential sites and on weapons of destruction while his people are starving. He could get the money perfectly easily under the food-for-oil provisions, but he is not doing that, because from the very beginning he has been embarked on the process of building up weapons of mass destruction.

Let me say to my hon. Friend that, while it is all very well to make remarks about the President and all the rest of it, it is not very sensible when we are dealing with circumstances in which a dictator is prepared to abuse his power to launch war on his neighbours—and if he is not stopped, and stopped soon, the effects will be worse for the whole world in the long term.

Points of Order

3.30 pm

Mr. David Winnick (Walsall, North): On a point of order, Madam Speaker. You and your predecessors have often ruled that questions should relate to the work of Ministers. Is it acceptable for questions to be asked that relate to their private lives? Many of us consider such questions to be unacceptable and trivial. I ask you to rule—as you have on other occasions—that questions should relate to Ministers' political work, rather than to matters that do not relate in any way to their political responsibilities.

Madam Speaker: I follow the questioning on these issues carefully, and I am very concerned about it. Such questions were allowed today—which I believe was absolutely correct—and they were properly answered. It is right for the House to hear the questions and to know of the concerns, but also to hear the answers—as we have today.

Mr. Richard Page (South-West Hertfordshire): On a point of order, Madam Speaker. As this is only the third time in 22 years that I have raised a point of order, I hope that I cannot be accused of abusing the privilege that we are given in that regard.

Since the beginning of October, I have been trying to lead an all-party delegation of local councillors from my constituency to the Department for the Environment, Transport and the Regions, to debate and ask about the green belt and planning requirements. My request has been refused.

At the beginning of December, I asked the Minister for the Regions, Regeneration and Planning, the hon. Member for Sheffield, Central (Mr. Caborn), whether I could bring an all-party delegation of Hertfordshire MPs to discuss the same matter. On 20 December, I received a letter stating that, as the matter was now not to be called in:

"It would not be appropriate for me to offer you or other Hertfordshire Members a meeting as it is now for Hertfordshire County Council"

to progress.

You will understand my surprise, Madam Speaker, when I learned within 24 hours that Ministers in the Department of the Environment, Transport and the Regions were holding a meeting for Labour Members of Parliament only, to discuss exactly the subject that I wanted to discuss. I consider that an example of double standards, and it has prohibited me from representing my constituents who are definitely worried about what is happening.

Madam Speaker: The hon. Gentleman gave me some indication of his point of order, and I am grateful to him for so doing.

It is a generally accepted convention of the House that Members should have the right of access to Ministers to discuss constituency issues that lie within the responsibilities of those Ministers. While Ministers may, for good reasons, postpone a meeting from time to time, in my experience it is extremely rare for a request for a meeting to be refused altogether, and I would deplore such an occurrence. At the end of the day, however, that must remain a matter between the Minister and the Member concerned—but I hope that the Minister may reconsider.

Mr. Edward Garnier (Harborough): On a point of order, Madam Speaker. I am a member of the Standing Committee considering the Wild Mammals (Hunting with Dogs) Bill—Standing Committee C. After four days, we are still only on line 2, as a result of the conduct of the Bill's supporters.

I think that I can cope with that without your aid and comfort, Madam Speaker. What really concerns me is the fact that other Bills will be prevented from being enacted because of the filibustering of those hon. Members. What worries me more is that some of those Bills are supported not just by Labour Members but by new Labour Members who may not realise that Bills that they have taken such care to present to the House are being blocked by their hon. Friends.

May I refer you, Madam Speaker, to some of the Bills that ought to be on the statute book and which are being blocked—

Madam Speaker: No, I can read the Order Paper.

Mr. Garnier: I am looking at pages 278 and 279 of today's Order Paper.

Madam Speaker: I read it this morning.

Mr. Garnier: I thought you might have done, Madam Speaker. Those pages contain some worthy Bills that are supported by Labour Members, and they are being denied passage to the statute book because of the conduct in Committee.

Madam Speaker: I have to concern myself with the Committee to which the hon. and learned Gentleman has referred in his point of order. I am sad to learn about the lack of progress in that Committee, and I am sure that the hon. and learned Gentleman and his colleagues are working hard to make progress on the Wild Mammals (Hunting with Dogs) Bill so that it reaches the statute book. Is not that correct?

Mr. Garnier: Yes, Madam Speaker.

Madam Speaker: If there is a serious delay in Committee, its Chairman must report the matter to me and I shall seek to deal with it. However, my view now is that I want to see some progress in that Committee, so that other hon. Members can have their Bills taken forward.

Door Supervisors (Registration)

3.35 pm

Dr. Phyllis Starkey (Milton Keynes, South-West): I beg to move,

That leave be given to bring in a Bill to establish national standards for door supervisors; to establish a national register of door supervisors; and for connected purposes.

More than 120 million people a year in Britain enjoy a good night out in night clubs and discotheques, and I understand that an equally large number enjoy a good evening out in the pub and that millions, especially young people, go to pop concerts and festivals. At all those venues, door supervisors, popularly known as bouncers, play a crucial role in public safety. If the public are to have confidence in those supervisors, they must be trained, competent and honest.

Proposals for a national registration scheme for door supervisors are not new. In 1995, the Select Committee on Home Affairs reported on the whole private security industry, and strongly recommended a national registration scheme. Unfortunately, the previous Government refused to follow that recommendation, and instead contented themselves with giving guidance to local authorities on setting up voluntary schemes for door supervisors.

More than 100 local councils have set up such local registration schemes, usually in partnership with the police. They operate through public entertainments licences, and in some places also through magistrates' liquor licences. Those local schemes can have beneficial effects.

When Newcastle introduced a scheme in 1992, it registered 700 local door supervisors, and there was a 75 per cent. reduction in violent and drug-related offences involving door supervisors. Milton Keynes has ClubWatch, a scheme which has excellent co-operation with the police, the local authority and local clubs.

However, there are problems with local schemes. Standards vary from one place to another, and door supervisors have to be registered for each local authority within whose area they work. For example, Milton Keynes recognises the training given by Westminster council but, paradoxically, not that given by Northampton council, which is an adjacent authority.

In some areas there are no controls, and the criminal tendency tends to move to those areas from the more regulated ones. Pubs are not always included, and hon. Members will be aware that pubs are increasingly engaging door supervisors.

There is an additional problem that is relevant to my constituency. It contains a large outdoor venue called the National Bowl, where large pop concerts and other events are occasionally held. It is quite impractical for the Milton Keynes council scheme to register sufficient door supervisors for that event, so people are brought in from outside.

The added urgency about action on registration schemes is that there has been a recent challenge to the legal basis on which councils operate the schemes. Although the London boroughs have been given specific powers to regulate doormen under part V of the London Local Authorities Act 1995, councils outside London rely on the Local Government (Miscellaneous Provisions) Act 1992. It is being challenged that, although the 1982 Act applies in licensing premises, it does not necessarily allow the licensing of individual doormen. Thanet council, which has been the subject of a challenge, has consequently suspended its scheme.

Weaknesses in local schemes are exploited by criminals, and a minority of door supervisors pose a very real threat to public safety. There have been numerous reports of assaults on customers by door supervisors, some of which have been so serious that deaths have occurred. Deaths have been reported in London, Bedfordshire and Cleveland.

This week, I was contacted by Mrs. June Steel, of Cheltenham, who has collected 2,500 signatures to a petition demanding registration of door supervisors. Her 28-year-old son Paul was assaulted by a bouncer outside a nightclub. Although he was punched only once, it was sufficient to leave him brain-damaged. The door supervisor was employed by a security firm operating from Birmingham. He had only just been released from prison, where he had been serving a sentence for manslaughter. His employers were unaware of that.

The problem of door supervisors at pop concerts and pop festivals has only recently been brought to my attention. Hon. Members will be aware that, although it depends on the band, many pop concerts have audiences consisting of extremely young girls, or are particularly attractive to young teenagers. There have been instances in which people with convictions for rape and even for paedophile offences have been employed as door supervisors at pop concerts, which is clearly highly unsatisfactory and is putting young people at risk.

Door supervisors have also been involved in the organisation of the supply of illegal drugs in clubs in London, Durham and Cleveland. The Minister of State, Department of Trade and Industry, my hon. Friend the Member for Makerfield (Mr. McCartney), who has been very active on the issue of registration, can testify to the violent and intimidatory tactics of door supervisors in his area.

A few years ago, a survey was conducted of 476 door supervisors in Merseyside that showed that three supervisors had murder and manslaughter convictions; two were out on bail; 32 had weapons and firearms convictions; and 101 had convictions for assault. Moreover, the Chancellor might be interested to know that 97 of those 476 door supervisors were claiming unemployment benefit while working, and were therefore part of the black economy—reducing still further the status of door supervisors and adding to their involvement in criminal activity.

The current situation should not be allowed to continue, and I know that the Government are proposing to introduce legislation on the entire private security industry. The United Kingdom is apparently the only country in the European Union that does not regulate its security industry.

The issues relating to property security are not the same as those relating to the security of people. There is an urgent need to regulate the leisure security industry now, both to prevent further injury and death to members of the public and as a contribution to the Government's overall strategy to curb drug abuse. The public who would be most affected by regulating door supervisors are mainly young people, making it all the more urgent that the House take action.

[Dr. Phyllis Starkey]

Mandatory national registration is supported by all the major players in the industry. The British Entertainment and Discotheque Association—representing 700 operators, large and small—supports mandatory national registration, which it would wish to be financed through charges to the industry so that it would cost the taxpayer not a penny. BEDA believes that registration is particularly important for one-venue operators, which are very vulnerable to protection rackets organised by door supervisor agencies.

The GMB trade union and the National Association of Registered Door Supervisors both support a national register, because they believe that it would eliminate disreputable operators and recognise the value of properly qualified door supervisors. The police, through the Association of Chief Police Officers, support it.

My Bill would ensure that, wherever one goes in the United Kingdom, one can be sure that door supervisors have been checked to eliminate those with relevant convictions for violence, including sexual violence, and for drugs or weapons offences. They would also have completed a nationally recognised training course.

People would be trained in crowd control, in safe ways of restraining people—because customers can be very aggressive when under the influence of drugs or alcohol—in recognising drug abuse and knowing how to act in response it, and in first aid and fire safety. It would be made an offence to act as a door supervisor without being on the national register. That would cover all sorts of venues—pubs as well as night clubs, pop concerts and festivals.

Interestingly, the Safety of Sports Grounds Act 1975 gives such protection to football crowds. Stewards at matches have to be trained. Clubgoers and others enjoying themselves on a good night out have a right to expect the same protection. This Bill would give it to them.

Question put and agreed to.

Bill ordered to be brought in by Dr. Phyllis Starkey, Ms Karen Buck, Ms Beverley Hughes, Miss Melanie Johnson, Mr. Lawrie Quinn, Mr. Jonathan Shaw, Angela Smith and Dr. Alan Whitehead.

DOOR SUPERVISORS (REGISTRATION)

Dr. Starkey accordingly presented a Bill to establish national standards for door supervisors; to establish a national register of door supervisors; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 13 March, and to be printed [Bill 114].

SCOTLAND BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the Report [22nd January] from the Business Committee be now considered.—[*Mr. McFall.*]

Question agreed to.

Report considered accordingly.

Resolved,

That this House doth agree with the Committee in its Resolution.—[*Mr. McFall.*]

Following is the report of the Business Committee [22 January]:

That—

(1) the order in which proceedings in Committee are taken shall be Clause 1, Schedule 1, Clauses 2 to 20, Schedule 2, Clause 21, Schedule 3, Clauses 22 to 28, Schedule 4, Clauses 29 to 91, Schedule 6, Clauses 92 to 109, Schedule 5, New Clauses, New Schedules, Clause 110, Schedules 7 and 8, Clauses 111 to 116.

(2) the eight days allotted under the Order [13th January] to proceedings in Committee shall be allotted in the manner shown in the Table set out below and each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in the third column of the Table.

TABLE

Allotted day	*Proceedings in Committee*	*Time for conclusion of proceedings*
First day	Clause 1 (to the end of subsection (2))	7:00 p.m.
	Clause 1 (remaining proceedings)	
	Schedule 1	
	Clauses 2 to 17	10:00 p.m.
Second day	Clauses 18 to 20	
	Schedule 2	
	Clause 21	
	Schedule 3	
	Clauses 22 to 28	
	Schedule 4	
	Clauses 29 to 40	10:00 p.m.
Third to eighth days	Remaining proceedings (according to time limits to be determined by a further report or further reports of the Business Committee)	10:00 p.m. on the eighth day

Orders of the Day

Scotland Bill

[1ST ALLOTTED DAY]

Considered in Committee.

Clause 1

THE SCOTTISH PARLIAMENT

3.47 pm

Mr. Michael Ancram (Devizes): I beg to move amendment No. 2, in page 1, line 8, at end insert—

'(1A) Notwithstanding the establishment of the Parliament, or anything contained in this Act, the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Scotland.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: Amendment No. 79, in clause 27, page 13, leave out lines 30 and 31.

Amendment No. 169, in clause 27, page 13, line 30, leave out 'section' and insert 'Act'.

Amendment No. 23, in clause 27, page 13, line 31, at end add

'in relation to reserved matters'.

Amendment No. 198, in clause 27, page 13, line 31, at end add

'which may not be amended or repealed by the Scottish Parliament'.

Amendment No. 189, in clause 35, page 16, line 44, leave out

'have effect subject to this Act'

and insert

'shall be construed together with this Act, and those sections of the Union with Scotland Act 1706 and the Union with England Act 1707 which relate to Scotland shall together with this Act be known as the "Government of Scotland Act"'.

The question, That clause 35 stand part of the Bill.

Amendment No. 3, in clause 116, page 52, line 19, after 'the', insert 'Government of'.

Mr. Ancram: I welcome the fact that we are considering such a constitutional measure in a Committee of the whole House. As happens on these occasions, groups of amendments tend to be fairly widespread. It always fascinates me to see which amendments are grouped together and how far through the Bill we go on each group.

Amendment No. 3 relates to almost the very end of the Bill. It seeks to change its title to the "Government of Scotland Bill." The reason is consistency. The constitutional Bill relating to Wales is called the Government of Wales Bill. Indeed, the last time that there was devolution in the United Kingdom—in Northern Ireland—it was under the Government of Ireland Act 1920.

As part of the devolutionary package, there would be some merit in such consistency. The Secretary of State might like to take the suggestion seriously and give it some consideration. There is not a great deal of party political force behind it, but it would make the statute book rather tidier. I know that, as a Scottish lawyer—as I am myself—the Secretary of State likes tidiness.

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): An Edinburgh lawyer.

Mr. Ancram: As the Minister says, I was an Edinburgh lawyer. The Secretary of State will remember that I practised most of the time in the Glasgow High Court, sometimes under his beneficent instruction.

Amendments Nos. 2, 169 and 198 all relate to what has become known in popular jargon as the supremacy question. Although they refer to different parts of the Bill, they should be looked at together. Throughout the referendum campaign, and on Second Reading, the Secretary of State claimed that the proposals would strengthen the United Kingdom. The amendments are addressed to that important assertion.

We accept that the democratic case for a Scottish Parliament has been made in the referendum. We must now ensure that it fulfils the claims made for it, and avoids the pitfalls with which it could be surrounded and against which we have warned in recent months.

The Bill is a major constitutional measure. That is why the entire Committee stage is being taken on the Floor of the House. Like all constitutional reforms, it could go one way or the other. It could create turmoil, as Sir Malcolm Rifkind predicted at the end of the referendum. He saw the danger not of the break-up of the United Kingdom, but of a generation of constitutional turmoil. On the other hand, it could be used to create stability. As there will be devolution and a Scottish Parliament, it is our common task on both sides of the House to try to ensure the latter.

To achieve stability and to fulfil the claim that the measure will strengthen the United Kingdom, the reform must be subject to clear constitutional anchors. The first is the sovereignty of Parliament.

Mr. Alex Salmond (Banff and Buchan): At what stage did the right hon. Gentleman stop believing that devolution would inevitably lead to independence, as the Conservative party claimed during the referendum campaign, and start believing that it could go one way or the other, as he has said this afternoon? Can he put his finger on a precise date?

Mr. Ancram: The hon. Gentleman will have difficulty in finding any occasion on which I said that the process would be inevitable. I said—and I repeat—that the proposals contain flaws that could lead to that break-up which I wish to avoid. Since the referendum, I have made it clear that our responsibility is to try to cure those flaws, and to create stability and balance where there is currently instability and imbalance.

As I was saying, to establish stability constitutional measures have to meet four constitutional anchors. The first is the sovereignty of Parliament, which is of great importance in this country because we do not have a written constitution. The sovereignty of this House and its ability to decide on the constitutional position are essential parts of the stability of the constitution.

Mr. James Wallace (Orkney and Shetland): As a distinguished Scots Queen's Counsel, how does the right

[Mr. James Wallace]

hon. Gentleman square what he has just said with what Lord President Cooper said in the case of MacCormick *v.* the Lord Advocate? He said:

"The principle of the unlimited sovereignty of Parliament is a distinctively English principle which has no counterpart in Scottish constitutional law."

We are dealing with the Scotland Bill.

Mr. Ancram: At the moment, all I have said is that I believe that one of the anchors is the sovereignty of Parliament. I will deal with that point, because we must look at the distinction between legal and political sovereignty, which is recognised and is of importance.

I would merely say that, in the case mentioned by the hon. and learned Gentleman—MacCormick *v.* the Lord Advocate—that remark was not in the main judgment, but was part of the obiter dicta. If I remember my constitutional law correctly, there are many other remarks which can be drawn upon from that case—not only from Lord Cooper, but from other judges—which, while interesting, have no legal implication. I will come on to that.

The second anchor is the integrity of the United Kingdom, even if constitutional changes are made within it. I hope that that will be common ground across the Dispatch Boxes, and that we are looking to maintain the integrity of the UK in what is being done. The third anchor is the importance of the constitutional monarchy, and the fourth is the balance of the interests of an individual with the powers of the state. Those are the four anchors against which all constitutional measures should be tested. In this instance, there are two specific anchors to which I wish to return.

Mr. George Galloway (Glasgow, Kelvin): Unlike the hon. Member for Banff and Buchan (Mr. Salmond), I am not so much interested in when the sinner repented as in that he has repented. I welcome it, and we should not be churlish about welcoming the transformation in the views of the right hon. Member for Devizes (Mr. Ancram) on the subject.

In that context, I make a sincere plea to the right hon. Gentleman. One of the best contributions that he could make to making a success of the project is to drop the dog-in-the-manger churlishness which characterised his performance and those of some of his hon. Friends on the previous occasion we debated the Bill. I honestly cannot see how that is even in the interests of his own party. Devolution is now the settled will of the people, and the Bill will pass through this House. Let us make a success of it, and approach it constructively and with good will. I appeal to the right hon. Gentleman at this early stage to do so in today's debate.

Mr. Ancram: I will always take lessons in constructiveness and good will from the hon. Gentleman, given his past record. I hear what he has to say; I merely say this. I have said that I believe that devolution contains great dangers to the United Kingdom—I would be less than honest if I did not continue to say that. I believe also that this Bill has substantial flaws, which I believe enhance that danger. I wish to see those flaws cured.

I also take the view that it is dangerous ever to suggest—as the hon. Gentleman appears to be doing—that the Bill is somehow perfect and incapable of amendment, and that anyone criticising it is somehow criticising the future existence of a Scottish Parliament. I have said that I accept that there will be a Scottish Parliament, but I would be doing less than my job and my duty if I failed to scrutinise the Bill carefully, and, when I saw gaps in it, to say so. If that is churlishness or being a dog in the manger, I am afraid that that is the job not only of the Opposition, but of Back Benchers from all parties; that is the duty and responsibility of the House of Commons.

I hope that the hon. Gentleman will look seriously at the flaws which exist, and will desist from the suggestion that it is somehow heresy to criticise in any form any of the proposals that are made. His case might have been stronger had the referendum been held after the publication of the Bill, so that the people of Scotland could have said, "Yes, we agree with every single word; every dot, tittle and comma"—or whatever the phrase is. That was not the case, and we have a responsibility to look closely at the Bill.

For a start, we know that devolving power inevitably creates a momentum of what has been called unbundling, and creates the appearance of a slippery slope towards separation and the break-up of the UK. At best, it creates the prospect of turmoil. This is compounded by the dangerous flaws in the Bill, which will create imbalance, instability and the threat of Anglo-Scottish confrontation if we do not deal with them now. To counteract that, there is a necessity to ensure the application of two of the anchors I mentioned—the integrity of the United Kingdom and the sovereignty of Parliament.

As it stands, the underlying dynamic of the legislation has the effect of undermining the integrity of the United Kingdom. It is consistent with the view that devolution is not so much an event as a process; that this is a start, not an end; and that there is all for nationalists to play for in trying to achieve their goal of independence.

This is a test of the Secretary of State's undertaking about whether the Bill will strengthen the United Kingdom. I believe that, as it stands, it cannot deliver that. To create credibility and stability, we need to establish that the concept of the Bill is not federalism, which by definition divides powers, but devolution, which delegates them, and that it is also not quasi-federalism; if it were, the clause would not be a part of it.

The Bill is drafted to suggest that we are to have devolution, with delegated powers, not federalism, with divided powers. The clause helps to establish that, but it begs several questions. We know that it is replicated from section 4(4) of the Northern Ireland Constitution Act 1973, and presumably it is there to fulfil the same function of reassurance.

We must accept that, legally, the clause adds nothing to existing sovereignty, but the absence of such a reassurance in the Northern Ireland context, at least, could have been regarded as significant. I suspect that the same could have been said in this context, and that is why the clause is there; but it is not satisfactory as it stands. It does not state, for instance, whether, if the United Kingdom Parliament were to make laws for Scotland, they would take precedence and prevent further amendment or repeal by Scottish Parliament legislation, or whether they could be the beginning of a shuttlecock game between the two Parliaments.

On Second Reading, I asked whether private Members' legislation could be included, and I think that the Minister said no. I hope that he has reconsidered, because a power for this Parliament to legislate in Scotland must inevitably include the power for a private Member's Bill to be part of such legislation.

As it stands, the clause could be a cockpit for a struggle between the two legislatures. The power to legislate could be within the vires of this Parliament, because it is sovereign, while the power to repeal legislation, because it was not a reserved matter, would be open to the Scottish Parliament, and legislation could be batted back and forth, with the Judicial Committee of the Privy Council unable to make a decision, because both Parliaments would effectively be acting within their vires. If I am wrong about that, I shall be pleased to be corrected; but that is my concern about the clause.

That is why we want to amend the clause through amendments Nos. 169 and 198. We want to ensure that, if an Act of Parliament is passed relating to Scottish matters, that Act will be incapable of repeal or amendment by the Scottish Parliament. It is a power that would, I believe, be very rarely used, but it is relevant in making the clause credible.

Mr. Tam Dalyell (Linlithgow): The right hon. Gentleman says that the power would be very rarely used. Can he give an example of circumstances in which it could be used?

Mr. Ancram: Only a hypothetical example: the House might decide to pass a private Member's Bill that included Scotland and affected a matter that was not reserved to the House—there is nothing in the clause to prevent it from doing so—and the danger is that the Scottish Parliament could decide that, as the matter was not reserved, it wanted to repeal or amend it; then, in my reading of the clause, this Parliament would have the power to establish that law if it wanted to.

Mr. Galloway: Will the right hon. Gentleman give way?

Mr. Ancram: No.

I said that it would happen rarely. In constitutional experience, the way in which responsible parliaments work means that such occasions would very rarely occur. The experience of Northern Ireland in the Stormont period underlines that. Once again, I make the point that, where there is such a danger, we should pre-empt it by legislating in the way that makes it least likely to happen.

Mr. Salmond: The right hon. Gentleman is not pre-empting conflict but trying to consolidate the sovereignty of the Westminster Parliament. Does he think that it would be constructive—let us put it that way—for a Back-Bench Member of this Parliament or the Government to legislate on devolved matters? If not, why is he trying to enshrine that right in the legislation?

Mr. Ancram: For the reason that I have already given, and one that the hon. Gentleman obviously has not yet taken on board. If one accepts—I know that he does not, but the Secretary of State does—that this Parliament remains sovereign, it is important that no legislation allows for that sovereignty to be constantly undermined, as I have said could hypothetically be the case under clause 27.

I have tabled the amendment because I believe that, if clause 27 is to last, we need to make it as effective as it can be. I believe that we need a further clause, and that is what I want to deal with next.

Mr. Galloway: I invited the right hon. Gentleman, and he seemed to respond, to approach these matters constructively. What could be more destructive or certain to lead to turmoil—to borrow his words—than such an occasion as he postulates? A Member of this House could exploit the amendment to create conflict on constitutional grounds between the two Parliaments. Is that the constructive law-making to which we can look forward from the right hon. Gentleman for the rest of the day?

Mr. Ancram: The hon. Gentleman makes my point for me. I am saying that we must try to prevent conflict arising. I do not want to see conflict, but where a clause, by its definition and nature, allows conflicts to arise—as clause 1 does—it is right to amend it to prevent confrontation and to avoid making the shuttlecock legislation that I fear.

Clause 1 was put in the Bill not by me but by the Secretary of State and the Government. All I am saying is that, if this is to be the clause that underlines the sovereignty of Parliament, it should be drafted in such a way as to achieve that.

Our responsibility is to pre-empt confrontation. The hon. Member for Glasgow, Kelvin (Mr. Galloway) asks me to hope that all will be perfect in a perfect world, and that conflict will never arise. That is not the right way to deal with constitutional legislation.

Mr. Wallace: I am trying to follow the right hon. Gentleman's argument. Is he saying that, when this Parliament passed the Church of Scotland Act 1921, which gave the Church of Scotland, its general assembly and its courts sovereignty over all matters within the spiritual domain of the Church, Westminster retained the sovereign right to remove those powers at a later stage? If that is his position, is he not provoking a constitutional difficulty with the Church of Scotland?

Mr. Ancram: I am always keen to avoid confrontation with any Church. I understand that this is a matter of debate in another place. I shall be interested in the outcome of that debate. The hon. and learned Gentleman's argument is being made against the Government's proposal in another place. I shall read carefully the outcome of that dispute.

We propose a broader amendment that avoids this rather intricate argument. I am looking for a clearer statement of the supremacy of this Parliament of the United Kingdom, which fulfils in terms the requirements of the two anchors I mentioned, and which has respectable precedents in section 75 of the Government of Ireland Act 1920. The amendment can hold no fears for those who proclaim, as does the Secretary of State and as did the Prime Minister in a felicitous phrase that I need not repeat to the House, that sovereignty and consequently the supremacy of the Westminster Parliament resides in this House and this Parliament.

[Mr. Ancram]

The purpose of my amendment, as was the purpose of section 75 of the Government of Ireland Act, is to make the position clear in language that is comprehensive, unambiguous and reassuring. I readily concede that it can have no added legal effect to the legal sovereignty that already adheres, but neither can clause 27. There is, however—this is the point that was raised with me earlier—the legal concept of sovereignty, which is understood, and the political concept. In a dynamic situation, such as that which the Bill creates, the legal concept is not of itself sufficient. Had it been so, it would not have been possible for the Scottish convention in its claim of rights to assert that sovereignty rested with the Scottish people. That was an assertion of political sovereignty which, left unchallenged, would seriously undermine the United Kingdom's integrity.

I do not question the reality stated some years ago by my right hon. Friend the Member for Huntingdon (Mr. Major) that one could not hold a component part of the UK within the Union against the wishes of the majority of the people of that part, but that is the ultimate definition of political sovereignty, not what we are dealing with here.

At issue here is the ability of a Scottish Parliament to use its legislative and devolved constitutional muscle to challenge the Westminster Parliament's political sovereignty and to create the slippery slope so beloved of nationalists, but apparently eschewed by the Secretary of State and certainly rejected by us as inimical to the integrity of the United Kingdom.

The amendment, by definition, is declamatory, but it proclaims the political sovereignty and the supremacy of this Parliament. It contradicts the slippery slope and it redirects the Bill's dynamic in a way which is consistent with the claims made by the Secretary of State that the Scottish Parliament will strengthen the United Kingdom. It will give reassurance to those in Scotland who voted for the Parliament but would recoil from any further move towards separation. It will anger those nationalists who proclaim Westminster sovereign to be a fiction, but it does lay down the anchor. It is a beacon of intent that the phrase "devolution within the United Kingdom" means what it says and that any future moves to use this legislation or the Parliament that it creates to undermine the Union would be contrary to the spirit and intention of the Bill and the House.

Mr. Donald Gorrie (Edinburgh, West): As I am not a lawyer and am new to this kind of thing, will the right hon. Gentleman explain what exactly he means? As I understand it, clause 27, as amended, will say that the Westminster Parliament could make Acts relating to matters that are under the control of the Scottish Parliament and that the Scottish Parliament could not reverse that. If that is so, could the Westminster Parliament introduce a completely new education or health system in Scotland against the wishes of the Scottish Parliament? That is what I understand to be the effect of the amendment.

Mr. Ancram: No, that is the effect of the clause, unamended. Clause 27 states:

"This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

It does not say "only over reserved matters"; it says

"to make laws for Scotland."

That includes matters which are not reserved. It must, by definition.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish) *indicated dissent.*

Mr. Ancram: If it does not include matters which are not reserved, where does it say so in the Bill? I have looked closely. The whole point about the clause, as was the case in the Government of Ireland Act from which it was drawn, is that it reasserts the supremacy of this House over all areas of legislation.

The hon. Member for Edinburgh, West (Mr. Gorrie) makes the point that I was making about clause 27. My concern was that that could have a knock-on effect between the two Parliaments, something which amendment No. 198 seeks to avoid by adding the words

"which may not be amended or repealed by the Scottish Parliament."

That makes it clear that this Parliament's sovereignty exists and is established by clause 27.

I left clause 27 for the very reason that I find it an unsatisfactory vehicle. It is made better by my amendment, but if that is not successful I hope that I can persuade the Secretary of State that amendment No. 2 is a more secure way of achieving his and my purpose.

Amendment No. 2 is, in many ways, a test of the Secretary of State's good faith. Nothing in it is inconsistent with any claim that he has made in promoting devolution and the Bill. It encapsulates the undertakings that he gave so fervently and persistently during the referendum about the Bill's effects on the United Kingdom, and for him to accept the amendment would be a sign of good faith to the Scottish people to whom he gave those assurances. If he turns it down—

The Secretary of State for Scotland (Mr. Donald Dewar): Which amendment?

4.15 pm

Mr. Ancram: Amendment No. 2—my main amendment. If the right hon. Gentleman turns it down, his words will turn to dust in his mouth, and many who put their trust in him, as he asked them to do, will feel that that trust has been betrayed.

I know from previous debates that we shall be challenged yet again as to why we argue this case. We shall be told that it is somehow contrary to the spirit of devolution—indeed, the hon. Member for Kelvin has already made that point. We shall be warned in menacing tones that we are committing heresy against the settled will of the Scottish people. We shall not be intimidated by such rhetoric, nor will we accept such accusations.

Mr. Dewar: I am a little bit puzzled. I do not want words to turn to dust in my mouth, as that sounds like a rather uncomfortable experience, so perhaps the right hon. Gentleman can explain this to me.

As I understand it, the words he wishes to insert in the Bill are largely based on section 75 of the Government of Ireland Act 1920; but the words we are using are based on the Northern Ireland Constitution Act 1973. I do not want to make this a competition between the two Acts,

but presumably the logic of the right hon. Gentleman's words is that the 1973 Act was a betrayal of people in Ireland, because it was so much weaker than 1920 Act. Does he not think it a more likely explanation that in 1973 it was seen that plain, straightforward and rather more modern language was preferable?

Mr. Ancram: If that had been the case, section 75 of the Government of Ireland Act would have been repealed, as were many other parts of that Act, but it was not. Section 75, from which my amendment is drawn, could have been repealed at that stage, but it was not, and it is still extant. Both provisions are in place in relation to Northern Ireland, and all I am suggesting in my amendment is that both provisions should also be available in the Scotland Bill.

Mr. John McAllion (Dundee, East): I have just returned from a visit to Northern Ireland. I spoke to groups in Belfast and Derry, and none of them want to see a return of the Stormont Parliament, so why are right hon. and hon. Members on both sides of the House trying to write into the new Scotland Bill a situation like that of the Stormont Parliament in Northern Ireland? If the Irish people do not want it, the Scottish people certainly do not want it imposed on them, either.

Mr. Ancram: The hon. Gentleman makes my case for me. The power by which the Stormont Parliament was prorogued and direct rule established at the time of the civil rights marches was exercised under the supremacy of the Westminster Parliament, as stated and asserted in section 75 of the Government of Ireland Act. I am trying to introduce a similar provision into the Bill. If the hon. Gentleman feels that protection is needed against that sort of thing, the amendment offers precisely that protection.

The reason why we have tabled the amendment and why we press it now is that we believe not only in the United Kingdom, but—more important—in the central and vital role that Scotland can play within the United Kingdom. I am prepared to confess that I am unashamedly a unionist. I believe that the Union is an enormous benefit to the people within these islands, and a great force for good beyond them.

I believe, too, that Scotland has benefited from the Union and has contributed disproportionately, but magnificently, to its history. The partnership continues to hold out great promise and prospects to Scotland, even with a devolved Parliament; and to undermine those prospects would be a disservice to the people of Scotland and their interests.

I want the Union to prevail, with Scotland continuing to play her historic role within it. The amendment proclaims that Union; it asserts the supremacy of the Parliament of that Union; and it establishes devolution within that Union. I call on all those who believe in and value the United Kingdom, and who, above all, believe in and value the role of a devolved Scotland within it, to support this historic amendment.

Mr. Dalyell: I fear that beacons of intent do not always make good and stable law. The right hon. Member for Devizes (Mr. Ancram) made a rather "have your cake and eat it" speech in favour of his "have your cake and eat it" amendments.

Because of the guillotine time problem, I shall concentrate on clause 27(7), which states:

> "This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

Subsection (7) may conceivably be true in an arcane legal sense, but in the political reality of 1998 it is palpably misleading and about as true as it would be to say that the Queen can veto any legislation.

Let us pretend no longer that when the Bill becomes law, Westminster will remain sovereign; it will not. Westminster is—it is better to be very candid about this—effectively stripped of sovereignty. There is no glass ceiling and we should not imagine that the Bill does or can put a tight cap on Holyrood's powers.

I thought that the right hon. Member for Devizes was whistling in the wind when he talked about the integrity of the United Kingdom; the integrity of the United Kingdom may not be possible, given this Bill. How can the House of Commons bestow legislative responsibility on another institution without diminishing its own powers?

If the House of Commons is ceding to another elected authority the right to rule in education, housing, health and other gut issues of politics, how can our hitherto monopoly of sovereignty remain intact and undiminished? Frankly, of course, it cannot. As soon as Members of the Scottish Parliament are elected in 1999, they will behave as a separate constitutional entity when dealing with domestic affairs.

Furthermore, heaven help the Members of the Scottish Parliament if they are not perceived to do things differently. In the eyes of those who wanted Holyrood, that is what they are for. If they do not sort out tuition fees for students quickly, electors will ask, "Why go to all the trouble, and why have all the hoo-hah and expense of setting up Holyrood?"

There is no glass ceiling. I know one reason why—it is that any glass ceiling, or explicit limit on Holyrood's freedom to evolve into independence, would create enormous party problems for, for example, the hon. Member for Banff and Buchan (Mr. Salmond). Substituting flimsy cellophane for glass was part of the price of his support at the referendum.

Another deeper reason why there can be no glass ceiling relates to political imperatives. What happens when the expectations of Holyrood are unfulfilled? What happens about lone parents? I bet every candidate who goes before a constituency selection conference for the Labour party or any other party, including the Conservative party, will be asked his or her views on lone parents.

Scotland will be strewn with commitments that lone parent benefit will be restored to the full. The leadership of Holyrood Members of Parliament, fresh from the hustings, will then come to the Treasury in Great George street, London, and say, "We need more money to restore lone parent benefit." Doubtless they will say the same about a host of other perceived ills.

Are we sure that English Government Members of Parliament will acquiesce in giving more money per capita to the Scots to sort out lone parent benefit and many matters that are, purportedly, outwith Holyrood's powers—for that matter, tuition fees are within Holyrood's powers—than to their own constituents,

[Mr. Dalyell]

faced with diminishing lone parent benefit and tuition fees? The notion that all will be sweetness and light defies human nature and all political experience.

Mr. Wallace: I am grateful to the hon. Gentleman for giving way and, knowing the care with which he approaches such matters, I hesitate to contradict him, but will he not accept that lone parent benefit is not a devolved subject? It is a reserved subject; there is therefore no question of anyone going to the Treasury to ask for more money to pay more lone parent benefit in Scotland. The hon. Gentleman may make the point that expectations may be raised that cannot be delivered, but candidates should be on notice of which powers are held by the Parliament for which they are standing.

Mr. Dalyell: Of course; the hon. and learned Gentleman is right—I said that it was outwith the powers, but whether it will be perceived as being outwith the powers is a totally different matter. There will be enormous pressure, will there not, to get reserved powers—

Mr. Gorrie *indicated dissent.*

Mr. Dalyell: The hon. Gentleman shakes his head. This is a difference of judgment, but it is a judgment about human nature. The expectations that have been aroused in Scotland on welfare and other subjects are enormous, and I do not think that it is within human or political nature—although, doubtless in good faith, Ministers have proposed it—to respect the division of powers on gut political issues when there is the whole panoply of a Scottish Parliament.

The difficulty lies in the assumption that there will be an eternally amiable relationship. I wish I thought that that could happen, but it is very difficult. As was said in a previous debate on the Government of Wales Bill—the fascinating debate on Welsh devolution, at which I have been a constant attender—a Czech and Slovak problem will gradually develop. It will be relatively amiable to start with, but, once there is strife on delicate welfare reform subjects, one will get into a variety of difficulties.

What is the Secretary of State's attitude to the Scottish National party and others—I do not mean this pejoratively—using Holyrood as a forum in which to promote independence? Is it not true that, as he is reported as telling the hon. Member for Banff and Buchan on 24 July 1997, it would be "futile" to oppose the will of the Scottish people? He is quoted as saying:

"The boundary between reserved and devolved powers may be adjusted as the need arises."

Therefore, we should not pretend that this is a lasting settlement; it is really a process. Power devolved is not power retained. The idea that Westminster is the ultimate authority will be little more than a formality.

I conclude by asking a question, as I hope to do, keeping any interventions short. Under subsection (7) of clause 27, will the status of the United Kingdom Parliament in relation to the Scottish Parliament be rather like that of the Queen as titular head of state? Does not what the subsection says about the powers of the United Kingdom Parliament sound like the Queen's ability to veto parliamentary legislation, which we know, in reality, to be impossible?

Mr. Wallace: The hon. Member for Linlithgow (Mr. Dalyell) painted a gloomy picture. I am under no illusions that there will not, from time to time, be tensions between the Scottish Parliament and the Westminster Parliament. Such tensions are present in any system. Canadians have told me that tensions often exist between their federal Government and provincial Governments.

We are kidding ourselves if we suppose that we are embarking on something novel in the experience of countries worldwide. In fact, we are probably in the minority in having such a centralised system; it is commonplace to have divisions of responsibilities between different layers of government. Although, undoubtedly, there will be tensions, we will be obliged to find a means of resolving what will then be a political reality. We hope that we are grown-up adults and can resolve those tensions maturely, without always resorting to haranguing.

Unfortunately, the political system that we have grown used to over the years, breeds in us a view that any political dispute or debate can be resolved only by conflict and confrontation. However, the Bill is a product of the constitutional convention, where we defied the critics who said that it would be impossible for the parties that joined the constitutional convention, working by consensus, to produce a set of proposals. The fact that we achieved it gives hope that there can be a new style of politics. We will have to learn new tricks and new ways of resolving conflicts, because it will not always be sweetness and light.

I do not accept that, because there will be tensions and friction, that will inevitably lead to the break-up of the United Kingdom—far from it. I have always strongly believed that the swiftest road to breaking up the United Kingdom would have been to deny the people of Scotland the legitimate aspirations that they have expressed time and again for more say over our domestic agenda.

4.30 pm

The lead amendment shows the Conservative party defending the traditional position of Westminster sovereignty. I do not accept the argument of parliamentary sovereignty as advanced by the right hon. Member for Devizes (Mr. Ancram). I do not believe that that ever was the constitutional position in Scotland.

When I was studying constitutional law at Downing college, Cambridge, in the early 1970s, we would go through interminable legal problems about trying to entrench powers so that Acts could be amended only with a two-thirds majority, and discuss whether a subsequent Westminster Parliament could overturn that and amend the Act with a simple majority. It was fascinating and enjoyable, but did not advance us very far.

The proposition of Westminster's sovereignty was very much an English one. The workings of Professor Dicey—

Mr. Ancram: The hon. and learned Gentleman raises authorities from the past. I raise an authority from the present and refer him to the debate on the White Paper, when the Secretary of State for Scotland said:

"We accept that sovereignty within a devolved system lies with the United Kingdom Parliament."—[*Official Report*, 31 July 1997; Vol. 299, c. 457.]

Does the hon. and learned Gentleman disclaim that authority, which is a Scottish authority?

Mr. Wallace: The Secretary of State will no doubt reply to the debate and answer for himself. I am advancing my view and that of my party. I do not accept the sovereignty of Westminster, and I am on the record—the right hon. Gentleman could have cited me—as saying on several occasions that I do not accept it. That is an English concept.

I am prepared to concede that many people think that Westminster is sovereign, but we must deal with that reality—we cannot wish it away. It is obvious from comments such as those of the right hon. Gentleman that the notion of Westminster's sovereignty is so ingrained that it is a political reality, which we must face. I do not believe that, as he claims, it has any legal substance, and I think that its political substance will diminish.

The right hon. Gentleman need not rely solely on the quote that I offered him earlier from Lord President Cooper in MacCormick *v.* Lord Advocate. If he goes through the court cases, he will find many older authorities, particularly in relation to cases involving the Church and the protection given to the Church of Scotland and the Presbyterian form of government under the treaty and Acts of Union, which gave rise to legal cases in the 19th century.

In the case, Minister of Prestonkirk *v.* Earl of Wemyss in 1808, the Lord President stated:

"The people of Scotland, at the period of the Union, were most careful to preserve unalterably all the rights of their presbyterian church as by law established".

It is interesting that clause 35 almost restates the treaty of Union and the various Acts of Union which, as the Secretary of State well knows, entrench the rights of the Presbyterian form of Church government in Scotland.

Mr. Dominic Grieve (Beaconsfield): I do not want to get involved in a pedantic review of 18th or 19th-century law. The Act of Union entrenched certain rights in Scotland. That was its virtue. One of the consequences that has been discussed in the Committee is that if the Bill is enacted, the Scottish Parliament will be able to undo some of that. The point is that parliamentary sovereignty was accepted.

Mr. Wallace: No, I do not believe that for one moment. The concept of parliamentary sovereignty was alien to the history of Scotland. Hon. Members must accept that what was established in 1707 and augmented in 1801 when Ireland came into the Union was a Parliament of the United Kingdom. It was not a Parliament of England, of Scotland or of Ireland. It was a Parliament of the United Kingdom. There is no earthly reason why the constitutional theories of a Parliament of England should take precedence over the constitutional theories of any other part of what was an equal Union.

I do not accept that the English concept became a concept of the Parliament of the United Kingdom. As I said earlier, the Church of Scotland Act 1921 makes it clear that this Parliament recognised that there are limitations on its sovereignty, and the Church of Scotland, under its declaratory articles, which were approved by Parliament, recognised that there were areas in which Westminster was no longer sovereign, and that there would be no question of Westminster intervening again.

The right hon. Member for Devizes (Mr. Ancram) referred to the concept of popular sovereignty in the Claim of Right, which so many hon. Members signed in 1989, when we acknowledged

"the sovereign right of the Scottish people to determine the form of Government best suited to their needs."

It has an historic resonance, from the declaration of Arbroath, the 1689 Claim of Right, through to today. It is a practical form of considering how sovereignty should operate.

I think that it was Lord Howe who said that it is not like virginity—it is not something that one does or does not have; it is quite capable of being pooled. *[Laughter.]* Not pulled—pooled.

The fact that rules and regulations emanate from Brussels causes much unhappiness, particularly to Conservative Members, but if the people want and accept that some of their sovereignty should be exercised by the European Union, the Westminster Parliament or an Edinburgh Parliament, it is a perfectly legitimate exercise of popular sovereignty. It is a useful concept in an age when there are different layers of government.

If popular sovereignty was such that the people of Scotland wanted independence, we would have to accept that, but I do not believe that they want it. In general election after general election, when they have been given the opportunity to vote for candidates standing for independence, only 20 to 25 per cent. have ever done so. There is no popular demand for independence. As we saw on 11 September, the people of Scotland exercised their popular sovereignty by voting for the proposals that are substantially contained in the Bill, and that is what will be delivered to them.

Mr. Bernard Jenkin (North Essex): I think that the hon. and learned Gentleman is confusing the concept of sovereignty with the concept of powers, when he mentions the passing of powers to the European Union. Is he saying that the Scottish Churches would not be subject to rulings that might be made by the European Court of Justice? If Parliament were to pass powers to that court, the court's rulings would be binding on everything in the United Kingdom and would affect matters concerning the Scottish Churches. The sovereignty of the Scottish Churches would have been passed, by a sovereign act of this Parliament, to the European Court of Justice. To that extent, this Parliament can legislate on any matter. It is not bound by its predecessor. That is the meaning of the sovereignty of Parliament.

Mr. Wallace: I do not accept the hon. Gentleman's proposition. I was making the point that, under the Church of Scotland Act 1921, sovereignty over matters that were specifically laid out in the Act was passed to the Church of Scotland and to the courts of the Church of Scotland. Therefore, this Parliament did not have the sovereignty to pass to Brussels under the European Communities Act 1972. As the hon. Gentleman knows, one cannot pass what one does not have; there is a strong argument that what we are discussing does not affect the areas over which the Westminster Parliament did not have sovereignty.

Mr. Grieve: I have heard of the acquis communautaire, but this is the acquis Wallace. Is it not a doctrine that,

[Mr. Grieve]

once laws have gone, they can never be taken back? That is completely contrary to the principles on which this Parliament operates, and it will be completely contrary to the principles on which the Parliament in Edinburgh will operate.

Mr. Wallace: The hon. Gentleman is highlighting the fundamental difference between us. I do not accept that that is the principle on which this Parliament operates. He may think that it is.

Mr. Jenkin: The hon. Member is a nationalist.

Mr. Wallace: I am not. It is not a particularly nationalist proposition. As I clearly said, the people can have their sovereignty exercised by the Westminster Parliament over a range of subjects, including social security, defence, monetary policy and taxation. The people chose, as they showed in their votes on 11 September, to allow sovereignty to be exercised by the Westminster Parliament.

Mr. Salmond: Lady Thatcher said on a number of occasions that, if the people of Scotland voted for independence, independence was what they should have, exercising their right to sovereignty. Does that and the Conservative party's logic make Lady Thatcher a supporter of independence?

Mr. Wallace: No, it simply highlights the obsessive way in which the Conservative party is wedded to a concept that we do not accept. That does not make us nationalists; there is simply a gulf. The amendment has given us a nice opportunity for academic consideration, but ultimately it is wrong. If accepted, it would incorporate into law an entirely alien concept.

Mr. Nick Hawkins (Surrey Heath): What is the hon. and learned Gentleman's view of the important point made by the hon. Member for Linlithgow (Mr. Dalyell)—that the Bill appears to operate as a one-way ratchet? The hon. and learned Gentleman says that the Scottish people did not vote for complete independence; do not the Government's proposals play into the hands of the nationalists? If there were a nationalist majority in the Scottish Parliament, it would inevitably lead to complete independence, whatever he wishes.

Mr. Wallace: I do not believe that for one moment. On the contrary, the Bill satisfies the Scottish people's aspirations because it gives them what they want. Even without devolution, Scottish National party members standing as candidates for Westminster elections could get 50 per cent. or more of the vote, which could be regarded as the road to independence. The fact that that has never happened confirms my belief that it is not what the Scottish people want; nor will their appetite be whetted for it.

As the Bill will satisfy the aspirations of the overwhelming majority of Scottish people, it is more likely to secure the integrity of the United Kingdom, which the right hon. Member for Devizes said was one of his objectives. That would be better done under a federalist system. The right hon. Member for Devizes once espoused federalism and suggested that a federal framework of government be adopted. Those words appeared in a pamphlet published by Mr. Michael Ancram of 6 Ainslie place, Edinburgh 3. It is not dated, but membership of the Thistle group at that time was 10 shillings per annum. It is a well-written pamphlet analysing what is wrong with the Westminster system of government—problems that have been exacerbated in the past 30 years.

Dr. Liam Fox (Woodspring): As one of the few post-decimalisation Members, I was tempted to ask what a shilling was.

Am I correct to assume that the hon. and learned Gentleman's interpretation of clause 27(7) is the same as that of my right hon. Friend the Member for Devizes (Mr. Ancram)—that the Bill would give this Parliament the power to make laws for Scotland on all issues, including reserved powers?

Mr. Wallace: I am extremely grateful to the hon. Gentleman for bringing me neatly on to the point that I was about to deal with anyway. Incidentally, a shilling was worth 5p, unless one was not quite the full shilling.

Amendment No. 23, which was tabled by me, the hon. Member for Banff and Buchan (Mr. Salmond) and others, seeks to clarify precisely what clause 27(7) means. I interpret it in a similar way to the right hon. Member for Devizes—that it could allow the Westminster Parliament to make laws in respect of non-reserved matters. It would not necessarily be exercised in a way deliberately designed to cause confrontation, but could arise in the context of a private Member's Bill, perhaps one introduced in another place, with a provision that appeared to apply to the whole of the United Kingdom but which trespassed on a non-reserved power. That would be unfortunate and could lead to confusion, which is why we have made it clear that it should happen only in regard to reserved powers.

The amendment tabled by the right hon. Member for Devizes would consolidate the friction. If Westminster had the power to legislate on a devolved subject and the Scottish Parliament could not repeal or amend that legislation, it would lead to damaging confrontation and friction, which the right hon. Gentleman vows he wants to avoid. The Secretary of State may give us an assurance that that is not the intention of clause 27(7), but clarification is necessary, and amendment No. 23 is a useful way of achieving that.

Although the Bill provides for references to the judicial committee of the Privy Council if it is thought that the Scottish Parliament has acted ultra vires, I am not so clear about what would happen if Westminster passed legislation that it could be argued was related to a non-reserved matter. Someone in Scotland could challenge legislation on the basis that it did not apply in Scotland. I do not know whether provision could be made for judicial determination if an action was, as it were, ultra vires in the opposite direction. I hope that that situation can be clarified, because, as it stands, it could lead to unnecessary conflict and confrontation.

4.45 pm

Mr. Galloway: I am not lawyer, an historian or, for that matter, a member of the Church of Scotland, so I shall not pursue hon. Members down ecclesiastical, historical or legal avenues. I speak as a mere jobbing politician: a humble agitator.

Mr. Fox: Humble?

Mr. Galloway: Well, an agitator then.

From my perspective, both the right hon. Member for Devizes (Mr. Ancram) and the hon. and learned Member for Orkney and Shetland (Mr. Wallace) are correct. The legal position is undoubtedly that the Westminster Parliament is sovereign, but the political reality is that the people are sovereign. That seems to me so obvious that perhaps only a non-lawyer can see it. The point was no doubt conceded in the hon. and learned Member's reference to Lord Cooper's judgment. Much more contemporary and more important is the fact that it was conceded by the stance taken by Lady Thatcher and the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major).

Notwithstanding the Westminster Parliament's legal sovereignty, if the popular will in any constituent national part of the United Kingdom were to leave the Union, it would have to be allowed to do so. That is what the Claim of Right meant, and it is why, with the exception of my dear hon. Friend the Member for Linlithgow (Mr. Dalyell), we all signed it, why none of us resile from it now, and why we are not contradicting ourselves in this debate.

We were clearly addressing the political right of the Scottish people ultimately to choose whether to remain in the Union as it was, to leave it altogether, or to amend our participation in it. That is why we had a Scottish Constitutional Convention, and why I was proud to be a member of it: indeed, I was one of the first people to call for it. In an article in the now sadly lamented *Radical Scotland* magazine more than 15 years ago, I called for a convention of the Scottish people to find a political path towards the exercise of popular sovereignty.

I am disappointed in the right hon. Member for Devizes. Perhaps unwisely, he mentioned my record. I may have some fun with his, as the hon. and learned Member for Orkney and Shetland did. There is a lack of credibility in someone who was absolutely seized and persuaded of the need to reform the United Kingdom's structures—he was a devolutionist, even a federalist—who then metamorphosed into an absolute defender of the status quo, and who now comes among us saying that he wants to make the legislation work. He approaches his work in a churlish, dog-in-the-manger way, which makes the launch of the legislation far less harmonious that it could have been. It damages the political position of his party, which would do better to turn the page on its previous opposition to devolved government. The Conservatives should pick up the ball and run with it, as other Conservative parties in other parts of the world have done very successfully.

Catalonia has a Conservative Government. There is no contradiction between being a believer in the free-enterprise system—the market economy—and supporting devolved government. It is about time that Conservative Members' prehistoric attitudes changed.

The right hon. Member for Devizes told us that he was concerned about these matters because he wished to preserve the integrity of the United Kingdom. He said that he was a Unionist. But the Conservative party has been the main recruiting sergeant for the break-up of the United Kingdom, as we have spent 18 years—the best part of the past two decades—pointing out to its members. Every time they rode roughshod over the clear will of the Scottish people—every time they appeared oblivious to the fact that only a small minority of Scottish electors supported their programme—and rammed Thatcherite policies down our throats, they added to the column of the hon. Member for Banff and Buchan (Mr. Salmond).

The right hon. Member for Devizes supported the poll tax. Perhaps he still does; I do not know whether that is a part of his record that he now wishes to rewrite. In any event, the introduction of the poll tax, which was visited on the Scottish people—who did not vote for it—a full year before it was introduced in the rest of the United Kingdom, was the single biggest act that risked ruining the unity of these islands. It drove more people into the column of the Scottish National party than any other political act in history. Those are the facts, and it is about time that Opposition Members showed some humility.

The Bill is intended to preserve a measure of unity in these islands—a measure of unity which was gravely imperilled by nearly 20 years of Thatcherite government.

Sir Robert Smith (West Aberdeenshire and Kincardine): Another key element damaged the credibility of the current constitutional arrangements. Some Conservative Members happily voted for the poll tax in Scotland, and then, when it was introduced and affected their constituents, campaigned vociferously to get it abolished and removed. The fact that they failed to scrutinise the legislation when it did not apply to their constituents, and recognised the damage that it was doing only when it did apply to them, demonstrates the need for the Scottish Parliament.

The Chairman: Order. Wide though the grouping of the amendments may be, hon. Members should come back within their compass.

Mr. Galloway: My point is that the carelessness of Opposition Members when their party was in government for all that time led to the imperilling of the stability of the Union. This is an honest attempt to stabilise the position, and to create a new settlement that can lead to a more stable and harmonious existence for the people of these islands.

Mr. Ancram: May I ask the hon. Gentleman two short questions? First, he referred to my record on devolution before 1970. Will he remind the Committee of the Labour party's position on devolution in the years before 1970? Secondly, in the light of what he is saying, will he tell us whether he agrees with clause 27(7)?

Mr. Galloway: Keir Hardie, the founder of the Labour party, was the first campaigner for Scottish government. For the vast majority of the time during which the party has existed—nearly a century—we have supported home rule in this country.

By its defence of the Union—its nothing less, no change, no surrender attitude—the Conservative party has consistently imperilled, in the last century and in this,

[Mr. Galloway]

the prospects of unity in these islands. If there had been a speedy and constructive passage of home rule legislation for Ireland when it was only home rule that the Irish wanted, we might not have to re-create a council of the isles as a means of trying to end the blood and thunder within these islands. We and the Irish people might have had a more harmonious century if we had recognised the need, which was expressed by elected politicians in Ireland at that time, for a new settlement for home rule rather than breaking up the island. A new settlement is what we are trying to achieve.

My hon. Friend the Member for Linlithgow—I mean that sincerely: there is occasionally a "but", as such a phrase is usually the precursor to a criticism, but there is not in this case—is right to say that there can be no perspex or glass ceilings. There can be no manacles, shackles or ties imposed by this place, whatever is said in the White Paper that the right hon. Member for Devizes is holding. If I am right—and I think that I have a measure of agreement in the Committee—in the end it is popular sovereignty which counts, and no attempt to place a cap on the Holyrood Parliament is worth a hill of beans.

The United Kingdom can survive only if its people want it to survive: it can persist only if there is consent. There is nothing that we can do legally to force people to want to stay in the United Kingdom, but we can strike attitudes that will help to make it more likely that they will want to remain. That is why I appealed for an end to the dog-in-the-manger approach by Conservatives.

Mr. Laurence Robertson (Tewkesbury): The hon. Gentleman speaks about devolution bringing harmony to the people of these islands. Surely it will create uncertainty among some people, depending on where they live. The devolution Bills will mean that we will no longer be equal citizens.

Mr. Galloway: The hon. Gentleman seems oblivious to the fact that the status quo had ceased to be an option. More and more people were deciding that they wanted to opt out of the Union. The political party of which the hon. Gentleman is a member supported no change, no surrender Unionism, and was completely annihilated in the May general election. The party came back for more in the September referendum when it again hoisted its banner of no change, no surrender Unionism. Again, Conservatives were routed from the field.

There is some nobility in continually stepping up to the mark, being smacked on the nose and falling down, but there must come a point when even Conservative Members realise that the game is up, that there will be home rule for Scotland and that we might as well try to make it the best possible kind of home rule. We might as well launch the ship with a bottle of champagne and good will rather than be dragged screaming and kicking into the operation.

Mr. Dalyell: I thank my hon. Friend, with whom I am united in the unpopular cause of opposing military action against Iraq, for giving way. Does he agree that Westminster will effectively be stripped of sovereignty?

Mr. Galloway: There is no doubt that, in legal terms, it will not be—not in the sense that, as Enoch Powell said, power devolved is power retained. Effectively, it will be, because we are giving a whole tranche of Scottish life to the Scottish Parliament to administer and legislate for. That is what the Bill says that we will do. Moreover, the message sent by the referendum victory and by the Labour Government's general election victory in May was that we should do that. So why cannot we do it with good grace?

Dr. Fox: With the greatest respect, that is not what the Bill says. Section 27(7) states:

"This section does not affect the power of the Parliament of the United Kingdom to make laws for Scotland."

Regardless of what the hon. Gentleman wants the Bill to say, that is not what it says.

5 pm

Mr. Galloway: We are again dealing with the dichotomy that I tried to identify in the first few moments of my speech between the legal position and the real-life position. Any hon. Member who wanted to legislate in the House on non-reserved Scottish matters after the Scottish Parliament was up, running and effectively dealing with Scottish life would be a wrecker, a saboteur and a recruiting sergeant for the hon. Member for Banff and Buchan. Anyone who tried to throw such a spanner in the works could not possibly have at heart the Union of our islands or the unity of the people of our islands. He or she would be guilty of political provocation.

As I am not a lawyer, I am not all that concerned with the small print of the issue. I should like hon. Members on both sides of the Committee to launch this ship with good will and fairness.

Mr. Jenkin: The hon. Gentleman started his speech by saying that he believed in the sovereignty of this Parliament. It seems that there is disagreement in the Committee over whether this Parliament is sovereign and will remain so. The purpose of amendment No. 2 is to bolster the Government's position by stating explicitly that hon. Members, in passing the Bill, do not believe that we are detracting from the sovereignty of the House. Just as the hon. Gentleman does not want this Parliament to provoke a crisis with the Scottish Parliament, it is equally incumbent on the Scottish Parliament not to provoke a crisis with the rest of the United Kingdom by asserting sovereignty over matters which it claims for itself but which this Parliament does not feel that it has devolved to it. Accepting our amendment would explicitly state that belief, so that everyone understands the ground rules at the outset.

Mr. Galloway: Surely the amendment would do the precise opposite. We are dealing with the ability of this Parliament—and even of Back Benchers, in private Members' Bills—to table legislation on non-reserved matters and to describe that legislation as sovereign. That would be a provocation to the Scottish Parliament.

Why are we going to all the trouble of creating a Scottish Parliament and of devolving certain matters to it if we are leaving open the possibility of hon. Members mischievously wrecking or sabotaging the settlement by tabling legislation in the House on matters that have properly been devolved to the Scottish Parliament?

Either I have expressed myself poorly or the hon. Member for North Essex (Mr. Jenkin) has misheard me. I did not begin my speech by saying that I accept the House's sovereignty. I do not believe that the House is sovereign over even the English people, never mind the Scottish people. I believe in popular sovereignty. All sovereignty rests not with us and not with this building—with these bricks, mortar and timber—as admirable it is, and as much as I love it—I do love it, and I hope to stay here—*[Laughter.]* I am serious about that. This is a very precious place, and many great freedoms have been fought for and won here. I love this place very much, and I hope to stay here until they carry me out in a box. However, I do not think that it is sovereign. The people who sent us here are sovereign. They are the ones who ultimately make the decision.

There is no contradiction. The House's sovereignty over England and, arguably, over the new Scottish Parliament has undoubtedly been written down in law. In real terms, however, if the people decide that they want to change the arrangements in our islands, they have the sovereign right to do so. Long ago, even the right hon. Member for Huntingdon accepted that. In real life, we should not be hung up on such a legalistic argument. Opposition Members should seize the opportunity, which is fading fast, to accept their defeat with good grace and take a constructive stance on these matters, rather than be seen by the Scots, whom they will soon be asking for votes, to be dragged kicking and screaming down every last inch of this tortuous path.

Mr. Salmond: Following the comments of the hon. Member for Glasgow, Kelvin (Mr. Galloway), I wonder whether a role is emerging for Scottish National party, Liberal Democrat and Labour Members to protect the Scottish Conservative party from the English Conservative party and the undoubted effects of its rhetoric on the already diminished prospects of colleagues north of the border.

The right hon. Member for Devizes (Mr. Ancram) moved the lead amendment in such a mild way that it sounds almost reasonable—until one looks at the language in it. Amendment No. 2 says:

"Notwithstanding the establishment of the Parliament, or anything contained in this Act, the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Scotland."

It does not even refer to property in Scotland. It refers to all things in Scotland, bright and beautiful and otherwise. I am sure that a gentleman called Kipling would have been an enthusiastic backer of such an amendment.

One could phrase a clause on parliamentary sovereignty differently. I remember that, when I was a small child, I used to believe that if I shut my eyes nobody could see me. I am starting to think that the Conservative party has assumed that mentality. It believes that, if it asserts something strongly and powerfully enough, the world will tilt on its axis and reality will change to suit its prejudices.

The right hon. Member for Devizes said that he wanted the language of the amendment to contradict the slippery slope. Either the slope is slippery or it is not. Contradicting it will not alter its angle or slipperiness. There is more to politics and life than asserting things in a rather offensive way and believing that, the more one does so, the stronger that makes one's position. Often, such behaviour makes one's position rather weaker. It is certainly making the position of the right hon. Gentleman's beleaguered Scottish colleagues very weak. They must sigh every time a Conservative Member gets to his or her feet to make a speech in such a manner, and tries to look upon Scotland as property, a thing, a possession of the unblemished sovereignty of Parliament.

I want particularly to speak to amendment Nos. 79 and 23, which were tabled by the Scottish National party and the Liberal Democrats. The amendments could offer a middle way out of the difficulty. *[Interruption.]* I am always a reasonable man at heart, as my friends well know.

I join the hon. Member for Kelvin in his argument about popular sovereignty. That is my anchor as I regard constitutional questions. I believe in the popular mandate and popular sovereignty of the Scottish people.

Mr. John Home Robertson (East Lothian): They have never given it.

Mr. Salmond: That remains to be determined. It will be decided by the people at subsequent elections. It is their choice. Believing in the popular sovereignty of the people does not mean that one believes in the inevitability of one's victory. It just means that one believes that people have the right to choose and decide. Believing it does not make one a nationalist; it just makes one a democrat.

I should like to protect the Secretary of State from his hon. Friend the Member for Linlithgow (Mr. Dalyell) for a second. I looked up the reference that the hon. Member for Linlithgow quoted with such a flourish when he talked about the futility of glass ceilings. In response to a question that I asked about the sovereign right of the Scottish people to determine their own constitutional future, the Secretary of State rightly said:

"If I did try to build such barriers, they would be futile and without effect. At the end of the day, in practical politics, what matters is what people want. If the hon. Gentleman is able to carry the people of Scotland, no doubt he will be able to advance his cause."—[*Official Report*, 24 July 1997; Vol. 298, c. 1049.]

The Secretary of State was not signing up to the Scottish National party in that statement. In fact, he has never been a member of the SNP, unlike some in his ministerial team, I am referring to the Minister of State, the hon. Member for Cunninghame, North (Mr. Wilson)—I would not want the accusation to be left drifting in the wind. The Secretary of State was making a democratic point that has been accepted by every responsible politician for many years, including the past two leaders of the Conservative party. The right of the people of Scotland to choose their constitutional future is a basic point of democracy. They can choose no change—which has been rejected—devolution, federalism or independence as a state in the European Union.

Mr. Grieve: Is not the problem with the notion of popular sovereignty the fact that it means the rule of the person or group of people who are on top in a given place at a given time? Even Scotland is a legal concept, just as England is. The fact that devolution is going through is a recognition of the legal entity of Scotland and the majority vote in the devolution referendum. We want to add to the Bill a restatement of the legal position. Once we start on the road of popular sovereignty, there is no stopping.

[Mr. Grieve]

Orkney and Shetland may one day assert their popular sovereignty to remove themselves from Scotland. That argument can carry on ad infinitum.

Mr. Salmond: I do not claim that the right of national self-determination is an easy concept to define, but the United Nations was confident enough about it to put it in its founding charter. If the United Nations coped with the concept, the Committee—even the Conservatives—should manage to grapple with it.

It is no secret that parties in the Committee and in Scotland have argued for national self-determination. A quotation from 1992 put the issue neatly:

"The central issue at stake is that of sovereignty. The unwritten British constitution, founded on the notion of absolute sovereignty of the Westminster Parliament gives Scotland no constitutional right of democratic control of its own affairs, let alone provides the right of national self-determination or fundamental individual rights for its citizens. This concept of sovereignty has always been unacceptable to the Scottish constitutional tradition of limited government or popular sovereignty. Today, in the modern world, it is no longer acceptable in practice to us."

That was the democracy declaration, signed—uniquely in recent Scottish politics—by the Scottish National party, by the hon. Member for Central Fife (Mr. McLeish) on behalf of the Labour party and by the hon. and learned Member for Orkney and Shetland (Mr. Wallace) on behalf of the Liberal Democrats. That definition has been publicly embraced by three of the political parties in Scotland in front of 25,000 people. There were quite a few witnesses. It was not done in a secret cabal. We embraced a concept that we believed represented the way forward. We did so despite our different constitutional aims, because we agreed that the people had the right to decide. If we keep that as our constitutional anchor, we shall not go too far wrong.

The Conservatives' position is strange. They are arguing, in a flourish of rhetoric, that the Bill needs to be strengthened with more constitutional guarantees to maintain the essential integrity of the United Kingdom, but they also point, rightly, to clause 27(7), saying that the issue is already in the Bill. If it is already dealt with in the Bill, what is the point of the Conservative amendments, other than to give the right hon. Member for Devizes a chance to make a speech? They are probably right. Clause 27(7) unwisely gives the Westminster Parliament the right to legislate on all matters in Scotland, unaffected by the devolution legislation.

There is some dubiety and dispute about that. On Second Reading, the right hon. Member for Devizes asked the Minister for Education and Industry, Scottish Office whether a private Member's Bill on a devolved matter for Scotland would be binding on Scotland. The Minister said no. The Clerks in the House of Commons say yes, under the terms of clause 27(7). The Secretary of State should tell us whether the answer is yes or no—as we hope and as the Minister, like many of us, thought.

The hon. Member for Rochford and Southend, East (Sir T. Taylor) asked the same Minister whether the Scottish Parliament legislation could be cancelled by the Westminster Parliament. He replied:

"Within the areas of devolved responsibility, laws passed by the Scottish Parliament are not open to cancellation."—[*Official Report*, 13 January 1998; Vol. 304, c. 155.]

5.15 pm

The Minister, whose impeccable devolution credentials are well known to all in the House, was apparently under the impression on Second Reading that the Bill did not provide for the Westminster rules okay override, which says that any matter can still be determined by the Westminster Parliament. I do not accuse him of misleading the House. It was reasonable for him to believe that. Before we looked at the Bill in detail, most of us believed that the power of the United Kingdom Parliament to make laws for Scotland on reserved matters was not affected by the Bill, but devolved matters would be the preserve of Edinburgh. Amendment No. 23 would make that change, offering the Secretary of State the clarification necessary to bring the Bill into line with what the Minister said two weeks ago.

There is general agreement in the House about popular self-determination—the right of the Scottish people to decide. The Scottish people will determine the constitutional direction of Scotland at the ballot box. No sensible person would gainsay that process. The Conservatives are clumsily suggesting putting in manacles, shackles and safeguards in language carried with a flourish. That will cause them great difficulty in Scotland. However, we should not stick with the Bill as it stands. Clause 27(7) gives an opening for the wrecking behaviour that the hon. Member for Kelvin mentioned. We need clarification, so that we can agree that the provision refers to reserved powers.

It is no secret that I believe in independence for Scotland. I have not kept that from the Scottish people. I also believe that it will happen through the ballot box when the Scottish people so determine. At the referendum, the people of Scotland exercised a sovereign decision to vote for the Bill. The Secretary of State and I said that, if the Bill passes, Westminster will not again be allowed to impose a poll tax on the Scottish people. Scottish parliamentarians will decide that form of local government taxation. The manifest injustice of the poll tax will never again be visited on the people of Scotland. Clause 27(7) opens the door to that. It is not just the "Westminster rules, okay" clause; it is the poll tax clause. It is not okay with the people of Scotland and it is not faithful to the arguments that the Secretary of State, the hon. and learned Member for Orkney and Shetland and I, along with many others, deployed in the referendum campaign.

We asked the Scottish people to exercise their sovereignty on powers that would remain at Westminster and powers that could go to Scotland in the knowledge that, at any time in the future, that settlement could be changed. It could be changed back if the Scottish people did not want the Parliament and decided to go back into a unitary state. We could change to federalism or to independence on the vote of the Scottish people. Given what the people voted for on 11 September, it is not sensible for the Bill to open the door to legislation being passed unilaterally in this Parliament, on devolved matters that the Scottish people decided should go to the Scottish Parliament.

Mr. Dalyell: Through the hon. Gentleman, may I ask my Front-Bench colleagues whether the reincarnation of

Lady Thatcher, using clause 27(7), could impose a poll tax? That is a factual question to which I do not know the answer.

Mr. Salmond: I am happy to act as a messenger for the hon. Gentleman, and I relay that question to the Secretary of State.

The clause does open the door, and I think it unnecessary. The settlement that the people voted for on 11 September would be satisfied by amendment No. 23, which would make it specific that the legislation that we expect to be carried by Westminster would be on reserved matters and not on matters devolved to the Scottish Parliament. That would bring the Bill into line with the rhetoric of the Minister of State two weeks ago.

Mr. McAllion: I was delighted by the previous intervention by my hon. Friend the Member for Linlithgow (Mr. Dalyell). I had not realised that Lady Thatcher required reincarnation—I had not heard the good news. If it is true, I say, "Rejoice, rejoice."

I do not often agree with the hon. Member for Banff and Buchan (Mr. Salmond), but I do agree that the biggest problem facing the Tory party in Scotland is the Tory party in Westminster. As I listened to the speeches from Tory Members, it occurred to me that perhaps Bill Walker and Phil Gallie were not all that bad. They were transformed in the mind's eye into significant political figures; not because absence makes the heart grow fonder, but because of the pathetic performance of the Anglo-Tory establishment here in Westminster.

To this day, the Tories have not got it into their heads that the situation has changed dramatically in Scotland following the referendum on 11 September. It is time that the Tory party changed to reflect the differences in Scotland. Unless it does so, it will not recover in any sense in Scotland, but will remain a party of England—a party dominated by England. In complete contradiction to the Tory party claim, it will be the party not of the Union, but of only one part of the Union, which has nothing to say to Scotland, Wales or, increasingly, Northern Ireland.

My hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) said that perhaps only a non-lawyer could see that the legal claim to sovereignty does not matter because, in practical terms, what matters in the real world is popular sovereignty. He was being hard on lawyers in saying that. My right hon. Friend the Prime Minister is a distinguished lawyer and, in a recent exchange with me, he said that the people were sovereign. So even lawyers understand that the people are sovereign, which makes it all the more bizarre that they require to take part in this debate.

The reality is that the people are sovereign—there is nothing that this House, this Parliament or any hon. Member can do to change that. The people will decide whether the Union survives. The people will decide whether Scotland becomes separate and independent. No politician can stop the people making that decision.

Dr. Fox: Will the hon. Gentleman give way?

Mr. Desmond Swayne (New Forest, West): Will the hon. Gentleman give way?

Mr. McAllion: I will give way to—*[Interruption.]* I was going to say that I would give way to the more intelligent hon. Gentleman, but there is no choice. I shall give way to the Front-Bench Member.

Dr. Fox: The hon. Gentleman probably made the wrong choice on this occasion. We have made it clear on many occasions that, should Scotland wish to leave the Union, it would be able to do so. However, is it not reasonable that, while any part of the UK remains within the Union, this Parliament should remain the ultimate legislative power?

Mr. McAllion: No, that is not reasonable. It is a very old-fashioned way of looking at the concept of political sovereignty and, as I develop my speech, I shall refer to the modern way of looking at sovereignty. I am very much a moderniser in my own party. I, for one, am against clinging to the past and to the ancien regime that goes back to Edward I, the "Hammer of the Scots". I want to move forward to the 21st century and not go back to 1707, as so many hon. Members who have taken part in the debate want.

Mr. Grieve: The notion of popular sovereignty that the hon. Gentleman puts forward will take us not to the 21st century but back to the dark ages. If I disagreed with him on the principle of sovereignty, I could just walk across the Floor and bonk him on the head, but I shall resist the temptation. Either we have a legal structure that is accepted—which is why this devolution Bill is going through—and the will of the Scottish electorate, as expressed in the referendum, is accepted, or there is no legal structure at all and the hon. Gentleman is justifying his position on something with no legal structure.

The Chairman: Order. I must say to the hon. Gentleman—not while I am in the Chair.

Mr. McAllion: I am tempted to say to the hon. Gentleman, "Come on, then," but I shall resist that temptation. He talked about going back to the dark ages. If a time traveller from 1707 came here, he would immediately recognise all the essentials of this Chamber and this Parliament. Nothing much has changed. We have the same Speaker and Deputy Speaker in the Chair and the same red line—*[Interruption.]* Well, not the same person in the Chair, but the same post. We have Her Majesty's Government, Her Majesty's official Opposition, the same manner of addressing one another as hon. Members and so on. The same powers are exercised not, as then, through the monarch, but through the Prime Minister. In essence, this constitution and this Parliament have never changed. We have never moved from the 18th century—never mind moving to the 21st century.

Mr. Dalyell: What about the women?

Mr. McAllion: That is a welcome change. However, 50 per cent. of the Scottish Parliament will be made up of women—something this Parliament could never achieve. I am being diverted from my remarks.

In his excellent speech, my hon. Friend the Member for Kelvin tried to persuade the Tories to come to terms with the reality of Scottish devolution. He said that there was no inherent contradiction between belief in a free-enterprise economy and a belief in home rule for one's own country. I am sure that there is no contradiction, but I hope that it does not become a requirement.

Mr. Galloway: Would my hon. Friend—I mean that sincerely—allow me? The point I was making, which

[Mr. Galloway]

does not seem to have penetrated to Opposition Members, is that the Government of Catalonia is a right-wing, Conservative capitalist Government. The Government of Bavaria is a right-wing, Conservative, capitalist, Catholic Government. None of those right-wing parties has any problem in administering, governing and legislating in one part of a bigger state. Why should it be so difficult for Conservative Members to swallow that? I honestly cannot understand that.

Mr. McAllion: I agree. Modern European history shows that the parties most clearly identified with nationalism were traditionally the right-wing parties. Nationalism was a right-wing cause for so long. My right hon. Friend the Prime Minister has made it something of a mission in his life to win back nationalism for the left—well, the centre left. I should not want to be accused of attacking my right hon. Friend the Prime Minister by calling him left wing. Everywhere else, parties of the right embrace nationalism and embrace their country. Only in Scotland does the party of the right refuse to embrace its own country, and instead continues to want to see its country governed from outwith its borders.

Mr. Jenkin: We do not demur from the concept of sovereignty resting with the people but, as in any popular democracy, the sovereignty of the people is vested in institutions. In Germany or Spain, sovereignty is vested in the German or Spanish constitution. The people of the United States vest their sovereignty in the constitution of the United States and swear allegiance to the constitution. We swear allegiance to the Crown and to Parliament. Our constitution is the sovereign Parliament—we do not have a constitution codified in any single document. It is written in many Acts of Parliament and is stored in conventions and practices but, ultimately, the sovereignty of the British people is vested in this Parliament. That is what it is to be part of the United Kingdom. If—

The Chairman: Order. I did not call the hon. Gentleman to make a speech. If he is making an intervention, he must keep it short.

Mr. Jenkin: If any part of the United Kingdom wants to withdraw that sovereignty from this Parliament, it is in effect saying that it is on the way to ceasing to be part of United Kingdom.

Mr. McAllion: I disagree fundamentally. The hon. Gentleman described the constitution as it was before, but there is no reason why it should be frozen in time, and sovereignty should always reside with the Crown in Parliament. There is no reason why the constitution should have only one Parliament or why sovereignty cannot be shared. Indeed, Westminster was stripped of its sovereignty a long time ago, when the Single European Act was pushed through by a Conservative Administration. The Crown in Parliament does not rule in all the areas now governed by the European Parliament, and this Parliament had better come to terms with that reality and start learning how to share sovereignty.

5.30 pm

Mr. Hawkins: The hon. Gentleman represents the part of Dundee from which my own Scots family comes. He talks of the sovereignty of the people, his hopes for a future sovereign Scottish Parliament, and the Prime Minister's mission to create it. What did his constituents think when the Prime Minister spoke of the powers of the new Scottish Parliament being equivalent to those of a parish council?

Mr. McAllion: The Prime Minister was completely misrepresented. My constituents had every opportunity to make up their minds, as that alleged reference was made long before the general election, and they came out in record numbers to vote Labour. The people of Dundee have already spoken. Incidentally, the hon. Gentleman disguises his Dundee accent very well.

Mr. Shepherd: As the hon. Gentleman will know, I also subscribe to the sovereignty of "We, the people". The essence of that doctrine is democracy. We, as equal citizens, are the elected representatives from among our fellow citizens, and we come together in an institutional arrangement. That is the essence that concerns many of us in this debate. The residue of the arrangements in the Bill may mean that we are no longer equal citizens. That is why some of us argue this case.

Mr. McAllion: I accept the hon. Gentleman's point, that the legislation is an answer to Scotland's problems within the United Kingdom, but not to England's. Of course, it has implications for the rest of the United Kingdom. I have long argued that the English people have neglected their place within the United Kingdom of Great Britain and Northern Ireland. They have always assumed that this was an English Parliament, and that the Scots, the Welsh and the Northern Irish came along to join it.

That was never the case. This has always been a British Parliament. The equality for which the hon. Gentleman rightly argues can be found only when the English people wake up to the demand for English home rule. That will be the final piece in the jigsaw that will lead to stability in the constitutional arrangements in this island.

I accept that the establishment of a Scottish Parliament will dynamically affect the rest of the United Kingdom and that further changes will have to follow, but I see that as a good step that will lead to a better form of government not only for Scotland but for everyone in the United Kingdom, because the English people will rightly say that they want further change, and they will have my support when they come to that conclusion, as I believe the hon. Member for Aldridge-Brownhills (Mr. Shepherd) did some time ago.

The concept of Westminster sovereignty goes much wider and much deeper than merely retaining the United Kingdom as a single entity. It is only since I have taken part in this debate that it has been pointed out that sovereignty rests not with Parliament but with the Queen in Parliament. My hon. Friend the Member for Linlithgow said that the Queen's veto is only theoretical, and that there are no circumstances in which she would ever veto legislation that had been passed by both Houses of Parliament, but we do not know what the circumstances may be in the future.

Incidentally, I hope that the House of Lords will not be there for much longer. I have never understood how democracy is strengthened by laws that are passed by a

democratically elected Parliament being subject to the assent of an institution that is unelected and hereditary. That does not strengthen democracy; it weakens it. We cannot go into the 21st century arguing for that form of sovereignty; it belongs to history and is no longer exercised anywhere else in the world. It is time that people in this island woke up to that reality.

The powers exercised through Parliament are not always exercised by Parliament. Every hon. Member knows that, although the powers of royal patronage may not be used by the Queen, they are certainly used by the Prime Minister of the day in an extremely undemocratic way. That is not a criticism of the present Prime Minister.

I was here when one Prime Minister used the payroll vote—the ability to appoint more than 100 paid positions relating to government—to gain control for the Government party of the day in a completely undemocratic way. I was here when the country went to war without the House being allowed to vote on it. The Prime Minister of the day sent the troops into action, and all that we could do was debate a motion on whether we should adjourn the House. I was also here when the Prime Minister of the day appointed thousands upon thousands of people to paid positions on quangos, which gave him enormous influence.

That undemocratic use of patronage is all wrapped up in the idea of Westminster sovereignty—the sovereignty of the Queen in Parliament. That is not the kind of sovereignty that we can ask anyone in the United Kingdom to accept in the future. We want a new kind of democracy that will bring us into line with democracies in the rest of the world, instead of being stuck in the 18th century, with power centralised not only geographically in London but in the office of the Prime Minister.

The hon. Member for Aldridge-Brownhills, who has made many great speeches, has long recognised that Parliament is continually undermined by the Executive, and that the constitutional theory that the Executive is held to account by the legislature is reversed in practice: the Executive has long controlled the legislature, and I cannot remember its being beaten roundly for getting policies wrong. The whipping system and powers of patronage are used to ensure that Governments can force through bad legislation. It is time for us to wake up to that reality.

The impact of Europe will continue. Let us not kid ourselves. It did not finish with the Single European Act. Economic and monetary union will come along and there will be a single currency. Further powers will be stripped from Parliament, from the Chancellor of the Exchequer and from the Prime Minister as First Lord of the Treasury. Changes will happen in any case, and my argument is that we should go with the flow and try to apply the new principle of subsidiarity.

Sovereignty will be shared at the levels of Europe, of the UK, and of Scotland, Wales and Northern Ireland. The principle of subsidiarity should determine how that is done. When decisions can be taken close to the people, they should be. That is why we are introducing devolution for Scotland.

Mr. Laurence Robertson: Does the hon. Gentleman agree with my assertion that the devolution Bills that are being pushed through are part of the plan to create a federal Europe of regions? Does he think that the United Kingdom should go that way?

Mr. McAllion: I voted against joining the European Union a long time ago—I would describe myself now as pro-European but anti-Maastricht—so I am not part of any conspiracy to set up a huge federal state of the regions. I want devolution, or home rule, for its own sake. I was worrying about home rule for Scotland long before Europe ever crossed my mind.

I think that home rule would be a better form of government for Scotland, and the same goes for England. That would stop people like me interfering in English affairs, which would be a very good thing. The legislation is not part of a conspiracy; it is a genuine attempt to find a better form of government that is equipped to meet the demands of the 21st century and the new global economy.

I am probably more of a moderniser on this issue than any of my right hon. and hon. Friends, and I include some of the ultra-modernisers on the Front Bench, who would be appalled at how modernising I am: they would think that I needed to be pulled back and made more old Labour by arguing for the sovereignty of Westminster. I shall not do it, because I see that we have to change and adapt to the modern conditions of the modern world. I do not believe that we are doing it fast enough.

Mr. Norman A. Godman (Greenock and Inverclyde): The intervention of the hon. Member for Tewkesbury (Mr. Robertson) prompts the thought that many Conservative Members of Parliament view the United Kingdom as a country when in fact it is a multinational state. The relationships within it are inevitably being changed by the Bill. That is welcome to me. Those changes will continue, particularly with the creation of a Northern Ireland assembly, in addition to the Scottish Parliament and the Welsh assembly.

Mr. McAllion: Absolutely. My hon. Friend is right. No one can stand up in the House and say that this is the end of constitutional change in this country. That cannot happen.

In any case, I have never understood those who cling to stability and argue that the proposal for a Scottish Parliament is unstable and will lead to further change. So what? Why are people frightened of change? What is wrong with the people in this House? Are we so clinging to our power and privileges that we are determined that not one bit will slip through the doors to some other institution? Are we so undemocratic that we think that the democratic debate, involving 60 million people in these islands, can be resolved only by a handful of people who meet here every week? Of course it cannot. We must look to the future. We must welcome instability as something that is good and will turn Britain into a much more modern and successful economy.

Finally, I shall deal with the amendment, to which I have not yet spoken. I share the attitude of the hon. Member for Banff and Buchan to the appalling language in which amendment No. 2 is phrased. If the Tories were looking for a new name, as they are in Scotland, they could call themselves the British supremacists on the basis of the amendment. It says:

"the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters and things in Scotland."

[Mr. McAllion]

That is an appalling amendment to put to the people who live in Scotland. I cannot understand it. Where were the Tories on 11 September? The position in the amendment was basically the position of the Tory party in the no, no campaign for the referendum. The Tories were hammered. They were wiped out by the Scottish people. That position was rejected on 11 September. To come back to Parliament several months later and put the same position again seems suicidal on the part of the official Opposition.

Mr. Galloway: It was a knock-out.

Mr. McAllion: My hon. Friend mentions that a knock-out blow was landed on the Tories. They are almost like a boxer who has been knocked out and three minutes later staggers to his feet saying, "You never laid a glove on me," and wants to carry on fighting. The Tories seem unaware that their position has absolutely failed in Scotland and that it is useless to put it forward any further.

I am not happy with clause 27(7). I should be a liar if I said that I were. I recognise that it is a minimalist statement of Westminster sovereignty and that it is there to satisfy the dinosaurs in this place who want to cling to Westminster sovereignty, especially those on the official Opposition Benches. I recognise the subsection as a genuine attempt on the part of my right hon. and hon. Friends to try to keep together, at least within the Labour party, very different points of view on sovereignty. It is a noble attempt to do so, but it is not convincing. We all know that the powers referred to in subsection (7) can never be implemented in practice.

If any Westminster Parliament sought to override laws passed by a Scottish Parliament, it would simply bring closer the day when Scotland decided to break away from the rest of the United Kingdom. I do not say that as an idle threat. I was a councillor before I became a Member of Parliament. We all know that elected members at whatever level of government go native and become great supporters of the institution to which they belong. Perhaps I am not a good example of that in this place, but most people go that way. Members elected to a Scottish Parliament will be determined to fight for the rights and privileges of a Scottish Parliament. If Westminster ever dared to override legislation passed by the Scottish Parliament for Scotland on issues devolved to it, that would literally be the end of the United Kingdom.

As far as I can see, clause 27(7) is redundant and could never be put into practice. It is a fig leaf put in to cover the fiction that the Westminster Parliament retains sovereignty when the reality is that that sovereignty has long ago gone to Europe and is now going back to Scotland. People will have to learn to share it in the future.

Mr. Godman: May I say to my hon. Friend, with perhaps absurd naivety, that I cannot imagine for a moment that this Parliament will seek to impose an Act of Parliament on the Scots in the teeth of the opposition of Members of the Scottish Parliament, and against the opposition of civil society in Scotland.

Mr. McAllion: Absolutely. It is lunacy to suggest that clause 27(7) could be given effect. If anyone from any party in this Chamber believes that this Parliament could override a Scottish Parliament on devolved legislation, he is not living in the real world, and he should come into the real world.

My hon. Friends who have taken part in the debate rightly drew the distinction between the theoretical clinging on to Westminster sovereignty and the practical reality that sovereignty rests with the people and that the people will decide ultimately. That is an important fact which people have to understand.

Any form of government can survive only with the consent of the people. That is the only guarantee that matters. We cannot insert into the Bill provisions that prevent the people from having their way. At the end of the day, the Scottish people, the English people and the Welsh people will have their way. I believe that the Labour party is much closer to what they are thinking than the dinosaurs on the Opposition Benches.

5.45 pm

Mr. Tim Collins (Westmorland and Lonsdale): The hon. Member for Dundee, East (Mr. McAllion) made an interesting speech, and one which was amusing and witty in parts. He would not expect me to agree with most of it, and I do not. I was amused by his reference to what a time traveller from 1707 would make of Parliament today, saying that there had been no changes. Although I would never wish to create any difficulties between the hon. Gentleman and his Front-Bench colleagues or his Prime Minister, he may have temporarily forgotten that he is living in cool Britannia and month nine of year zero of the new Labour revolution. He may have been slightly off message.

I was also somewhat amused by some of the other exchanges in the debate. The hon. Member for Glasgow, Kelvin (Mr. Galloway) sought to give the Conservative party tips on how to pick up support and win votes. He also told us that we were living in prehistoric times. I am sure that he will forgive me if I point out that, given his stance on various issues over the years, he probably knows a little more about the time of the dinosaurs than some of us on the Tory Benches.

Meanwhile, the hon. Member for Banff and Buchan (Mr. Salmond) told us that he wished to advance a middle way on issues of Scottish devolution—an interesting description of the Scottish National party position. He described the wording of amendment No. 2 as "offensive". I am sure that he will have found offensive—indeed, he said so at the time—the words used by the Prime Minister before the general election, when he said that, under his proposals, "Sovereignty will remain with me as an English Member of Parliament."

Mr. Salmond: Yes, I did. What is perhaps more interesting to the hon. Gentleman is that the Conservative party in Scotland attacked those words as arrogant.

Mr. Collins: I agree with the hon. Gentleman. The point that I am trying to advance is that, if that wording is offensive, it is the message that the Prime Minister put before the people. It is the mandate that he sought throughout the United Kingdom. It is the basis on which he secured election to this Parliament and became the head of the Government of the United Kingdom. It is the basis, furthermore, of the propositions put before the Scottish people in the referendum in September.

Therefore, the amendment tabled by my right hon. Friend the Member for Devizes (Mr. Ancram) merely seeks to encapsulate clearly in the Bill words equivalent to the position that the Prime Minister advanced, for which he sought the democratic endorsement of the Scottish people and the people of the United Kingdom.

The Secretary of State will no doubt make his own remarks about the amendment in due course, but he intervened in the speech of my right hon. Friend the Member for Devizes. From the tone of his intervention, I gathered that he intended to argue not that he disagreed with the implications of the amendment, but that he disliked its wording and thought that it was somewhat otiose, and possibly even repetitive of other provisions in the Bill.

If that is his argument—he is nodding now—I must say to the right hon. Gentleman that, if the worst thing about the amendment is that it is repetitious, there are many repetitious provisions in statute in both England and Scotland; whereas the merit of the amendment is that it clearly establishes the exact basis of this act of devolution. The amendment makes it clear that the Bill is not intended to undermine the overriding sovereignty of the United Kingdom.

The amendment is important also because it provides an element of stability. Interventions from the Government Benches have shown a willingness to use the Bill to provide, in the oft-used phrase, a slithery slope; a constant process for accelerating devolution—[HON. MEMBERS: "Slippery".] It can be slippery and slithery, as I am sure the Secretary of State would concede.

Conservative Members are advancing the proposition that, whatever the final settlement—the word "settlement" is often used; a settlement implies a degree of stability and predictability—if there is to be stability and predictability on the basis that was put before the Scottish people and the electorate of the United Kingdom, it should be reflected in clear and unambiguous language in the Bill in the terms of the amendment, making it clear that this Parliament remains sovereign in Scotland as in all other parts of the United Kingdom.

Mr. Robert McCartney (North Down): The amendment is almost an exact repetition of section 75 of the Government of Ireland Act 1920, which the Government are about to barter away in exchange for some nebulous and undefined amendment of articles 2 and 3 in the Irish constitution.

In support of what the hon. Gentleman has been saying, the Prime Minister confirmed to me two weeks ago that he intended to put into this legislation for Scotland something similar to section 75 of the Government of Ireland Act, which is in accordance with the amendment. The Government are prepared to abandon sovereignty in Northern Ireland by removing section 75, but to strengthen it in Scotland by putting exactly the same proposition into the Bill.

Mr. Collins: I am most grateful for the hon. Gentleman's intervention. In the light of the Prime Minister's assurance, I assume that the Secretary of State will be explaining why he is now going to accept the amendment. That seems to be the force of what the Prime Minister has told the hon. Gentleman. I am most grateful for that helpful intervention.

Mr. Godman *rose—*

Mr. Collins: This one may be a little less helpful.

Mr. Godman: I disagree utterly with what has just been said: in no way can the excision of articles 2 and 3 of the constitution of Ireland be regarded as a nebulous measure.

Mr. Collins: I suspect that we had better return to the provisions relating to the government of Scotland rather than the government of Ireland—or Northern Ireland, I should say, which is not part of the Republic of Ireland, and I hope never will be.

Clause 27(7) has been subject to much debate. I am particularly concerned about its implications for what my right hon. Friend the Member for Devizes (Mr. Ancram) described as the third anchor which he believed was of critical importance in maintaining Scotland's place in the United Kingdom, and that is the place of the monarchy.

Some Labour Members talked earlier of the role of the Crown in Parliament. I hope that, if necessary, the Secretary of State will put me right, but some of the provisions here give rise to concern. Clause 27(2) makes it clear:

> "Proposed Acts of the Scottish Parliament shall be known as Bills; and a Bill shall become an Act . . . when it has . . . received Royal Assent."

Subsection (3) makes it clear that a Bill receives Royal Assent under the provisions of the Scottish seal. That is fine.

But schedule 5 (1) makes it clear what matters are generally reserved. It becomes clear that the constitution, including the Crown, are reserved matters. Paragraph 5 says:

> "Paragraph 1 does not reserve . . . the use of the Scottish Seal."

It is clear that the Scottish Parliament will have control in advising Her Majesty on the use of the Scottish seal, and therefore, no doubt, Ministers in the first Scottish Administration will advise Her Majesty on the process of giving Royal Assent to Acts of the Scottish Parliament.

If that is the case, Her Majesty will be obliged to follow the advice of her Ministers, as she is in relation to the United Kingdom, its dominions and Crown dependencies outside the territories of the United Kingdom. The Secretary of State shakes his head; I shall be happy to give way, or for him to correct me later.

Clause 28(1) says:

> "An Act of the Scottish Parliament is not law so far as any provision of the Act is outside the legislative competence of the Parliament."

I do not understand why that provision refers to an Act of Parliament, which has therefore been passed by the Parliament and given Royal Assent, and does not say that a Bill before the Parliament cannot become an Act, and therefore cannot go to Her Majesty the Queen to seek Royal Assent, until it has been proved that Parliament has clear legislative competence to act in that way.

To put it at its simplest, I am concerned that Her Majesty the Queen may receive contradictory advice from two separate Administrations within the United Kingdom.

[Mr. Collins]

On the one hand, the Scottish Parliament, particularly if it had a hefty SNP representation, might pass legislation which would be sent to the Queen to which, under the Bill, she would be obliged to give Royal Assent and it would become an Act of the Scottish Parliament. On the other hand, clause 28 says that an Act shall not have the effect of law if it is beyond the competence of the Parliament.

Mr. Dewar: The hon. Gentleman should table amendments at the relevant point in the Bill's Committee stage. This has nothing to do with the amendments that we are discussing. But, in any event, as he knows, if there is a question about vires, which is the only matter that could arise, there are challenge procedures which would take us to the Judicial Committee of the Privy Council. That would be a rare event, but the procedure is available.

Obviously, if that challenge is lodged timeously and is going to the Privy Council, there is no question of Royal Assent being given. If there is no such challenge, the Queen will take the advice offered to her, and give Royal Assent. The hon. Gentleman may be worried about that, but there has been much consultation, as he would imagine, with the proper authorities in this area, and they are not.

Mr. Collins: The reason, I imagine, that I was not ruled out of order before is that I was trying to make the case for amendment No. 2 because it states that, throughout the United Kingdom, the United Kingdom Parliament has total and unequivocal sovereignty, and therefore it is the Queen in this Parliament who has the supreme legislative authority in Scotland. That is why I was trying to point out that the lack of such a clear statement in the Bill could give rise to considerable constitutional difficulties.

Mr. John Hayes (South Holland and The Deepings): I hope that my hon. Friend agrees that the key word, which he rightly emphasises, is "supremacy". Every right-thinking writer on the subject of sovereignty must understand the issue of supremacy—the supreme ability to exercise legitimate power. The amendment deals with supremacy, and that is why the Government are so frightened of it and are opposing it.

Mr. Collins: I entirely agree—my hon. Friend makes the point well.

Mr. Dalyell: Will the hon. Gentleman be a messenger to the Government requesting their best advice on when we should raise the question of the conflicting sources of advice? The Scottish First Minister is clearly to advise the Queen, and the Prime Minister of the United Kingdom can advise the Queen, and their advice may not be the same. Will the Secretary of State, with all his support, advise us when we can table probing amendments to explore that real problem?

Mr. Collins: It is a genuine pleasure to take part in debates on this vital constitutional question in the hon. Gentleman's presence. From outside these walls, I followed his contributions on these matters for many years.

I agree that one of the many difficulties with the proposals is that there is an assumption that there will always be amity, co-operation and an identity of view between the different institutions. That may sometimes occur, but, it is not inevitable. Difficulties may arise, not least because of the circumstances that the hon. Gentleman describes, as a result of the Head of State of the United Kingdom attracting different advice from Ministers in different parts of the United Kingdom, and genuinely being unsure which she should follow. I agree with the hon. Member for Linlithgow (Mr. Dalyell) about the potential danger.

That is why I return to the central argument in favour of the amendment, which is that it mirrors provisions that are already on the statute book in the Government of Ireland Act 1920. Those provisions have not been amended by successive Conservative and Labour Governments since that time, but have been regarded as a clear and highly acceptable statement of the position regarding Northern Ireland. They offer a model for the people of Scotland which would give them exactly what the Prime Minister told them they would receive if they voted yes in the September 1997 referendum, which was no threat to their continued participation in the United Kingdom and the governance of that United Kingdom by the United Kingdom Parliament.

Mr. Hawkins: My hon. Friend develops an extremely well-observed argument for the importance of the amendment in respect of stability. Does he agree that one of the central elements is the stability of the Queen in Parliament as the sovereign power? The hon. Members for Dundee, East (Mr. McAllion) and for Glasgow, Kelvin (Mr. Galloway) drew parallels with other European states, and the latter mentioned Catalonia, but he forgot that one reason why, on the death of Franco, the Spanish people chose to bring back their royal family was to get the stability and the guarantee of democracy that a monarchy could provide. The Spanish returned to the democratic stability of the monarch in Parliament—or, in the case of the Spanish, in the Cortes.

6 pm

Mr. Collins: I entirely agree with my hon. Friend—once again, he has provided support for my argument. The amendment clearly would improve the Bill.

The hon. Member for Linlithgow set out a powerful case why it may not be possible for any form of legislation along the lines of the Bill to be compatible with the continuation of the United Kingdom. That case has been argued by many senior and distinguished people, and it is one for which I have some sympathy, but we must continue to try to improve the legislation. The amendment would indisputably improve the legislation; that is why I support it.

Mr. Godman: I shall be brief, mainly because I am tempted to say that the debate on the amendment is a sheer waste of time. Let us look at its wording:

"the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished".

What many right hon. and hon. Members on the Opposition Benches choose to ignore is that we live in a multinational state that is undergoing profound constitutional change. The relationships between the

nations and the Province of Northern Ireland are undergoing change. We have a Scottish Parliament on the parliamentary stocks and a Welsh assembly about to be created. The hon. and learned Member for North Down (Mr. McCartney) is engaged in negotiations that may or could lead—

Mr. Robert McCartney *indicated dissent.*

Mr. Godman: I see the hon. Gentleman denying all responsibility, but I was about to say that those negotiations may or could lead to the creation of a similar body in Northern Ireland. The fact of the changes in the relationships between these nations and Northern Ireland must inevitably place some constraints on the supreme authority of Parliament.

A modus vivendi will be established between Edinburgh and London, and there will be few references to the Judicial Committee of the Privy Council. It is in the interests of the different Parliaments and assemblies to arrive at amicable and mutually acceptable arrangements. In the circumstances of profound constitutional change, one cannot hope to maintain the supreme authority of Parliament and assert that it should "remain unaffected and undiminished". That is an absurd objective vis-a-vis the changes we are experiencing.

Mr. Gorrie: I should like to restate our position on the question of sovereignty, which obviously hangs up several hon. Members.

As we see it, the people—whether the Scottish people, the English people, or any other people—have sovereignty; they may then choose to give bits of it, in trust, to various organisations. In the case of the United Kingdom, we have given some sovereignty in trust to the institutions of Europe, which now run various matters on our behalf.

At present, the Westminster Parliament enjoys the sovereignty entrusted to it by the Scottish people, but the Scottish people wish to change that system, and they are taking some of areas of responsibility back to a Scottish Parliament. Therefore, responsibility for and sovereignty over Scottish affairs will have been delegated by the Scottish people to three separate organisations, which do not overlap—they are separate.

Mr. Hayes: If the hon. Gentleman acknowledges, as he surely will, that the definition of sovereignty implies supremacy, how is that supremacy divisible in the way he describes?

Mr. Gorrie: I do not subscribe to that concept—I am not a supremacy freak, although clearly the House contains a large number. I am interested in the popular sovereignty, which is given in trust to various different bodies. The Scottish Parliament will have powers over education, health and so on; this Parliament will have powers over benefits and similar matters; it will not be possible for the Scottish Parliament to interfere with benefits. The division is quite clear.

The matter is well set out in the declaration of Arbroath, in which the Scottish people said that they fully supported Robert the Bruce—he was a great man, who had driven out Edward II and freed the country—but, if Robert the Bruce went wrong and sold out to the English Government, they would remove him and set up their own Government. The power was handed in trust to the king, and it could be taken back. That is a classical statement. *[Interruption.]* Does the Secretary of State wish to intervene?

Mr. Dewar: I was sure that the community of the realm and Robert the Bruce would appear, and I am delighted that they have. Perhaps the hon. Gentleman would like to read Professor Barrow on the subject. He points out that almost everyone who signed the declaration of Arbroath had either lost his lands or been executed within a few years, and that they were a nasty collection of disloyal robber barons.

Mr. Gorrie: I have recently been reading Professor Barrow on precisely this subject. The fact is that most of the best political statements have been made by complete villains—*[Laughter.]* It is quite true. Wilkes and Paine were in many ways men of low moral character, but they made important political statements. The declaration of Arbroath was bang on the nail, and the fact that some crooked barons signed it is neither here nor there.

Mr. Salmond: In support of the hon. Gentleman, I have to say that Magna Carta, which is often quoted in the House, was hardly the work of socially minded and peaceful people. In defence of my old tutor, Geoffrey Barrow, I should say that his entire argument about the term "community of the realm" was that, at that period in Scotland's history, the concept went beyond the king, beyond the nobles and beyond the barons. It encompassed something far larger than that, which was that in which it was important.

Mr. Gorrie: My next point is that we feel that the answer to some of the concerns, which are obviously sincerely felt by some hon. Members, about what happens in respect of the management of England, is that the English need to exert their popular sovereignty and decide how the affairs of England should be run. That should be the next stage after this.

The hon. Member for Linlithgow (Mr. Dalyell) cast doubt on the idea that the Scottish Parliament would refrain from interfering in areas that were not its province, and suggested that candidates would promise things that they could not deliver.

The hon. Member for Linlithgow has great experience here. I have had quite long experience in the much more humble role of councillor, where it is clear what one can and cannot do. If an election candidate goes about promising to deliver all sorts of things, which his opponents can say that he has no power to deliver, that candidate will be gutted; he will not stand a chance. If Scottish politicians in the Scottish Parliament start promising things outwith that Parliament's powers of delivery, they will not survive. The fear, therefore, is not relevant or legitimate.

The question whether the Scottish Parliament may invade the prerogatives of Westminster is well covered in several parts of the Bill that set out all sorts of locks and balances to prevent the Scottish Parliament from doing precisely that. There are all sorts of rules relating to judicial powers, Privy Councils and Officers. The Bill clearly sets out mechanisms to prevent the Scottish Parliament from taking action that it should not.

[Mr. Gorrie]

Amendment No. 23, supported by the Liberal Democrats and the nationalists, seeks to clarify the vexed clause 27. It clearly states that the Westminster Parliament can make rules affecting Scotland in non-devolved, reserved, matters. It seems sensible to clarify that. I urge the Secretary of State to look again at clause 27(7), and make it absolutely clear. During today's debate, it has become apparent that the subject is not clear in some people's minds.

Mr. Grieve: I have made a number of interventions, so I shall try to be brief, but there are a couple of points that can usefully be made.

There seems to be a misunderstanding about the position of Conservative Members. We accept that there has been a referendum. As I have said before to the Secretary of State, that is why we wish to co-operate in trying to create a sensible piece of legislation that can be passed by the House and that will allow the new Union that will result from the changes to work, which is essential. It may not work—the worst fears of the hon. Member for Linlithgow (Mr. Dalyell) may be correct—but at least it is worth a try.

The foundation for the legislation must be the foundation of legal principle, which is the only way to have sensible devolution and a sensible Parliament in Scotland. It has been suggested that the great theme of popular sovereignty belongs to Scotland alone, not here. I can assure the hon. Member for Edinburgh, West (Mr. Gorrie) that there have been plenty of occasions in English history when people have made assertions about popular sovereignty—usually to do something unpleasant.

I seem to remember that a Bishop of London once preached before the House of Lords and the House of Commons on the deposition of King Edward II, on the theme of "vox populi, vox dei", declaring the king deposed because the voice of the people was the voice of God. I do not think that I shall go that far. Popular sovereignty is a meaningless phrase. Everyone may assert sovereignty; ultimately it is a willingness to accept that there are structures, such as entities called countries, which are the foundations on which legal government can be conducted.

Let us consider the reality of what the Secretary of State is trying to achieve with the Bill. It is clear that, if the Bill is to work, the Westminster Parliament's involvement in spheres that have been devolved to Edinburgh should, as far as is humanly possible, be avoided, but there may be instances where it will happen.

We need look no further than clause 54 to see that that is precisely what may happen: the Secretary of State might direct the Scottish Parliament to introduce legislation on a devolved matter to make Scotland conform with our international obligations. The idea that clause 27 might never be invoked and that the part of the Bill dealing with parliamentary supremacy at Westminster is irrelevant or merely a piece of decoration, is—I am sorry to disappoint the hon. Member for Dundee, East (Mr. McAllion)—simply not realistic. If one reads the whole Bill, one realises that there are occasions when that might happen.

Mr. McAllion: I recognise that there might be occasions when this Parliament thinks that it can order the Scottish Parliament to carry out actions, particularly on devolved matters. But, in reality, if it ever tried to do that, it would break asunder the United Kingdom. It is not a practical, but a theoretical, power, which could never be used without threatening the Union.

Mr. Grieve: I understand the hon. Gentleman's point, but it is worrying. I realise that a number of hon. Members who have spoken have taken the same attitude as the hon. Member for Dundee, East, but his view should be particularly worrying to the Secretary of State because he is nominally a supporter of the Government. If that is the hon. Gentleman's attitude, he is in error. If one considers the legislation, it becomes apparent that there may be occasions when that may happen. I hope that it will not, but it may. The purpose of the amendment—

6.15 pm

Mr. Galloway: Why does the hon. Gentleman think that the Scottish Parliament would require this place to bring it into line with international obligations? Why does he not think that a grown-up Parliament would be more than ready to undertake its international obligations without having to be led by the hand by the rather dubious prospect of a parliamentary majority here?

Mr. Grieve: I hope very much that the hon. Gentleman is right. I fully agree with him in that I should have thought that in most cases—I cannot predict the future—that is precisely what would happen.

We are having to put together a piece of legislation that will have the force of law to deal with contingencies. If the Secretary of State did not think that this contingency had to be addressed, he would not have included clause 54. The fact that it is there means that we have to consider it. It has been clearly been considered in clause 27(7). It is significant that a number of hon. Members, including Liberal Democrat Members, do not want it to appear in the Bill. It would drive a cart and horses through the principle of the residual power of the Foreign Secretary to give such a direction or for the House to do something if a direction is not observed. That is why my right hon. Friend the Member for Devizes (Mr. Ancram) has tabled his amendment; it is a clear restatement of the position.

Mr. Andrew Welsh (Angus): In dealing with the contingency, the hon. Gentleman is seeking a stifling monopoly of political power. Amendment No. 2 refers to

"supreme authority . . . over all persons, matters and things in Scotland."

The UK Parliament would have absolute control of our people, including what they do. The last person who advocated that was King Edward I, which means that the Conservatives are 700 years out of date. The rest of us want to get on and run the 21st century.

Mr. Grieve: The hon. Gentleman may dislike it, but that is the reality of the way in which the Bill has been presented to us. All that my right hon. Friend's amendment does is to restate in plain language the truth about the legislation.

As it is unlikely that the amendment will be accepted, it is effectively a probing amendment, but its use as a probing amendment has been extremely revealing and, I have to say to the Secretary of State, rather depressing.

[Interruption.] It is not a game. We shall have to live with the legislation in the House and, unless it works and people are prepared to accept the framework, it will, as the hon. Member for Dundee, East suggests, fall apart.

Mr. Dewar: I entirely accept that it is legitimate to table probing amendments; I have done so many thousands of times in the past 20 years, and I am not ashamed of it. But what the hon. Gentleman is saying is not compatible with the statement of the right hon. Member for Devizes (Mr. Ancram) that, if I do not accept the amendment, my words will turn to dust in my throat. I was wondering which side the hon. Gentleman was on.

Mr. Grieve: I should have thought that it was perfectly compatible. Given the majority that the Labour party commands in this House, the Secretary of State can accept or reject an amendment and the Government are likely to carry the day in the Division Lobby. That does not alter the need for debating the issue, which, I submit, is an important one. I hope very much that the Bill, as drafted by the Secretary of State, works; but I observe that, judging by the various views that have been expressed in this debate, many hon. Members' opinions of what devolved government should be about are wholly at variance with what the legislation offers.

Mr. Hayes: There seems to be an essential difference between the contributions that we have heard from the two sides of the Committee: Conservative Members place a special and particular value on parliamentary democracy and on the important ideas, traditions and history that are its foundations, an attitude that stood in contrast in the debate to the rather flippant and casual disregard—to be generous, perhaps justified by ignorance rather than caused by malice—that Labour Members have for our sacred parliamentary democracy and its traditions.

That disregard was no better illustrated than by the hon. Member for Dundee, West—

Mr. McAllion: Dundee, East.

Mr. Hayes: I am sorry; Dundee, East. I am not intimately familiar with Dundee, but I of course apologise. I meant the hon. Member for Dundee, East (Mr. McAllion). *[Interruption.]* Well, at least I always eat the marmalade.

The hon. Member for Dundee, East said that he disagreed with what I believe he described as the theoretical nature of democratic accountability provided by Parliament, but later recommended the theoretical nature of the principle of consent. Consent is a refined and sophisticated political notion. It is no more or less tangible than democratic accountability. Worse still, the hon. Gentleman then spoke about his support for the notion of subsidiarity. Writers, thinkers and political theorists greater than him or me have found it difficult to define the nature of subsidiarity, but subsidiarity is definitely a less tangible political notion than that of the democratic accountability provided by Parliament.

I suggest to the hon. Member for Dundee, East that, in a more cogent explanation of sovereignty, he would have to alight on the issue of supremacy, which I raised in an earlier intervention. I suggest that because, although legal sovereignty may be provided by international legal recognition of the independence of a state, political sovereignty—as has been recognised by Chaucer, Shakespeare, Dryden, Shelley and writers throughout the ages—inevitably has much to do with the principle of supremacy: in this case that means the supremacy of this Parliament. The hon. Gentleman did not acknowledge that vital fact.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace) lapsed further. His grasp of the matter was even more limited. He spoke about sovereignty as though it could be dished out—as though it could be collected and divided up. He spoke as though sovereignty, instead of resting in an institution, instead of forming part of an evolutionary development, instead of being part of a coherent tradition, was something that was divvied up among people—extraordinary.

Mr. Wallace: On reflection, my view is accurate. Is not what happened in 1707 that sovereignty was transferred from the Scottish Parliament to this Parliament, and that the people's sovereignty, which had been entrusted in the Parliament of Scotland, was transferred to the Parliament at Westminster? So sovereignty really can be transferred and divvied up. It is not something that just exists in one place for ever.

Mr. Hayes: I suggest that legitimate political sovereignty is the right to govern—and the ability to govern—free from external influence. It implies a degree of supremacy. Of course it can exist in more than one place, and of course this Parliament could take a conscious decision, in the way that the hon. and learned Gentleman suggests, to give up its sovereignty, but it could not simultaneously retain its political integrity as the supreme body ruling over the United Kingdom.

Of course no set of political conditions is fixed in stone, but if this Parliament decided to give up its sovereignty, it would lose supremacy—its supreme right to govern these islands. The hon. and learned Gentleman may wish that to happen, but his friends—

Mr. Galloway: Is not that precisely what happened when we joined the European Community; when we passed the Single European Act; when we passed the Maastricht treaty into law? Would it not be a further step along that road if we were to enter economic and monetary union? Surely the hon. Gentleman's arguments are nonsense.

Mr. Hayes: I will not allow the hon. Gentleman to seduce me into giving—

Mr. Galloway: No chance.

Mr. Hayes: Well, he might be enthusiastic about the prospect, but I shall not allow him to seduce me into giving a discourse on the nature of sovereignty in relation to Europe, not only because it would take up more time than I have, but because you, Mr. Lord, would call me to order. However, I will say that of course that is a legitimate consideration in relation to Europe, and many Conservative Members fully understand the risk to sovereignty that is posed by those dark forces. That is precisely why the Conservative party stands for the sovereignty of the United Kingdom, free from that type of external interference.

[Mr. Hayes]

Given that, I believe, we all accept that sovereignty is ultimately a matter of supremacy—that is what the amendments say, and the point has been raised previously by many Opposition Members—the Government must face up to the issue of how to present that to the Scottish people.

Of course there is nothing implicitly wrong with dividing political power. Political power can be divided under a unitary constitution. The supremacy of this Parliament is not necessarily affected by the delegation of its political powers; powers are divided between local and central Government. For many years, the exercise of political powers has been divided in this way among many institutions as part of our democratic political system, yet Parliament remains supreme.

However, once one divides sovereignty in the way that has been suggested from the Liberal Democrat Benches and from the Labour Benches, one must face up to the threat that that poses to the integrity of this House of Commons, and the people of the United Kingdom through this House of Commons.

John Stuart Mill said—*[Interruption.]* Well, we have had Robert the Bruce; I thought that we would have John Stuart Mill. No good debate is complete without both. John Stuart Mill said in 1865 that the optimum form of government is one

"in which the sovereignty, or the supreme controlling power in the last resort, is vested in the entire aggregate of the community"—

and the aggregation of the community of the United Kingdom is this place. The people of the United Kingdom speak through their elected Parliament, and one casts that aside, surely, at the peril of the people. It should not be done callously and lightly. It should not be done without due consideration of the long-term effect.

The importance of the amendments before us is not about the division of political power. One could vote for the amendments and still be in favour of a form of devolution. One could vote for the amendments and still be in favour of a different settlement in terms of the divisions of political authority.

Sir Robert Smith: Will the hon. Gentleman give way?

Mr. Hayes: I am just reaching a conclusion, so I will not. The hon. and learned Member for Orkney and Shetland and the hon. Member for Edinburgh, West (Mr. Gorrie) spoke volumes from the Liberal Democrat Front Bench earlier.

One cannot support the Government in the Division, however, if one believes in the supremacy of the people of the United Kingdom, expressed through this Parliament. If the Conservative party is the only party that believes in that, it is a sorry day for this kingdom and for this Parliament, but if that is the case, we shall proudly defend those appropriate, ancient and precious democratic traditions.

Mr. Home Robertson: The good people of South Holland and The Deepings might be a little puzzled by the notion that this Parliament is sovereign, rather than the people. I never thought that I would take part in a chicken-and-egg debate in the House. Which came first, the people or the Parliament? Clearly, the people; the Parliament is the creature of the people, and that is as it should be.

The amendment is mischievous. It seeks to retain in this Parliament something that neither the Government nor the people intend to be retained. Clause 27(7) provides for this House to legislate on the reserved subjects. That is entirely proper and in accordance with the decision taken by the people in the referendum.

Mr. Ancram: Will the hon. Gentleman give way?

Mr. Home Robertson: No, I have undertaken to be brief, as my right hon. Friend the Secretary of State must wind up shortly.

Having listened to Opposition Members, I am concerned that there may be attempts by another Government in this place to encroach on the devolved powers. I hope that my right hon. Friend will take the opportunity to say more about the case for finding ways of entrenching the decision taken by the people of Scotland at the referendum of 11 September.

6.30 pm

We have had a long debate about the settled will of the people of Scotland, which reached a clear conclusion in the referendum: 74.29 per cent. of our people, in a high turnout on a rainy day, voted for the Scottish Parliament to be established in accordance with the White Paper put to the people by my right hon. Friend, with a clear list of what was to be devolved and what was not to be devolved.

My anxiety is that, at some time in the future, some current Opposition Members might seek to interfere with that clear decision of the Scottish people. That is one of the reasons why I tabled amendment No. 91, which was not selected. It would amend the long title of the Bill to refer to the fact that the Bill is being put through Parliament with the specific consent of the people of Scotland in the referendum.

I recognise that entrenchment in the sense of one Parliament seeking to bind its successor is not feasible, but if we are to use referendums in our constitutional arrangements, they should not be regarded simply as one-off opinion polls. If we ask the people to make fundamental decisions about the constitution of this country, we should ensure that that decision is understood as a popular decision. It should not be tampered with without the consent of those self-same people. I put it to my right hon. Friend that there is a case for referring in the Bill to the fact that it is enacted on the strength of a popular decision in a referendum. That should apply also to any future legislation that is enacted following a referendum.

Mr. Dewar: I begin by congratulating everyone on a varied and interesting debate. That is a form of words, as the House will recognise: a verbal screen—not scream—for some highly idiosyncratic points.

I was delighted that MacCormick *v.* Lord Advocate cropped up again. We can always rely on the hon. and learned Member for Orkney and Shetland (Mr. Wallace). It is an old friend revisited. Lord Cooper would never have imagined, I hope, the deification of his views on the matter, which have become a mark of the Liberal Democrat party.

I also thought that we would revisit the Wars of the Roses, and the hon. Member for Edinburgh, West (Mr. Gorrie) did not disappoint me. [HON. MEMBERS: "Wars of independence."] I am sorry. Wars of independence.

Ms Roseanna Cunningham (Perth): Where was the right hon. Gentleman educated?

Mr. Dewar: Not in Perth, Australia; that is certainly true, and that is why the hon. Lady is so well based in Scottish history. The wars of independence were splendid, stirring times, but as a quarry for political theory for the 21st century, I find them a little less than persuasive.

The hon. and learned Member for Orkney and Shetland referred to another much-loved favourite, the Church of Scotland Act 1921. I was thinking of rehearsing some of the parallels from the Welsh disestablishment Act, as Mr. Gladstone was particularly fond of it and thought that it was one of the central issues of constitutional reform, but I decided against that, just as I declined to take up the invitation of my hon. Friend the Member for Linlithgow (Mr. Dalyell) to enter into the Czech and Slovak question, beguiling though it was.

I began to pale, if not swoon away, when the hon. Member for South Holland and The Deepings (Mr. Hayes) began to speak about Shelley and Dryden.

The one piece of information that I got from the debate was details of the proposed funeral arrangements for my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway). I hope that I am there to see the box being carried out. *[Interruption.]* I say that because I believe that I will live for ever.

It has been an important debate, which raised some fundamental issues. I do not shy away from the concept of power to the people, in the people and with the people. It is one of the oldest, and probably one of the most legitimate, political slogans of all time. However, we must have some sense of perspective.

I do not panic before the slogan "Power to the people", unlike the hon. Member for Solihull, who said that, if we started following popular democracy, there would be no end to it. I understand why a Conservative politician should take that view. Popular democracy of any kind is not likely to commend itself, but we must be more dispassionate about such matters. I remember the hon. Gentleman's father—

Mr. Grieve: My father was the Member of Parliament for Solihull.

Mr. Dewar: The hon. Gentleman is the hon. Member for somewhere that I know not of. That is my fault.

On the substance of the matter, I am interested in trying to build a practical system that will work to the advantage of this House, the new Scottish Parliament which we hope to create, and the people of the United Kingdom as a whole. I have been sparring for close on 40 years on definitions of sovereignty. It is perhaps time to call a halt, and to examine practical systems of government and how we can make them real.

There is an important distinction, which has become a little blurred. I agree entirely about popular sovereignty, in the sense that if, for example, we want to move away from devolution settlements towards an independent settlement for Scotland, and if we want to move back into a more fully incorporating Union, that is a matter for the people.

The people can change the constitution. It may not be widely understood that, while one is in a constitutional set-up, one is in a sense changing it, but one cannot walk out on it, so to speak. One can move to total independence, but while one remains within the United Kingdom, and more important, while one remains represented in the United Kingdom Parliament, which is one of the marks of this settlement, one must live with the realities of that system and the Parliament. I commend that point to some of my hon. Friends.

I recognise that the sovereignty of Parliament is not necessarily a sympathetic concept, but even those who believe in popular sovereignty in the most simplistic sense and reject the distinction that I have tried to draw to the attention of the Committee, and hon. Members on both sides of the argument who have prayed in aid the White Paper, should remember what it said.

Paragraph 4.2 stated:

"Under the Government's proposals, the UK Parliament will devolve wide ranging legislative powers to the Scottish Parliament. Scotland will of course remain an integral part of the United Kingdom. The Queen will continue to be Head of State of the United Kingdom. The UK Parliament is and will remain sovereign in all matters: but as part of the Government's resolve to modernise the British constitution Westminster will be choosing to exercise that sovereignty by devolving legislative responsibilities to a Scottish Parliament".

That is what Scotland voted for. It is a succinct statement of the kernel of the case for devolution within the United Kingdom. If we believe in popular sovereignty, we directly endorsed that concept in that passage only a few weeks ago.

I put it to the Committee in all seriousness that what we have in the Bill, whether individuals like it or not, is the legislative enactment of paragraph 4.2 of the White Paper. That is something which we must hold on to as a foundation for our continuing arguments and discussions during the passage of the Bill.

Mr. Salmond: Was the Minister for Education and Industry, Scottish Office, right to tell the House:

"Within the areas of devolved responsibility, laws passed by the Scottish Parliament are not open to cancellation."?—[*Official Report*, 13 January 1998; Vol. 304, c.155.]

Mr. Dewar: On occasion, we all talk in shorthand, and that was a practical description of what I think we all want to see.

It is clear that what we have is an important division of responsibility, one that is logical, strong and internally sound. It says that we are to have a level playing field for economic matters, for macro-economics, fiscal matters, defence and foreign affairs. These will all remain on a United Kingdom basis, but there are areas in which the Parliament—I hope that it is this Parliament—will be persuaded that it should pass authority to a Scottish body that is directly elected, reflecting Scottish opinion.

The sovereignty of Parliament, which is explicitly recognised in the White Paper, will continue in that there is a possibility, in theory, of the United Kingdom Parliament legislating across those areas, but it is not one

[Mr. Dewar]

which we anticipate or expect. One of my difficulties with some of the amendments is that they seem to be trying to raise that possibility as a practical part of the daily passage of politics and business in this country. That is how they will be interpreted. I object to them, in the same way that I would object to other amendments that have been tabled that seem to represent a sleight of hand, trying to suggest to people in Scotland that something cannot happen when in fact it can, and that the power remains, even though, practically, it will not.

Mr. Salmond *rose—*

Mr. Dewar: Let me just finish this point, as it is important. I will let the hon. Gentleman intervene, as I am never blate about doing that.

The hon. Member who does not represent Solihull, which perhaps does not help the Committee very much, but whose father did; that is a clue—[HON. MEMBERS: "Beaconsfield."]—so that is why he survived. The hon. Member for Beaconsfield (Mr. Grieve) made a persuasive argument and an important point. He drew attention to clause 54, which is a specific and tightly drawn safety net in case a Scottish Parliament—I hope that the situation will never arise—mistakenly insisted on policies that ran counter to international obligations and put the United Kingdom Government at risk.

We have had to deal with that specific exception. We do not expect the general power, the concept of sovereignty, to be exercised. Only in specific circumstances, which we have tried to define in the Bill—and very unusual they would be—are we trying to build in such an override power.

Mr. Hayes *rose—*

Mr. Salmond *rose—*

Mr. Dewar: I give way first to the hon. Member for South Holland and The Deepings.

Mr. Hayes: I am grateful to the Secretary of State for the spirit in which he is addressing the debate. The clause to which he referred, which deals with the resolution of a conflict of authority, makes it clear that the supreme authority lies with this Parliament.

Amendment No. 2 talks about supreme authority. The White Paper talks about ultimate authority or ultimate sovereignty. How does the right hon. Gentleman define the difference between the two? If there is no difference, why does he have a problem with the amendment?

Mr. Dewar: I think that some of the difficulties may arise in the spirit in which the amendment has been tabled, because it is a double-edged weapon. If the hon. Gentleman is saying that there is no difference between the text and what he is trying to put in, why does he say that this is such an important lead amendment? It is because there is a hidden agenda behind it, and I am not prepared to go down that road.

6.45 pm

We on the Government Benches do not drift along on a rosy haze of expecting happy harmony on all occasions and on all fronts. When the hon. Gentleman is a great man and sits behind the Dispatch Box—in 2500, or whenever it may be—there may well be friction, but the whole point is that we have built in sensible provision, of which clause 54 is an example. We have built in the fast-track procedure for disputes over vires, leading only rarely, we hope, to the judicial committee of the Privy Council. We are constantly trying to put in these safeguards, hoping that their presence will seldom be a practical matter, and that we will always be able, as we do in the United Kingdom, to work together for common aims and objectives and with widely shared common interests.

Mr. Salmond: Is the Secretary of State now saying quite the opposite to what the Minister for Education and Industry, Scottish Office, told us two weeks ago: that a future Westminster Parliament could, if it so wished, introduce a poll tax in Scotland?

Mr. Dewar: The hon. Gentleman is not a silly man, although he may be mistaken and misguided. He campaigned to endorse the sovereignty of Parliament when he campaigned for the White Paper. That is, perhaps, an unfair point, but he understands what I am saying. He took it warts and all. I accept that he would have written a different White Paper. I accept that he will argue for further change, as he is entitled to do, but it is no good his coming forward and saying to me, "I want to change the White Paper now by means of one amendment in Committee."

The White Paper embodies popular democracy. It was endorsed. The hon. Member is right to point out that parliamentary sovereignty still exists, but we have built the whole system on the basis—the Conservative party now accepts this—that, in areas such as health, education and housing, and on a multiplicity of other domestic matters, we have the right to make the law in a body that reflects Scottish opinion. That is seen by us, at least, as a way to improve significantly the situation of Scotland.

Mr. Dalyell: Look: silly, misguided, mistaken we may be, but could we have a direct answer to the question: under the present proposals, could Westminster introduce a poll tax into Scotland?

Mr. Dewar: That would assume that Westminster was tearing up the entire settlement. That seems to me a totally otiose statement. To do so would run contrary to the whole basis on which this has been put together. I know that my hon. Friend thinks that it is a trick question. He knows the answer, and he must have read the Bill. He is a man of considerable experience, enormous tenacity and considerable ability, but he is asking a question that is not essential to this particular debate.

Mr. Wallace: Let us get away from the things that would tear up the settlement, such as Westminster introducing a poll tax. Can the Secretary of State envisage a circumstance in which a clause in a private Member's Bill, because of the way in which it was drafted, would impact on Scotland on what everyone assumed was a devolved matter? What assurance can he give us that such

confusion, which could affect citizens in their everyday lives, will not happen? Inadvertently or otherwise, a law might be passed in this House that could affect Scotland in what is accepted to be a devolved matter.

Mr. Dewar: That will obviously be watched carefully by hon. Members on both sides of the House. There are certain problems with limitations in private Members' Bills—for example, expenditure. If something impinged on the powers that are devolved to the Scottish Parliament, or at least are not reserved to the Westminster Parliament, to be precise, that is something which I would expect the House to avoid.

There will be a little flexibility. Later, we shall debate powers that blur the distinction to the advantage of the Scottish Parliament, allowing it to legislate on devolved matters, but having a clear impact on reserved matters. To the purist, that may seem to be an impossibility and a contradiction, but we are making allowance for it in the interests of the good government of the country.

There are impracticalities in this group of amendments, which we have to guard against. The sovereignty of Parliament has been used properly in the past to argue that no Parliament can bind its successors. That is seen in some way as an odd situation, but in practical terms it is inevitable.

It we have a devolved Parliament in Edinburgh it will not be able to bind its successors. If we have an independent Parliament in Edinburgh, which regards the rest of the United Kingdom as just another friendly country, that Parliament will not be able to bind its successors, for the simple reason that the law would be ossified and caught in a time warp, which would be ludicrous. We must all live with the idea of the sovereignty of a legislative body and its inability to bind its successors. If one accepts that concept, one must live with it as Members of the United Kingdom Parliament, as those who represent other parts of the United Kingdom in this Parliament live with it.

I know that the hon. Member for Woodspring (Dr. Fox) wishes to say a word or two on behalf of the Conservative party, so I shall conclude by saying that this provision is the right balance. In answer to the fears expressed by my hon. Friend the Member for Linlithgow, it is not a matter of undermining Westminster's sovereignty. A great deal of influence will be left with the Westminster Parliament, but its real influence will be that we shall remain Members of it and will still look to it for extremely powerful areas of policy. I hope that many of my hon. Friends will be here for a long time to guard Scotland's interests, whether on taxation, industrial matters, macro-economics, foreign affairs or defence.

It is a case not of stripping Westminster's sovereignty but of Westminster using its judgment to pass legislation sensibly. We have made an honest attempt to translate the White Paper into statute, which is what we voted for. It would be extremely wise of the Committee to accept that argument and leave matters at peace.

The right hon. Member for Devizes (Mr. Ancram) has frequently said that to make the system work it is necessary to have a Scottish Parliament. Although he may be a reluctant convert, I know that it is a genuine conversion. If he lives up to those aspirations, he will understand why we prefer the present draft, which is a balance between the flak that is flying from both sides of the argument and what is right for Scotland and the United Kingdom.

Mr. Salmond: I rise to make two points. First, as the Secretary of State knows, I campaigned for the White Paper during the referendum campaign because of the right of the people of Scotland as a sovereign body to opt for independence whenever they chose. The Secretary of State has admitted that openly and freely, and has held that view for many years. I welcome the fact that that right has not been seriously disputed in this debate. However, there was a clear understanding during the campaign—I remember the occasions on which it was outlined—

Mr. Dalyell *indicated assent.*

Mr. Salmond: The hon. Member for Linlithgow (Mr. Dalyell) is nodding. It was clearly stated that matters devolved to the Scottish Parliament would be left to the people of Scotland, including matters such as the poll tax.

Mr. Dewar *indicated dissent.*

Mr. Salmond: The Secretary of State shakes his head, but that is what the House was told two weeks ago by the Minister for Education and Industry, Scottish Office. He said that private legislation could not overturn Acts of the Scottish Parliament and that devolved matters could not be cancelled by the Westminster Parliament.

The Secretary of State can quote from the White Paper and we can all quote the Prime Minister recognising the sovereignty of the Scottish people. Indeed, we can quote them until we are blue in the face, but two weeks ago people had the clear understanding that some matters would be devolved and other matters reserved, because that was articulated by the Minister of State.

Mr. Dewar: The hon. Gentleman is making a mountain out of a molehill, which is skilful. Ultimately, the White Paper is absolutely clear. That is what we fought the referendum campaign on together, and neither of us misunderstood that position.

Mr. Salmond: The Secretary of State skirted round the answer to the question asked by me and by the hon. Member for Linlithgow. The answer to the question whether the Westminster Parliament could impose a poll tax on the Scottish people, regardless of the fact that it would be a devolved matter, is yes. That answer would not be widely acceptable in Scotland.

Mr. Dalyell: The difficulty is that the whole referendum was sold on the basis that the Parliament would protect the Scottish people from the ravages of Margaret Thatcher's poll tax. That was the public's understanding.

Mr. Salmond: For the second time this evening—probably for the second time in my life—I find myself in agreement with the hon. Member for Linlithgow.

I wish to make one more point before I allow the hon. Member for Woodspring (Dr. Fox) to sum up on behalf of the Conservative party—a courtesy which Conservative

[Mr. Salmond]

Members have not always extended to me under similar circumstances—*[Interruption.]* If Conservative Members want to continue the debate, I am prepared to continue speaking until 7 pm.

I have been doing some research and have found that, on 22 November 1977, the then Scotland Bill contained a clause on the supreme authority of the Westminster Parliament. The clause was deleted in Committee and the Government of the day did not try to reintroduce it. Among those who voted to delete the clause were Lady Thatcher, Lord Tebbit and other Conservative Members, who argued that the clause was meaningless and declaratory. They said that the form of words had no meaning because it was political reality which dictated events. When he sums up, I hope that the hon. Member for Woodspring will explain why the Conservative party wants to go further tonight than even Lady Thatcher was prepared to go in 1977.

Dr. Fox: It is a pity that we are running so short of time, because many points have been made which I should have liked to take up, especially the last point raised by the hon. Member for Banff and Buchan (Mr. Salmond). I shall deal with that later in the Committee stage.

I am also sorry that we did not have more time to hear from the Secretary of State, because he laid out the Government's Unionist credentials and I very much welcomed that. He gave a clear interpretation of what will remain sovereign and how the White Paper translates into the Bill.

We have had an interesting debate on sovereignty, not least because we have had so many different definitions of what sovereignty means. We wanted to make our intentions clear at the outset. Amendment No. 2 is not a probing amendment and we shall push it to a Division. My hon. Friend the Member for Beaconsfield (Mr. Grieve) talked about making the Bill work by making it clear at the outset and about making the new Union survive and work well. We shall work with the Government so long as we feel that they are working in the correct direction.

I am not a lawyer—a fact for which I thank God every morning—but a member of a profession that helps lawyers earn their money: a doctor. I do not claim to be an academic, nor do I wish to entertain an academic debate, but the point has been made and I should clarify it now: political sovereignty ultimately rests with the people, but it is vested in and exercised by Parliament on their behalf with their consent. If the Scottish, Welsh or Northern Irish people want to leave the Union, they clearly have the right to do so. However, in the referendum, people voted for devolution within the Union, as they vote to remain within the Union in successive general elections by voting for Unionist parties, as the hon. and learned Member for Orkney and Shetland (Mr. Wallace) said, whatever the blueprint of those parties for internal governmental construction.

A great deal of the debate has been about the technical definitions of sovereignty and its practical effect. In answer to the hon. Member for Linlithgow (Mr. Dalyell), in theory sovereignty is not diminished if it is delegated. Devolution delegates powers where federalism divides powers. I agree with the vast majority of what he said. The Committee's failure to agree what sovereignty means shows the inherent instability of what we may create if we do not iron out those problems at the outset of the Committee stage.

The amendment seeks to reinforce our belief that this Parliament should remain absolutely sovereign as long as the Union remains. We want to put it at the start of the Bill, and to clarify the legislative limitations of the Scottish Parliament in amendment No. 198, to show not only that Westminster is legislatively sovereign but that the Scottish Parliament cannot amend or repeal Westminster legislation. My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) made that clear.

I was astonished by the intervention of the hon. and learned Member for North Down (Mr. McCartney), who is no longer in his seat. He said that the amendment was taken largely from the Government of Ireland Act 1920, section 75 of which implied that there were no matters for which the Northern Ireland Parliament and Government were solely responsible. Admittedly, the powers were not used until 1960, but it was accepted that those powers were valid as long as Northern Ireland was part of the Union. We are being challenged to accept that proposition for Scotland. That wonderful intervention by the hon. and learned Member for North Down, who said that the Prime Minister promised him that such a proposition would be in the Scotland Bill, was extremely interesting.

I do not have time to deal with all the points that were raised. The hon. Member for Linlithgow warned that giving a Scottish Parliament commitments without legislative responsibility or power would be dangerous. Commitments given by those who do not want the Parliament to work would be the most dangerous.

The hon. and learned Member for Orkney and Shetland said that candidates should be given notice of what powers the Parliament will have, and he hoped that we would be grown up and use them sensibly. The intervention by the hon. Member for Banff and Buchan showed exactly what attitude the Scottish nationalists will take into a Scottish Parliament: they want to destroy it, and that is extremely dangerous.

Clause 27 is about the ability to make laws for Scotland. The Secretary of State made it clear that it is not just about reserved powers. If Scotland remains part of the Union, the Westminster Parliament must be the sovereign decision-making body on all issues. That is reasonable: I do not agree with the hon. Member for Banff and Buchan that it is offensive.

We need clarification at the outset. We must accentuate that provision by putting it at the beginning of the Bill. We support the basic ethos of clause 27, but, until it is clarified, the Government's Unionist credentials will not be as apparent as they must be if they are to satisfy us, and if they are to put clear water between them and the nationalists, who have campaigned as the Trojan horse.

It being Seven o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution this day, put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 127, Noes 341.

Division No. 142] **[7 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chope, Christopher
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Nigel Waterson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Byers, Stephen
Cable, Dr Vincent
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Doran, Frank
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John

Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
Maclennan, Rt Hon Robert
Mahon, Mrs Alice
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Jim Dowd.

Question accordingly negatived.

7.15 pm

Mr. Oliver Heald (North–East Hertfordshire): I beg to move amendment No. 47, in page 1, leave out lines 11 to 14.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following: amendment No. 48, in page 1, line 17, leave out 'and regions'.

Amendment No. 49, in page 1, line 18, leave out

'and the number of regional members'.

Amendment No. 63, in schedule 1, page 53, leave out lines 10 to 14.

Amendment No. 241, in schedule 1, page 53, line 14, leave out sub–paragraph (3).

Amendment No. 64, in schedule 1, page 53, leave out lines 23 to 27.

Amendment No. 65, in schedule 1, page 53, leave out lines 31 to 35.

Amendment No. 66, in schedule 1, page 54, line 1, leave out from beginning to end of line 30 on page 55.

Amendment No. 233, in schedule 1, page 55, leave out lines 1 to 22 and insert—

'4. The number of seats for a region shall be that number that is produced when the number of electors in each region is divided by the sum produced by dividing the total electorate in Scotland by 128.

5. The number of regional seats for a region shall be the number of seats allocated to each region by rule 4 above less the number of constituency seats in that region.'.

Amendment No. 50, in clause 4, page 3, line 6, leave out 'or regional members'.

Amendment No. 51, in clause 4, page 3, leave out lines 9 to 37.

No. 120, in clause 4, page 3, line 10, leave out 'or individual candidates'.

Amendment No. 237, in clause 4, page 3, line 25, at end insert—

'(e) who does not pay income tax at the rate applicable in Scotland at the time of the general election.'.

Amendment No. 121, in clause 4, page 3, leave out lines 26 to 34.

Amendment No. 238, in clause 4, page 3, line 34, at end add—

'(e) who does not pay income tax at the rate applicable in Scotland at the time of the general election.'.

Amendment No. 105, in clause 5, page 3, line 43, after '(a)', insert

'a candidate who is a member of'.

Amendment No. 123, in clause 5, page 4, leave out line 1.

Amendment No. 41, in clause 5, page 4, line 4, at end add—

'(4) The names of the candidates on each regional list shall appear on the ballot paper.

(5) Electors may select an order of preference for the candidates on the regional lists by placing an appropriate number opposite the name of each candidate, with number 1 indicating the first choice and number 2 indicating the second choice, and so on.'.

Clause 5 stand part.

Clause 6 stand part.

Amendment No. 124, in clause 7, page 4, line 22, leave out 'or individual candidate'.

Amendment No. 125, in clause 7, page 4, line 24, leave out 'or individual candidate'.

Amendment No. 126, in clause 7, page 4, leave out lines 26 and 27.

Amendment No. 129, in clause 7, page 4, line 29, leave out

'the order in which they appear in the list'

and insert

'a manner to be agreed between the parties'.

Amendment No. 106, in clause 7, page 4, line 29, leave out from 'order' to 'except' in line 30 and insert

'of the number of votes cast for the candidates, with the candidate with the highest being elected first and so on'.

Clause 7 stand part.

Amendment No. 128, in clause 9, page 5, line 16, leave out from 'If' to second 'the'.

Amendment No. 107, in clause 9, page 5, line 28, leave out from 'them' to end of line 29 and insert

'received the greater number of votes.'.

Clause 9 stand part.

Amendment No. 56, in clause 10, page 6, line 2, leave out from 'member' to end of line 3.

Amendment No. 57, in clause 11, page 6, leave out lines 39 to 41.

Amendment No. 58, in clause 16, page 8, line 2, leave out 'or region'.

Amendment No. 59, in clause 16, page 8, line 4, leave out 'or region'.

Amendment No. 60, in clause 16, page 8, line 7, leave out 'or region'.

Amendment No. 61, in clause 16, page 8, line 13, leave out 'or region'.

Amendment No. 62, in clause 17, page 8, line 38, leave out 'or region'.

Mr. Heald: The amendments raise important issues relating to representation. Amendment Nos. 47, 48 and 49 would remove all reference in clause 1 to the additional Member system. Amendment No. 63 would delete all reference in schedule 1 to the eight regions, and to the delineation as the eight Euro-constituencies. Amendment Nos. 64, 65 and 66 would remove all reference to the Boundary Commission for Scotland recommending altering the regions, and all reference to the number of regional Members. It would remove any question of the commission producing a report, and all the paraphernalia of inspections, inquiries, reports and giving notice. Amendment Nos. 50 and 51 and 56 to 62 would remove all other references in the Bill to regions and that form of representation.

I suppose that the first question that I must answer is—

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Why.

Mr. Heald: The Scottish nationalists got there pretty quickly. *[Interruption.]* I apologise; it was a Liberal Democrat.

The provisions that we hope to amend will create a novel and, I would argue, dangerous situation in regard to representation. First, they create two classes of Member of the Scottish Parliament—those with constituencies, and those without. Secondly, regional Members will be less individually accountable, because they will not have constituents to answer to. Thirdly, there will be differences in the work loads of Members. Fourthly, the public will inevitably be confused about whom they should approach on any particular issue. Finally, it will be difficult for regional Members covering a huge area to have any effective communication with their constituents.

Those arguments have long been held by me, but they are also held by others—notably the Under-Secretary of State for Wales, the hon. Member for Neath (Mr. Hain), who now argues for the same propositions in the Government of Wales Bill. He has said:

"The AMS system favoured by most PR advocates in the Labour Party would mean two classes of MP, some constituency-based, the others constituency free-loaders chosen from lists and without any constituency responsibilities."

However, we are concerned not just with the difficulty of having regional and constituency Members. The Bill goes further. Amendment Nos. 120 and 121 to clause 4, amendment No. 123 to clause 5 and amendment Nos. 124 to 128 are designed to remove the possibility of individuals standing in their own right as regional Members. The problems of having two classes of MSP will be made that much worse if there are three categories—constituency Members, party list Members and individually directly elected regional Members.

What will those Members for the regions be like? First, they will be able to claim personal mandates throughout a region. Secondly, they will be able to meddle in the affairs of any constituency within the region. Thirdly, they will be able to present themselves as a superior form of MSP, almost as senators, because they will cover a larger area and have individual mandates. We shall end up with a system under which MSPs are not equal—and they should be. They should have similar duties and similar representative mandates.

Sir Robert Smith: Where in his list does the hon. Gentleman have an amendment to introduce another form of proportional voting? It would help the Committee if he could tell us about that.

Mr. Heald: It will come as no surprise to the hon. Gentleman to hear that that is the last amendment that we

[Mr. Heald]

would want to introduce, because we do not think that PR provides fair voting. It provides fixed votes, and later in my speech I shall deal with that.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Does the hon. Gentleman not wish the Conservative party to have any representation in the new Scottish Parliament—a wish, I certainly think, that we might well share? Does he not realise that the people of Scotland voted for this package in a referendum and that they clearly understood that this form of PR was on offer? They clearly voted for it.

Mr. Heald: Those who voted in the referendum knew that the Bill would be scrutinised. We have a duty to do that; otherwise, we would not be dealing with the matter in the way that was expected when the referendum took place. I do not accept the hon. Gentleman's point. The duty of the Conservative party in Scotland is to fight its case hard and to win seats directly. We admit that we took a terrible drubbing in the general election, but we think that we can come back in Scotland by winning seats in our own right in constituencies. That is the basis of our plea.

Mr. Dalyell: Pursuant to the intervention by the hon. Member for West Aberdeenshire and Kincardine (Sir R. Smith), may I say that very little was clearly understood by the people of Scotland in that referendum? The great misunderstanding that has now come to light is that, if anything was clear, it was that the Bill would protect them from the poll tax.

Mr. Heald: As usual, the hon. Gentleman makes an important point. The proposals were sold on the basis that they would protect people from the poll tax. However, we must accept the referendum result. We want to improve the Bill so that the Scottish Parliament will not be a forum for dissension, which the Scottish nationalists could use to drive such a wedge between people in the Union that Scotland might leave it and we could end up with a separatist solution. That would be totally against the interests of Scotland and England and of the other countries in the Union.

An agreement, a marriage, has worked well for many years. The Scottish people have decided to move in the direction of devolution, but that does not mean that there cannot be a Union and that we cannot make it work. We must ensure that the Scottish Parliament is not used by the Scottish nationalists to further their aims. They pretend to be friends of the Parliament, but they see it as a platform from which they will try to destroy the Union. That must be resisted.

Mr. McAllion: I hope that the hon. Gentleman plans to use the Scottish Parliament to pursue the aims of the Conservative party. With that in mind, whom did he consult in the Scottish Conservative party before he tabled amendments that would remove the proportional element of the electoral system?

Mr. Heald: We undertook wide consultations.

Hon. Members: Name them.

Mr. Wallace: I shall save the hon. Gentleman some embarrassment. He has said, as his hon. Friends regularly say, that he accepts the outcome of the referendum and the wish of the Scottish people. Does he accept that in many parts of Scotland, and especially in rural areas such as the borders, Dumfries and Galloway, the highlands and islands and Grampian, one of the key features in getting a yes vote was the proportional system of elections? That is because that system ensures that the Parliament will not be dominated by one party from one part of Scotland. Why does he wish to pluck that proportional system from the Bill?

Mr. Heald: When I was campaigning in Roxburgh and Berwickshire, nobody mentioned that to me.

Amendment Nos. 237 and 238, tabled by the hon. Member for Glasgow, Pollok (Mr. Davidson), are designed to ensure that a candidate for the Parliament is an income tax payer at the Scottish rate. I have much sympathy for that argument. It has been said for years that there should be no taxation without representation, and it is appropriate to say that one should not get the chance to be a representative unless one pays the tax. The hon. Gentleman may be concerned that some of his hon. Friends who may be in contention for seats in the Parliament might not meet the requirement at the moment. It is part of the Conservative theme that the requirements for becoming a Scottish Member of Parliament should be the same for everybody and that every Member should have the same standing. That is why we welcome those two amendments.

Clauses 5, 6 and 7 provide for the poll for regional Members and for calculating the regional figures and the allocation of seats. Clause 6(2) provides that the divisor shall be one plus the number of constituency Members elected in the region. I am about to ask the Secretary of State a question, so perhaps he would care to listen. Clause 6(2) is designed to achieve proportionality by reflecting the fact that constituency Members have been elected for one party despite substantial votes for others.

We share the concern that one party might seek to maximise its position by setting up as or using the identity of another. I shall give an example. At one time, the Liberal Democrats formed not one party but two. When I stood against the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), he was described as the Liberal SDP Focus Team Alliance candidate. At that time there were two parties—the Liberal party and the Social Democratic party. If all the constituency seats in the Scottish arrangements were contested by Liberals and none was contested by the SDP, and if all the regional seats were contested by the SDP and none by the Liberals, it would be possible to avoid the mechanism of proportionality in the Bill. I am coming to what is perhaps the more dangerous prospect, because I do not think that the Liberal Democrats will do well.

If Labour fielded constituency candidates and allowed the Co-operative party to field regional candidates, there could be a similar effect. Can the Minister assure the Committee that that is not the plan? *[Interruption.]* It would have some advantages for Labour party supporters, but it would defeat the whole principle of proportionality that is contained in the Bill.

Amendments Nos. 105 to 107, which were tabled by the Liberal Democrats, amendment No. 41 and our amendment No. 129 relate to the issue of the open list. They raise the question whether it is right to have a closed

list that is chosen by the political parties, because huge political patronage could be conferred by placing a candidate as No. 1 on his party's list. The amendments suggest that voters should have the right to decide, and that there should be an open list.

The Conservative party does not support proportional representation. However, we take the view that, if the additional Member system is to be pursued in the Bill and is to become law, it would be right for the Government to consider the open list as their preference. It would at least ensure that Members of the Scottish Parliament had a mandate as individuals.

Mr. Ian Davidson (Glasgow, Pollok): Does the hon. Gentleman not realise that the open list, more than any other issue in the debate, poses a danger to the Conservative party? Unless the Conservative party is entirely united and solely either Europhile or Europhobe, there will effectively be two Conservative parties—one Europhile, one Europhobe—competing in Scotland. An open list would simply invite individuals on the list to campaign not against the other parties, but against each other. Not only would that divide parties, but it would most likely confuse the entire electorate.

7.30 pm

Mr. Heald: Although I was kind about the hon. Gentleman's amendments, he is living in the past. The terms that he used—Europhile and Europhobe—went out at least six months ago. *[Interruption.]* The party is now united behind the policy of the Leader of the Opposition.

The hon. Member for Falkirk, West (Mr. Canavan) makes an interesting and important point in amendment No. 41. He states that there should be an open list, and that there should be a list of all candidates at the regional level. One of the difficulties with his amendment is that, if one had 10 parties fielding up to 12 candidates each, which is possible, it might be difficult to produce a satisfactory ballot paper. Simply producing for electors a list of 120 or more individuals might be difficult. He should perhaps consider whether, rather than having a ballot paper with a list, the solution might be the one suggested by my right hon. Friend the Member for Devizes (Mr. Ancram) from his experience in Northern Ireland: a list in the polling booth from which voters make their own list.

As I said, proportional representation is not about fair votes but about fixed votes. It is about leading a Government to a situation in which everything must be agreed in a deal. It means that one can have a situation, as in Germany, in which one party—the smaller party—is always in power. The Liberal Democrats' sister party in Germany is always in power, although it receives the support of less than 7 per cent. of voters.

One can have a situation with proportional representation in which the Government change at the whim of the smaller party in a coalition; in which every by-election runs the risk of the Government changing; and in which anyone who crosses the Floor can change the Government's complexion. Later groups of amendments will deal with that point.

Sir Robert Smith: I cannot believe that I am hearing from a Conservative Member how proportional representation will go down in the north-east of Scotland. Perhaps the hon. Gentleman got as far as the borders, but if he had come to the north-east of Scotland, he would have realised that a crucial aspect of the Bill—making the current situation different from that in 1978—is that at its heart is a fair proportional voting system that will protect the regions and avoid domination. It is amazing that he should attempt to strike into my constituents in West Aberdeenshire and Kincardine the fear that the majority in Scotland will be eternally dominated by the minority. Does he realise that, although the Labour party has never had a majority of the vote in Scotland, it now holds 56 of 76 seats? Labour would ride roughshod over any other political opinion in Scotland.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. Some of the interventions today have been far too long.

Mr. Heald: It is important, above all, that the regions should have a fair voice in the Scottish Parliament—amendment No. 205 directly answers that point. Proportional representation is not the answer. If the hon. Member for West Aberdeenshire and Kincardine could explain to me how proportional representation will help his constituents, I should be very grateful.

Sir Robert Smith *rose—*

Mr. Heald: The hon. Gentleman can do that in his own speech.

Proportional representation does not lead to a transparent system in which one party can stand in an election, make its case to the people, win the election and then pursue its programme. One ends up with anything but fair government, and everything is decided in smoke-filled rooms. That cannot be right, and it cannot be the best form of democracy. Moreover, where proportional representation has been tried, it has failed.

Mr. John Swinney (North Tayside): The hon. Gentleman is afraid that, with coalition politics and proportional representation, decisions will be made in smoke-filled rooms. What about the issues that were settled in smoke-filled rooms in the past 20 years, when the Conservatives were in power with the support of 30 per cent. of the electorate, after a one-day vote held every five years?

Mr. Heald: The hon. Gentleman cannot seriously argue that, in the past few years, the Conservative party did not make its case clear to the people in its election manifestos; it certainly did. It is all very well for the hon. Gentleman—*[Interruption.]* It is all very well for him, a Scottish nationalist, to make the point that he does. However, the effect of having a Parliament with proportional representation, in which the major parties can be held over a barrel by the smaller ones, will be to ensure that the Scottish National party will use it to drive a wedge between Scotland and England and between the other countries in the Union. The effect will be bad for the Union and bad for Scotland.

Opposition Members remain convinced that first past the post, with constituency-based representation, provides the fairest form of government. It is the fairest form

[Mr. Heald]

of government for the UK and it is the fairest form of government for Scotland. I ask the Committee to support this group of amendments.

Mr. Davidson: I shall speak first to amendment Nos 241 and 233. If we are to have a system that has two types of Members, and if there is to be an element of proportionality, we shall have to try to ensure that the system is as fair as possible. Basing the system on European constituencies is not fair, because those constituencies contain considerably different numbers of electors.

Library figures show that—although they are the most extreme cases—the European constituency in central Scotland has 552,230 electors, whereas the Highlands and Islands constituency has 327,310 electors. Each of those will receive seven top-up seats, effectively assigning 78,000 voters to each Member of central Scotland's top-up list and 46,000 voters to each Member of the Highlands and Islands top-up list. Such a discrepancy is not fair.

Mr. Alasdair Morgan: Does the hon. Gentleman agree that he has picked the two extreme examples, and that every seat other than the Highlands and Islands has over 500,000 electors? It seems reasonable that the one seat in Scotland that covers such a vast area should be given proportionately slightly more, because of the huge distances that must be covered. Giving that slight extra edge to the Highlands and Islands does not really disfranchise constituents anywhere else in Scotland.

Mr. Davidson: The hon. Gentleman has picked up some of the points that I had planned on dealing with later. Although he is right to say that I picked the extremes, the difference is not marginal. A representative in the central Scotland European constituency will represent 70 per cent. more electors than a representative from the highlands and islands. Such a large difference is beyond the bounds of what is fair and reasonable.

In amendment No. 233, I propose a different and much fairer system that would entail changes for some of the other constituencies. The central Scotland seat would receive one extra Member, which would give it 10 constituency Members plus eight regional Members. Glasgow—my own area—would keep the same number, which shows that I am not proposing my amendments for parochial reasons. Highlands and Islands would lose three Members, Lothians would gain one, Scotland North East would gain one, and Scotland South and Strathclyde West would remain the same.

Before any hon. Member leaps in to suggest that I am arguing from a party political point of view, I should say that that is not so. Judging by figures from the recent general election—I accept that it is difficult to make the assumption that everyone would vote in exactly the same way, but there is no other basis on which we can move forward—the Liberal Democrats would gain a seat in Scotland Mid and Fife, the Labour party would gain the seat in Lothians and the SNP would gain the seat in Scotland North East. Losers in Highlands and Islands would be Labour, the Conservatives and the SNP. The net result would be the transfer of a seat from the Conservatives to the Liberal Democrats.

That would be a fairer way of electing people. If we want to command the support of people in Scotland, and if all Scots are to feel that they are equally represented in the Scottish Parliament, there must be less discrepancy in constituency sizes.

Sir Robert Smith: Does the hon. Gentleman therefore support the desire to increase the number of electors in his constituency, which is a city constituency, so that, rather than having 20 per cent. fewer electors than my constituency, which is a large rural constituency, there might be some equality?

Mr. Davidson: Constituency sizes must have certain parameters. There has to be a degree of variation. *[Laughter.]* The hon. Gentleman laughs. I shall come to the question of Orkney and Shetland. Although there are some extremes, there must be a desire for constituency variations within certain parameters. A difference of 70 per cent. from top to bottom is too much.

The system could be improved to ensure that it is fairer to those involved. On the basis of results at the recent general election, and given the system proposed, the party receiving the largest number of votes in four of the eight Euro-constituencies would not gain a single seat under the top-up mechanism. That effectively means that everybody in that circumstance who votes in the second ballot is wasting their vote because they will not elect another representative.

Let us consider the Euro-constituency of Strathclyde West, where Labour got more than 50 per cent. of the vote. Under the top-up mechanism, the Labour party would not be given another seat. Therefore, more than 50 per cent. of the electorate there would be casting a wasted vote. That cannot be correct under any system.

Mr. Alasdair Morgan: Does the hon. Gentleman agree that the system is proposed because the party—in this case, the Labour party—is amply compensated by far more than its fair share of seats in first-past-the-post elections? Therefore, voters who voted Labour have Labour Members of Parliament in abundance.

Mr. Davidson: What you are failing to recognise is that many people will vote for the individual whom they believe will best serve their area. *[Interruption.]* I accept the tribute to myself. You will remember that I knocked out Jim Sillars in the 1992 general election—

The First Deputy Chairman: Order. I well remember who the hon. Member knocked out, but he should not draw me into the argument.

Mr. Davidson: As I remember, I was supported in knocking out Jim Sillars by many members of the Scottish National party.

People will vote for an individual representative, and then there will be a separate ballot for regional lists. When more than 50 per cent. of votes cast produce nothing at all, it can only encourage the sort of games described by the hon. Member for North-East Hertfordshire (Mr. Heald), where more than one party runs under the same general banner.

I remember the leader of the Scottish Liberal Democrats, the hon. and learned Member for Orkney and Shetland (Mr. Wallace), saying on television that

proportional representation would mean that parties had to learn new tricks. That suggests the sort of approach described by the hon. Member for North-East Hertfordshire, where the Labour party stands and then the Co-operative party stands for the top-up section. That is what we were invited to consider. Such a new trick arises only because votes in the second ballot would be cancelled by the first ballot.

Mr. Wallace: I did not have that kind of new trick in mind. I had in mind a place like Glasgow, where, as the hon. Gentleman rightly said, the Labour party won every seat under the first-past-the-post system. It would be a completely wasted vote to vote Labour on the regional list, so we shall invite people to vote Liberal Democrat. In fact, I am sure that all our candidates will put his quote on their election addresses, which will say, "It is a wasted vote to vote Labour in the second ballot in Glasgow in the next Scottish parliamentary elections."

7.45 pm

Mr. Davidson: I suggest that the hon. Gentleman reads *Hansard*, because that was not what I said. In fact, on figures for the recent election, we would win another seat in Glasgow. I was referring to the Strathclyde West seat.

Mr. Wallace *indicated dissent.*

Mr. Davidson: I was referring to a different constituency altogether. In four of the eight Euro-seats, the parties that gain the most votes will get no other seats in the top-up mechanism, and more than 500,000 votes from a total of 2.5 million cast would be wasted. Labour would lose out in three of those seats. In Highlands and Islands, the Liberal Democrats would lose out, and people would say that there was no point voting Liberal Democrat in the list section.

Particularly in Highlands and Islands, votes are very much cast on the personalities of the candidates. Indeed, in the borders, where I originate, the seat in Galashiels and the surrounding area was held by the Liberal Democrats largely on the basis of personalities—the Tories who were put up were so appalling. *[Laughter.]* The decision was nothing to do with the merits of the good Member who was elected. *[Interruption.]* Hon. Members should not distract me.

Where people vote for individuals, they have a right to have their vote in the top-up section seriously considered. That would not happen in Highlands and Islands, and the result would not necessarily be an accurate reflection of what people wanted. My amendments would mean that fewer votes would be wasted; there would be less opportunity for chicanery.

Mr. Morgan: The hon. Gentleman is contradicting himself. In one part of his argument, he is talking about people voting for individual candidates in the first-past-the-post list, but the rest of his argument depends on people transferring their votes to exactly the same party in the regional list system. His argument does not follow. Surely people who voted for the hon. Gentleman as an individual may vote for another party in the list system. His analysis falls.

Mr. Davidson: One would be aware who is likely to win under the first-past-the-post system. Calculations will have been done: polls will have predicted the carry over. More than 500,000 people out of a total of just over 2.5 million will realise before they cast their vote in the second ballot that they are effectively disfranchised. That is an unnecessarily large proportion.

Amendments Nos. 237 and 238 refer to what I call the Sean Connery clause. It seems necessary to stipulate that anybody who wishes to stand as a candidate should be a taxpayer in some shape or form in this country before standing for election. Similarly, those who want to involve themselves in the affairs of this country should already have some involvement in it. If any hon. Member tabled constructive amendments to ensure that those who are unemployed are also included, I should be quite happy.

Mr. Swinney *rose—*

Mr. Davidson: I look forward to hearing whether the hon. Gentleman and the SNP believe that tax dodgers—people who have stated that they have gone abroad to avoid paying tax in this country—should be able to participate in our elections as candidates.

Mr. Swinney *rose—*

The First Deputy Chairman: Order. Before I call the hon. Gentleman for an intervention, I should like to make a comment about interventions. The Committee has agreed to a tight timetable, taking in many amendments, clauses and schedules. Interventions and long speeches will deny hon. Members an opportunity to debate fully the other matters before us this evening. I am in the hands of the Committee.

Mr. Swinney: Thank you, Mr. Martin. I shall be brief.

The hon. Gentleman added almost as an afterthought the complication of many low-paid individuals who do not pay taxes being excluded from standing for the Scottish Parliament as a result of his amendment. Has he calculated the number of people who might be affected? The figure may be more than 1.5 million.

Mr. Davidson: Like others, I table probing amendments to clarify the situation. I look forward to hearing whether the Scottish National party believes that people who live abroad to avoid paying taxes in this country should be able to participate fully in democratic elections as candidates, as funders or by doing voice-overs for television broadcasts. It is not appropriate that people who are not willing to pay taxes here should be allowed to participate fully.

Mr. Swinney: The hon. Gentleman asks a serious question. He might like to ask the Chancellor the same question. I remember watching beautiful shots of the Chancellor getting off the "Maid of the Forth" boat at South Queensferry during the referendum campaign with the gentleman at whom the hon. Gentleman is having a go.

Mr. Davidson: Was that a yes or a no? I am unclear whether the hon. Gentleman was saying that tax dodgers should be able to participate in the election or that they should not. His silence speaks for itself.

[Mr. Davidson]

The proportional representation system being proposed is flawed. I have brought a book from the Library that could guide party leaders on how to select candidates for the top-up section. It is called, "Clone: The Road to Dolly and The Path Ahead". There is a grave danger of the top-up system being used to introduce people who are so on message as to be unbelievable. The Liberal Democrats probably have the greatest difficulty. I understand that Daddy Steel, Mummy Steel and Baby Steel are all coming forward for the elections, as well as the Bell twins. The Liberal Democrats may not have enough members to put up one in every seat. I had thought that only the Conservatives would experience that problem in Scotland.

We should recognise the major disadvantages of domination by central party leaderships over the selection system. If the pitfalls are avoided, the system could be positive for Scotland, but I hae ma doots.

Mr. Kirkwood: I am happy to adhere to your strictures about short contributions, Mr. Martin, because there is a lot of important stuff for the Committee to move on to. We should spend some time on the system of election, which is an important element in the package. The Liberal Democrats subscribed to the constitutional convention's agreement and do not want to breach it, but it is worth considering whether the system can be improved. This may be the only time when we manage sensible, coherent consideration of the issue. We have a duty to examine a system that we hope will stand the test of time and last for many years.

I have not spent as much time on the fine print of the Bill as some hon. Members have. The Bill sets out the initial system of election. What power does the House—or the Scottish Parliament—have should the system require amendment? If changes are deemed necessary by the new Scottish Executive or by political parties north of the border, how can the system that we are enshrining in the Bill be amended? I understand that that is a reserved power and that amendments can be made only in this Parliament. If that is true, we should recognise that.

Even with all the wisdom that we can bring to bear on the issue, we might still get it wrong. We might have to consider the process of election again in the not-too-distant future. That is also relevant to the parallel Bill for Wales, the new system for the European elections and the London elections.

Mr. Wallace: There is a commission as well.

Mr. Kirkwood: There is also a commission on proportional representation. A good deal of consideration is being given to all those important subjects. Who knows whether we shall get it right first time? It is important to keep our minds open and to revisit the issue. It is worth doing what is necessary to achieve a system that people understand and that is simple and coherent across all the different elections. We may have to return to it in the not-too-distant future.

Mr. Ancram: I am listening closely to the hon. Gentleman. The Conservatives are also concerned that we may be rushing in to a crystallised system of voting before we have worked out all the ramifications. I said in a debate on the Government of Wales Bill that, while we did not like the additional member system, particularly the top-up list, the open list was more attractive than the closed list. We got nowhere with that suggestion. I wonder whether the hon. Gentleman has seen amendment No. 129, to which my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) spoke. We suggest that the way in which the candidates from the list are elected should be agreed between the parties. That would give a little more time—

The First Deputy Chairman: Order. The right hon. Gentleman should be brief.

Mr. Ancram: I shall do my best to be brief. Making this point now may save a little time later on. Would that amendment attract the hon. Gentleman? It would have the merit of giving us more time to get the system right.

Mr. Kirkwood: I am happy to respond to the spirit of that intervention. We have to hasten slowly and ensure that we get it right. The Minister should acknowledge that.

The system is imperfect. In the fulness of time and left to our own devices, we should like a full-blown system of proportional representation with single transferable votes and multi-member constituencies. We could spend a lifetime arguing about the different systems—all with acronyms containing the letter V. That is above my pay grade. However, I know that a pure system of proportional representation has major advantages, one of which is that it forces political parties to agree between elections.

The electorate are disfranchised and disenchanted by our confrontational system of party politics, which is entrenched by first-past-the-post systems. Any system has advantages and disadvantages. We have to be careful even with proportional systems, but it is essential that we should move towards a more consensus-based decision-making and policy-generating system. The system in the Bill is not perfect, but it makes major moves in the right direction. It does not go far enough for us, but it—

Mr. Heald: Will the hon. Gentleman give way?

8 pm

Mr. Kirkwood: I must discourage interventions, as I want to be brief.

I have one question for the Government. What do they have against open, as opposed to closed, lists? Contributions from the Scottish National party and the Labour party—certainly the early indications from the official Opposition—suggest that elements from all parties can see the relative merits in the scheme. If we are to have the system proposed by the Bill, the majority of people I have heard outside the House—and the majority of Members who have addressed the Committee tonight—seem to think that an open list is preferable to a closed one, for the perfectly obvious reason that it gives more voter choice and takes control away from the party bureaucracies. It is a quintessentially simple, and essentially democratic, point. I cannot for the life of me see why the Government have set their face against open lists.

I am speaking to amendments Nos. 105 to 107 and I have no intention of pressing those to a Division at the moment. I raise them to put that question squarely to the

Government. The system I propose is used in Finland and Denmark for European elections and is simple to understand. It would have the benefit that it could be used in the Welsh, European and London elections, giving it a degree of coherence that otherwise the system may not have. When the Minister winds up, will he spend a moment looking at the amendments and, in particular, state why he is against the idea of open lists?

Mr. Dennis Canavan (Falkirk, West): In the interests of brevity, I shall confine most of my remarks to amendment No. 41, standing in my name and that of my hon. Friend the Member for Dundee, East (Mr. McAllion). The Bill proposes a system of proportional representation. I strongly support the principle of PR, which will be a much fairer system than the existing first-past-the-post system. It will also help to ensure that the Scottish Parliament is more representative of the people of Scotland as a whole and of the diversity of views which exist among them.

The system proposed in the Bill is a hybrid one which causes concern—concern which I have heard expressed outside and inside the House. The Bill proposes that there should be two categories of Members of the Scottish Parliament: first, those elected directly by constituents, and secondly, those elected through regional party lists. There will be constituency Members and what some people may refer to as party hacks. There is concern that the latter may not be as accountable to the people as the former, and that they may consider themselves accountable to the party machine which selected them rather than to the electorate in their area.

Mr. Heald: What is the hon. Gentleman's view on those individuals who can be elected for a whole region as a candidate on their own? Does not that add a third category, to make the system even more confused?

Mr. Canavan: It does, to some extent, but I would speak out in favour of people being allowed to stand as individual or independent candidates. That is an improvement on the White Paper, which excluded that possibility. That matter was debated in the Scottish Constitutional Convention. I know that the hon. Gentleman was not eligible for the convention, but it is a pity that his party boycotted it. Otherwise, it would have heard some interesting debates about these matters.

I argued within the convention for the single transferable vote system. I accept that I lost the argument within the convention, which looked at various models of PR and eventually decided on the additional list system.

My amendment is not absolutely opposed to the proposals of the convention, but would improve them by giving voters more say. I am proposing that the names of all candidates should appear on the ballot paper, allowing the voters, and not the party machine, to decide who is No. 1, No. 10 or No. seven. All candidates would receive some approval from the electorate, and might therefore feel accountable to the electorate, rather than just to their respective parties.

The only serious objection seems to be on the grounds of practicality—that the lists might be too long and the ballot paper therefore too big and unwieldy, which might cause confusion among the electorate. However, I understand that experience from other countries shows that the electorate can become familiar with long lists and big ballot papers.

If my proposals are considered to create some kind of insurmountable problem, surely—at the very least—there should be a requirement for a list of candidates to be displayed in a prominent place in the polling station, so that people will have an opportunity of knowing exactly who they are voting for. I go along with the suggestion by the right hon. Member for Devizes (Mr. Ancram) that the people would be able to choose from the list and mark down the candidates they think should be first, second, third and so on. I should be grateful if the Minister will respond to those points constructively when he winds up.

Sir Teddy Taylor (Rochford and Southend, East): If the suggestions of the hon. Member for Falkirk, West (Mr. Canavan) were adopted, we would have to issue every voter in Scotland with a computer to deal with the size of the ballot paper. One is hesitant to talk in this debate as a Member who represents an English constituency, but I wish to make one point. The hon. Member for Glasgow, Pollok (Mr. Davidson) stated a most sensible idea, which everyone concerned with the devolution proposal should think about.

Pollok is the kind of place where one gets a great deal of wisdom. On Thursday of last week, I had the pleasure of entertaining the son of Alec Garrow, a former Member for Pollok, whom I well remember from sitting in this House as a Scottish Member of Parliament. Although he was not one of the people on the Front Bench—one of those who win medals—whenever he said something, it was sound common sense which made people think twice.

The hon. Member for Pollok said that, if we go for this strange system, it will mean that, in a place such as Glasgow—where things have gone wrong since I left—which has a solid Labour tradition, there will be a multitude of single-issue parties. People will go around saying, "By all means vote Labour, but I hope you will give a vote to the battle against cruelty to animals, the battle against crime or for the disabled." That will create a shambles. If we are to have a Scottish Parliament, which seems almost certain, we do not want it to end up in a horrible mess. The Government should try to convince us of the advantage of having a second category of MSPs.

Because of the virtual destruction of democracy, with so much power being taken away from Parliament, most of us spend our time looking after constituents' interests. Imagine the position of Scottish representatives, representing an area and doing everything in their power to assist its people, working with local authorities on big issues such as whether there should be a housing development or an airport extension, and then finding that these strange list people suddenly descend on the place and take a different view.

How on earth would a Member feel if he was fighting a battle for his constituency and one of these strange people, who do not represent a constituency but claim to speak for an area as part of the region, came along and met all the representatives and delegations and gave a totally different message?

The list candidates would almost certainly be of a different party from those who represent constituents directly. I hope that Ministers appreciate the nightmare that will be created for MSPs. In Britain, there has always been a strong bond between the Member of Parliament and the constituents, who can put Members out if they do

[Sir Teddy Taylor]

not approve of what they have done. We are creating a situation in which, instead of only one person, a small army of people will be able to claim the right to represent constituents.

It would be an outrage to have one category of MSPs who do all the constituency work and another who do no direct work but who interfere from time to time in what they regard as issues of interest.

Sir Robert Smith: Does the hon. Gentleman accept that, under the present system, people in Scotland chose representatives who back the system on offer in the Bill, albeit with minor modifications, and that that system was set out in the White Paper that was the basis of the referendum, which they also accepted?

Sir Teddy Taylor: The hon. Gentleman is more of an expert in Scotland than I am, but I spoke to many of my friends who voted in the referendum, and I can assure him that people do not consider the cold, logical definitions in a White Paper.

Two of my friends who have always been against devolution decided to vote yes; I asked them why, but I found it difficult to establish their reasons. I think that they had the feeling that there was a need to fly a flag. They certainly did not consider the precise representative system on offer. People do not necessarily vote on the basis of carefully thought out ideas, and nobody voted yes in the referendum because they approved of the list system.

My final point is not a silly one. Do hon. Members honestly think that the system will make the Scottish Parliament a better parliament? If there are all these different groups, the minority parties, which we are not used to having in a democratic parliament, will almost certainly effectively run the show.

If hon. Members have any doubts about that, let them look around the world. The country with the most highly developed system of proportional representation is Israel, which faces many problems. One of its big problems is the electoral system, under which unusual and sometimes extreme parties hold the balance of power, so the larger parties find it extremely difficult to implement the right policies and ensure that the right thing is done.

Why on earth do the Government want to do this? A Scottish Parliament is something entirely new in our system of government, and it will have many problems to face. Why give it this additional problem to cope with? The system will not be a boost. The only argument that I have heard for it so far is that it will somehow help the Conservative party. It certainly will not, and it will not help the people of Scotland if we have a shambles in which there are two categories of Member, each suspicious of the other.

The hon. Member for Moray (Mrs. Ewing) works hard for her constituents. How would she feel if five or six list Members, representing other parties, started to come into her constituency and offer their opinions? The system will create a total shambles.

We wish the Scottish Parliament well, because people voted for it; but let us not make the situation unduly difficult and complicated. I hope that Government Members will listen to the wise words of the hon. Member for Pollok, and think about the need not to make a complex, difficult problem even more complex and difficult, because the only people who will suffer will be the people of Scotland.

I hope that we will not let Scotland down. We are supposed to consider a huge number of amendments before 10 pm, but it simply cannot be done. If we are letting the people of Scotland down in any way, it is by not giving adequate time for discussion of these important issues.

8.15 pm

Mr. Dalyell: My hon. Friend the Member for Falkirk, West (Mr. Canavan) made a persuasive case, and should he by any chance press amendment No. 41 to a vote, he will have my support.

I want to ask a question that owes a great deal to discussions with, and reading the writings of, Vernon Bogdanor, professor of government at Oxford university, who takes a very different view of devolution. Coalition government creates special problems for fixed-term parliaments. What happens if there is a change of party alignment? It would be very difficult to bring about a dissolution if there was a stalemate. There would, in fact, be no effective government.

My right hon. Friend the Secretary of State understandably says that we do not want tactical dissolutions, but, given the problem, is there not an argument for a first-past-the-post system, which can at least punish politicians at the polls, as is the right of an electorate? Is there not a special problem for coalition government in the circumstances of fixed-term parliaments that would be brought about by the Bill?

Mr. Shepherd: I concur with the remarks of my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor).

Clause 9 concerns the situation when a regional seat becomes vacant, and sets out the conditions whereby the next person on the party's regional list automatically takes up the seat. That is a profoundly objectionable idea. Most of the electors in the large regional constituencies will not know who the individual is—that is a criticism of the list system in general—so there will be no possible connection there.

As became clear with the European Parliamentary Elections Bill, there is genuine concern that, where a party is assured two seats, its two candidates need not even campaign, because they are guaranteed to be returned. The two in the middle of the list would probably struggle around the constituency seeking election, and the rest need not participate in the election at all. Under clause 9, if the Government insist on it, we will accept that an unknown individual, who may not even have canvassed or put his case at an election, will be drafted into a seat automatically.

An important element in the history of elections in this country is that by-elections are often the barometers that register public opinion, which can then influence the nature of government. Indeed, the history of by-elections is often a drumbeat to remind Governments of how unpopular they are.

At the last election, we sought courage and strength that there would be a turning. This is a decisive break with the past. There is no reason why an anonymous candidate,

unknown to the electorate when circumstances have changed, should be drafted into a seat. That is the most undemocratic circumstance that I can think of. I urge the Government carefully to examine that. It is just a matter of reflection. There is no reason why, when a vacancy comes up, there cannot be an election across the region, if that is the form by which the Government wish to hold.

I urge my party, in its considerations on these matters—they have come up in the context of Wales, they will come up in the Committee proceedings on the European Parliamentary Elections Bill—to reflect that the concept of drafting in an unknown man or woman who does not reflect the general will or wishes of the region they are to represent is unacceptable in a democracy.

Mr. Alasdair Morgan: I begin by congratulating the Government on proposing the electoral system that amendment No. 47 seeks to scrap. It is a good attempt at proportional representation. It will help democracy. It will give some representation to the Conservative party in Scotland. One of the bad effects of the last election was that no Conservative Members were elected there. There is a body of the electorate that wishes to vote Conservative. That does democracy no good whatever, although at the time it seemed to bring great joy to most of the people in Scotland. The introduction of PR may lead on to the tackling of the problem in local government in Scotland and elsewhere.

Other problems have not been tackled by amendments. Contrary to what other hon. Members have said, I do not think that there are enough top-up seats in the system. The limits that we have placed are not guaranteed to ensure proportionality. There will still be a bias towards the party that wins most seats under the first-past-the-post system, which is at present the Labour party. That problem will be exacerbated by a later clause, which will reduce the total number of seats and top-up seats. That will worsen the lack of proportionality. I hope that that can be dealt with later.

I shall briefly touch on some of the other amendments in this group, especially those tabled by the hon. Member for Glasgow, Pollok (Mr. Davidson). One would scrap the seven regional top-up seats. As I said earlier, only the highlands and islands regional seat has disproportionate representation; the other regional seats are more or less equal. The hon. Gentleman ignored argument and the creation of fear that was used by those people who seek to use the divide and rule argument to set the Scottish people against each other. That is the main reason why we need to ensure that we give adequate representation to all the geographical regions in Scotland.

It was a powerful argument for a Scottish Parliament in the south of Scotland that I could say, "Look, in the Scottish Parliament, you in the south of Scotland will have some 15 Members out of 129. You will have far more influence in the Scottish Parliament than you will ever have through half a dozen Members down in Westminster."

Mr. Davidson: Does the hon. Gentleman recall that I said that the method I suggested would make no difference whatever to the south of Scotland?

Mr. Morgan: Yes, I took that point, but the argument applies to the highlands and islands. Certainly, in 1979, it was a weapon used powerfully in the highlands and islands to increase the anti-devolution vote. That vote was much smaller this time, precisely because people were assured that the concentration of power in the central belt would not occur.

Amendments Nos. 237 and 238 would restrict candidates to taxpayers. I understand that artists and actors who have earnings in this country pay tax on them here regardless of whether they are resident in Britain. I hope that the hon. Gentleman will remember that fact.

Before I heard from the hon. Gentleman that the amendments were probing amendments, and knowing that he did not wish to disfranchise about 40 per cent. of his constituents, I speculated that he knew something about the rate at which Labour's new minimum wage would be set. I assumed that it would be set at a rate higher than that which the Chancellor of the Exchequer wished, but that the amendment would none the less enfranchise everyone in Scotland.

I am puzzled by Tory amendment No. 123 and subsequent amendments. The right hon. Member for Devizes (Mr. Ancram) spoke about the importance of individuals, but then sought to remove the capability of individuals to stand in the regional list part of the election. It seems to me that any individual who is good enough not only to stand but to get elected from a regional list is a fairly talented individual, and deserves to win his seat.

Mr. Ancram: I am concerned about this point. I hear what the hon. Gentleman says. Does he think that that individual who wins the regional seat will be superior to any of the other Members of the Scottish Parliament?

Mr. Morgan: I did not imply that he was superior in terms of what he could do in the Parliament. I merely said that he must be an excellent candidate to win such a seat, and that such people should be given the opportunity to do so.

There is no such thing as the perfect electoral system—every system will have anomalies—but we have to recognise that the current system is collapsing under the weight of its inadequacies. It is being scrapped bit by bit throughout these isles. It is being scrapped in Northern Ireland for European and local elections. It is being scrapped for European elections. We ar now scrapping it for elections to the Scottish Parliament. I believe that soon it will be scrapped for elections to Westminster. I shall certainly vote against amendment No. 47.

Mr. Robert Syms (Poole): I support the amendments tabled by my hon. Friend the Member for North-East Hertfordshire (Mr. Heald). I support the first-past-the-post system because I believe that it is the best system and that it makes Parliament more effective. The advantage is direct accountability to the electorate: individuals represent a geographical area and, if people have problems, they go to their local Member of Parliament.

One of the best things about this place is the convention that Members deal only with their own constituents. That saves a great deal of work. It saves us falling over each other's feet. That will not happen in Scotland. The average elector will have a Member of the European Parliament—although the electoral system for that is to change—a Member of Parliament, a Member of the

[Mr. Robert Syms]

Scottish Parliament elected geographically and seven other Members of the Scottish Parliament. People will be falling over each other to take up constituency cases. As different political parties will be represented, there will be great confusion and difficulty. The local government officer, Benefits Agency officer or Child Support Agency officer who deals with an individual will have to deal with half a dozen representatives rather than one.

Mr. Laurence Robertson: My hon. Friend says that under the new system Members of Parliament could be falling over each other to help constituents, but surely it could work the other way: they could easily pass the buck.

Mr. Syms: My hon. Friend makes a good point. It could be difficult for a constituent to find out who is dealing with his problem. Some constituents would no doubt write to every representative in turn, until they got the right answer. That is not a recipe for effective administration in Scotland.

I agree with my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) who made a point about there being two types of Members of Parliament. People will inevitably go to the geographically elected constituency Member, giving those on the regional list an easier ride. That will cause great difficulty. He is perfectly right when he talks about odds and sods standing for the regional list. One can think of the dog lovers party, the Glasgow Rangers supporters party and the anti-airports party. Various people may pop up, especially individuals with deep pockets who can form political parties with their friends, as we have seen in recent elections.

Mr. Alasdair Morgan: Does the hon. Gentleman not recall that some odd individuals and parties stood at the last election under the first-past-the-post system?

Mr. Syms: That is true, but most had only minority support and so were not elected. For example, the Referendum party failed abysmally to achieve representation. The list system will lead to the representation of odds and sods, causing difficulties and strain within the system.

I agree with what my hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd) had to say about the list system. Under our system, a person is nominated for an election campaign and if he or she does not win, that is it. Under the list system, a person is nominated and stays on the list for four years. That could cause difficulties if individual circumstances changed.

8.30 pm

Overall, the additional member system is bad. In Germany, changes in Government tend to be the result of changes in alliances of political parties rather than changes in what the electorate want, and that is not a good thing.

Under the first-past-the-post system, the members of a party coalesce before the election, agree a platform, stand, and obtain a result, and the majority party is accountable to the people for what it does. If it does not do what it said it would do or is perceived to have done a bad job, it is thrown out.

The best thing about the first-past-the-post system, certainly under our system, is that occasionally furniture vans turn up at No. 10 and there is a change of Government. That is something that the British people can do. The Scottish Parliament may experience the problem of parties changing alliances rather than reflecting changes in the electorate.

Overall, the system proposed is not the best one for Scotland. The first-past-the-post system would be better.

Mr. Dalyell: If parties change alliances, special problems arise from fixed-term Parliaments.

Mr. Syms: I agree. That is a special problem. Elections resolve political problems. They are not always the cause of political problems. Like all democrats, we must face elections, giving the electorate the opportunity to resolve a particular political impasse.

Sir Robert Smith: The hon. Gentleman says that he wants to vote against the proposed system because he does not believe that it is in the best interests of the Scottish people. Is he not interested in the fact that the Scottish people have elected people to represent them who favour that system on their behalf and are promoting it? Why does not the hon. Gentleman accept that, since the method applies only to Scotland, he should listen to the Scottish people and allow them to have the electoral system that they want?

Mr. Syms: This is the Parliament of the United Kingdom. This is Scotland's Parliament.

We are discussing an important issue. It would be better to have a system with the accountability that I have set out. That would serve Scotland better in following the course that the Scottish people have decided they wish to follow. The proposed system will not be helpful.

I have reservations about open lists, even under the Conservative party's amendment. Many people are trying to make an unacceptable system more acceptable by somehow allowing greater electoral choice. If there are seven-member regions and each party puts up seven members or more, as is likely, there could be lists of 20, 30 or 40 people. How do the electorate differentiate? Do those who vote Conservative have to assess one to seven or one to 12 candidates for the Conservatives, or does the electorate list all the candidates from one to 30 or 35? That is another way of doing it. There will be complications.

The good electors of Washington state in the United States who, under the American system, sometimes face 20 or 30 different elections, used to put out a pamphlet paid for by the taxpayer informing the public who was standing for what in the various categories. If we went to an open list system we would have to do something similar in order to inform people about the 30 or 40 choices. That is not practical. It would be asking too much of the average elector to distinguish between so many different candidates, particularly as some candidates would not be known and would have no political record. Overall, the system would weaken the Parliament.

Mr. Eric Clarke (Midlothian): The hon. Gentleman has not dealt with the problem of a minority group putting into power a majority Government. Britain has not had a

majority Government for a long time. That is one of the problems that we are talking about. I am for the system. It may not be perfect and it may cause problems, but a minority Government with a massive majority, of the kind that we have seen in the past, is a big problem.

Mr. Syms: The point is that a Government should be not only representative but effective. At the end of the day, we cannot have a wholly proportionate system because we would not have decisions; we would not have a system which worked. The first-past-the-post system is proportionate and does work well when two parties stand.

Sir Robert Smith: Had the hon. Gentleman observed the Scottish Grand Committee meeting the other day, he would have seen how disproportionate the current system is in Scotland. We have a four-party political system, and it cannot cope. We have 56 Scottish Labour Members of Parliament out of a total of 72. The farmers of Scotland do not have a fair voice from their rural constituencies.

Mr. Syms: The Scottish electorate knew what they were doing. They had a choice and, unfortunately for the Conservative party, they did not make the right choice, voting in many instances against, rather than for, Conservative candidates. I accept the system, however, and I support it in principle. I accepted it when we won and I accepted it when we lost. I have been as consistent as those hon. Members who argue for the single transferable vote, as they have done for donkeys years, honourably, although I think wrongly.

I support what I believe to be the best and most effective system. It is also the most consistent system within the UK. It is the system that we use currently, and, I hope, will use in the future for parliamentary elections. Overall, it would strengthen the system because it would result in a more effective and accountable Administration. What is proposed will not solve the problems, so I shall support the amendment tabled by my hon. Friend the Member for North–East Hertfordshire.

Mr. Dalyell: On a point of order, Mr. Martin. We see on the annunciator that there is to be a statement on the channel tunnel at 10 o'clock. I do not know what its content can be, but how does it affect the voting on this measure?

The First Deputy Chairman: The voting will be completed first. The statement will take place after the voting.

Mr. Laurence Robertson: It is a pleasure to follow my hon. Friend the Member for Poole (Mr. Syms), who has studied proportional representation a great deal. I listened closely to what he had to say.

A few days ago, I caused some hilarity when, speaking on the Government of Wales Bill, I described a number of systems being introduced as somewhat alien to the British constitution and the British people. That is basically why I object to much of the Bill. It introduces devolved government and more than one Parliament into one United Kingdom. In addition, to stick to the point, it introduces another voting system which has not been experienced by the British people. It has been experienced to some extent in Northern Ireland, but not in Britain. It is a mixed system, to which I object because it will lead to confusion.

I want to speak briefly against the proportional representation system of voting, because it is an undemocratic system. As my hon. Friend the Member for North–East Hertfordshire (Mr. Heald) said, it leads to government by secret deals. In a PR system, it is not the electorate who decide the Government. A few minutes ago, the Committee was asked whether it was fair for a party that gets 40 per cent. of the vote to form the Government—and a case could be made that that is not fair; but I would stress that it is far fairer than a party which gets 5 per cent. of the vote deciding who forms the Government; and, under a PR system, such a party can indeed take that decision. The present system is not perfect, but it is the best one available.

PR might lead to a direct ratio between the proportion of votes and the number of seats that a party has, but that is only fair if one looks at the whole area. In individual constituencies it is fair that the candidate who gets the highest number of votes should represent that constituency. It is worth reminding ourselves that it is individual constituencies that form the constitution of this country, so not only are two Parliaments in one country somewhat inconsistent with the constitution and a major change to it, but a change in the voting system to a PR system is, too. Some hon. Members might prefer that, but many do not.

Mr. Gorrie: It is a matter of fact that, in the period since 1707, there were multi-member constituencies for longer than there have been single-member constituencies.

Mr. Robertson: I would not dispute the hon. Gentleman's knowledge of this matter.

I agree with my hon. Friend the Member for Poole. Actually, I made the point that it would be easy in those circumstances for Members to pass the buck to someone else; if a difficult issue arose, it would be easy for one Member to ignore it and let another deal with it. My hon. Friend the Member for Poole made the opposite case, and said that Members would be falling over one another to deal with issues that they particularly wanted to address.

One of my main objections to PR is that it would break the link between the constituency and the Member. That link is respected by constituents; it is respected in this place and reflected in the way we run this place; and it is respected by Members of Parliament themselves. The system whereby one Member represents one constituency motivates Members of Parliament to a great degree. It is clear to constituents whom they should write to with problems; it is clear who they can depend on; it is clear who they are voting for; and it is clear who will represent them. For those reasons, people like the link between the Member of Parliament and the constituency.

Looking at it negatively, it is fair to say that people would dislike the way in which party politics would be exercised in a voting system that was dependent on proportional representation. I do not think that they much like the exercise of party politics in the current system, but a PR system would cause polarisation, and people would not like a system wholly governed by party politics. I say this rather nervously, given the presence of my hon. Friends on the Front Bench, but I think that people dislike the whipping system to some extent. In a PR system, there would be even more of what people do not like and very little of what they do like. People want

[Mr. Robertson]

individuals to represent them—individuals with whom they can identify and who can be blamed if things go wrong.

I also have fears about accountability: Members of Parliament should be accountable to their constituents, but under PR they have to be accountable to those compiling the list. They would serve those compiling the list, because their jobs would depend on their doing so. That would not be good for democracy. In our previous debate, several hon. Members rightly pointed out that sovereignty rests with the people. I entirely agree with that, but under a PR system, sovereignty would rest with the few, not the many—and certainly not with the electorate.

Those are my basic objections to the PR system. I conclude by saying that PR will lead to yet another change in the sense that political parties will henceforth have to be registered, which will turn them into some sort of constitutional body, which they currently are not. That goes against what people actually want to happen and could lead to a host of undesirable constitutional changes.

Mr. David Prior (North Norfolk): I shall be brief. I speak with some reticence, because I have no links with Scotland; but it is in the interests of people of all parties in all parts of the United Kingdom that the Scottish Parliament is a success. I also speak in the knowledge that we are speaking against something that would be good for Conservatives in Scotland, so our opposition to proportional representation is principled and not born of expediency.

Mr. Alasdair Morgan: Will the hon. Gentleman give way?

Mr. Prior: Not for a minute, no.

I wish to make only four points. Having been a Member of Parliament for slightly more than eight months, I—like all hon. Members—am aware of the importance of the link between Members of Parliament and their constituencies. It is not a party political link; a Member represents all parts of his or her constituency and all sorts of people. If that link is broken, as it will be broken in Scotland, it will be a great shame for the new Parliament.

8.45 pm

Secondly, most ordinary people are pretty unhappy about the degree of control of Members by their parties. The perception in Scotland will be, perhaps especially in the Labour party, that greater control will be given to the parties over Members. That is not a good thing.

Thirdly, and penultimately, although on the surface proportional representation may seem fair, in practice, as a result of coalitions between various parties, the outcome can often lead to the smallest party having a disproportionate amount of influence. That cannot be good for democracy. For example, in New Zealand, which has recently introduced a PR system, the smallest party ended up having the most influence on which party formed the Government. There have been many surveys since New Zealand changed its voting system, and they showed that there has been a switch in what the people would like.

Fourthly, it is not good for the United Kingdom to have two separate, distinct and different electoral systems working side by side. I do not know what Opposition Members felt about the previous debate, but I was not convinced that Labour Members were showing the commitment to the Union that I thought they were before the general election. Two separate electoral systems cannot be good for the United Kingdom.

Mr. Swayne: I shall endeavour to follow the example of my hon. Friend the Member for North Norfolk (Mr. Prior) because I wish to be brief in speaking to amendments Nos. 63 to 66. In so doing, I shall not state my principal objections to the system that is to be introduced, because I feel that I dealt with them thoroughly on Second Reading. It would not be appropriate to bring those issues before the Committee.

There are inherent weaknesses in the proposed system. First, those who have designed the system have decided on the result that they wish the elections to deliver. They have then gone about designing a system to deliver that result. They have decided that there is to be a new, consensual politics. Accordingly, they have designed a voting system that enforces consensus.

The system is to be gender-balanced. Allegedly, that will make the system even more consensual. Apart from that fatuous nonsense, the proposals play into the hands of the greatest weakness of the Bill, which is that it relies on an abundance of good will. The voting system requires that the parties shall work together to produce consensus.

The problem is that there will be an absence of good will because of the human condition—the fact of original sin. More appropriately, there will be a lack of good will because the Scottish National party will set out to ensure that there are disputes so that it can profit by them. That is the principal difficulty.

A further difficulty is the sheer complexity of the voting system that is being introduced. People understand the quirks, the weaknesses, the strengths and, above all, the absolute simplicity of our existing voting system. All it requires is a cross to be made on a ballot paper. Under the proposed system, the voter will have two votes. The first will be simple enough, but the second will require the use of the d'Hondt formula.

The d'Hondt formula works

"by allocating additional seats at each stage to the party with the highest total after dividing the total number of list votes they won across the Euro seat by the *total* (constituency + list) seats they have plus one."

I wonder what the voter will make of that. Nothing could be calculated to give greater dissatisfaction to the voters than the fact that they cannot understand how their representatives were elected.

Mr. Alasdair Morgan: First, will the hon. Gentleman confirm that the d'Hondt formula will be used by a returning officer—not by each individual voter, who is meant simply to place a cross on the ballot paper? Secondly, given that the Federal Republic of Germany uses a very similar system, is he saying that the Germans are much more intelligent than the people of Scotland?

Mr. Swayne: I confirm the first point that the hon. Gentleman makes. I am quite at ease with the fact that the voter does not need to understand the complexity of the

d'Hondt formula, but that is precisely the system's weakness. The voter is not considered in the allocation of votes to secure his representative. The hon. Gentleman has drawn attention to the weakness of the system. In that respect, I would refer him to my remarks on Second Reading, to spare the Committee my repeating them.

Mr. Eric Clarke: I support proportional representation and democracy. I know of no nation that has come out of the one-party system since the breakdown of the iron curtain that has taken up the first-past-the-post system. You name me one—not you, Mr. Martin, but someone name me one. To my knowledge, they have all opted for the PR system proposed in the Bill, or another PR system.

Mr. Ancram: It may not have been behind the iron curtain, but the hon. Gentleman might like to comment on the fact that Italy, having for many years had a proportional representation system—and myriad Governments as a result—is now moving toward the first-past-the-post system.

Mr. Clarke: Well, that is up to Italy. I am not in this place to ask what Italy is doing. I am talking about people who had a one-party system. They had a multitude of ethnic minorities and a host of other differences. As hon. Members know, they divided into different sections and different countries—independent and otherwise—and they all went for proportional representation.

I do not underestimate the intelligence of the Scottish people. In the American system, people vote for everyone from the sheriff to the state legislature and so on, in a huge list. It is a bit of an exaggeration to say that that is the type of thing that we shall put before the Scottish people. The ballot paper for the Scottish Parliament will not be as complicated as that.

No one has mentioned the fact that thousands of people out there do not vote. Why do they not vote? They do not vote because they do not believe that their vote will count, because they live in an area that is dominated by one party or the other and they believe that the system is a waste of time. They do not vote because of apathy.

Mr. Heald: How many times when the hon. Gentleman has been canvassing has a person said, "I am not voting because I want proportional representation"? Never.

Mr. Clarke: Well, it was not on the agenda then, but it was on the agenda following the constitutional convention and our liaison with other people for the referendum in Scotland. We should like to ensure a balance of men and women in the Scottish Parliament if it is legally possible; we would do that as a party, whether or not it was done constitutionally. If we did so, a far better situation would arise than exists in this place, because even the gender balance in this place is all wrong. I do not think that I am a male chauvinist idiot; all my life I have voted for the emancipation of women. I am not apologising for that. I am in favour of positive discrimination.

One of our arguments in support of the referendum concerned the geography of Scotland and the dominance of the urban areas. People in the north, in the islands and elsewhere feel isolated. The area is huge, and some communities are closer to Norway or Denmark than to London. Some people asked what difference it would make if the Parliament were in Edinburgh. It must be explained to them that they will have proper proportional representation. Ethnic minorities and other groups can be represented through PR, in the same way as people from small hamlets and those in urban areas.

We are speaking about democracy. In my intervention, I asked how a massive majority in Parliament could be justified on the basis of a minority vote. That is what has happened in the past, because of apathy, geographical carve-ups, and so on. Many of my colleagues support the first-past-the-post system, because they won. If they did not win now and again, perhaps some of them would think twice.

Mr. Ernie Ross (Dundee, West): Now and again? Eighteen years.

Mr. Clarke: Overall, we did not win for 18 years, but I am talking about individual cases.

The new electoral system is a necessity. It may not be ideal and may not suit everybody, but it is certainly a step forward.

Sir Robert Smith: I shall answer the question from the hon. Member for North–East Hertfordshire (Mr. Heald) about how proportional representation was brought up during the referendum, and how the proposed electoral system became crucial to the decision this time, as opposed to the decision back in 1979.

Mr. Heald: I am grateful to the hon. Gentleman for giving way, but that was not the question I asked. I do not want a history lesson. I want to know how the electoral system will help his constituents.

Sir Robert Smith: The matter played a crucial part in the referendum because of the way in which it would help constituents. The press and the public constantly raised the issue of the north-east being disfranchised by a Scottish Parliament and dominated by the central belt and the Labour party.

There are Labour Members who have long stood for reform of the electoral system. Why would a party that could gain a huge majority of the seats in a Scottish Parliament offer the electorate a system under which, barring strange political eventualities, its chances of getting a majority are almost completely removed? The Labour party has accepted a major change in the system. Some say that it is because they are nice Labour people, but behind it all is the recognition that selling the Scottish Parliament as an effective working system to represent the whole of Scotland would require proportional representation.

The change helps my constituents because it ensures that they will have a far greater voice in that Parliament. If the hon. Gentleman had observed the Grand Committee when we were debating agriculture, he would understand why the farmers in my constituency want far more Members representing agricultural seats, and more parties that support agriculture.

Under the present system, the Parliament would be dominated by the Labour party—the one party which comes predominantly from the central and urban areas of Scotland. The other parties in Scotland—the Conservative party, the Scottish National party and the Liberal

[Sir Robert Smith]

Democrat party have roots outwith the urban areas. All those parties would have increased representation in that Parliament, thus making sure that a greater voice was heard from throughout Scotland.

Mr. Davidson: Is the hon. Gentleman saying that, when the Liberal party stands in Glasgow, it stands as a rural party? Surely it does not. If the Liberal party stands in Glasgow, it stands on behalf of the interests of the people there, just as, when the Labour party stands in the north-east or the south, it fights for the interests of the people there. People recognise that in those areas, which is why they elected Labour Members in increasing numbers.

Sir Robert Smith: There is a disproportionate dominance within policy making and thinking. There must be some reason why the Labour Government are not listening to the plight of farmers in my constituency. One of the problems is that there are not enough Labour Members of Parliament from rural constituencies to influence policy making.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): What is the hon. Gentleman's policy on the funicular rail link? I understand that he has asked questions about it, and it affects my constituency. I remember that, during the election, my Liberal Democrat opponent supported the funicular. It now appears that you are now opposing it. What is the Liberal Democrat policy?

The First Deputy Chairman: Order. Hon. Members should be careful about using the word "you", because it draws me into the argument. I have no axe to grind in the Chair.

9 pm

Sir Robert Smith: I wish to concentrate on the issues before us. I will meet the hon. Member for Inverness, East, Nairn and Lochaber later to discuss the particular issue that he raised.

Sir Teddy Taylor: Will the hon. Gentleman help me? It is very important.

Sir Robert Smith: I shall take one final intervention.

Sir Teddy Taylor: I am grateful. The hon. Gentleman has taught us a great deal about the Scottish Parliament. What does he believe his party can do for agricultural policy through the Scottish Parliament? The people of Scotland are entitled to know.

The First Deputy Chairman: Order. We are not dealing with agricultural policy in these amendments, but perhaps we will some other time.

Sir Robert Smith: I shall bring my remarks to a close before we stray into all sorts of different directions.

Dr. Fox *rose—*

Sir Robert Smith: Front Benchers will presumably wind up at some point, so the hon. Gentleman can make his point then.

I shall finish on some of the points that were raised in the debate—in particular, that we should ensure that people's voices can be heard. I hope that the Government will recognise that the system would be improved if the lists were opened up to the electorate, to order the people on the list within the party of their choice.

When the Conservative spokesman winds up, I want to know whether the hon. Member for North Norfolk (Mr. Prior) represents the Conservative party in its desire to abolish any different electoral systems in Northern Ireland, as he argued that we should not have a different system in Scotland.

Above all—I return to the crucial point—I want to know whether Conservative Members accept the first-past-the-post system and accept that, in Scotland, the vast majority of Members who were elected to represent Scottish constituencies, where this Parliament will be effective, were elected to produce a new and fairer system of election, a system that will ensure that all voices and all spreads of opinion will be fully heard in the Scottish Parliament. I urge the House to reject resoundingly these wrecking amendments, which rip the heart out of the proposal that was put before the people of Scotland in the referendum.

Mr. McLeish: I am pleased to respond on behalf of the Government in relation to the amendments that we have discussed on elections, in particular the regional list.

I shall curtail my comments, as part of the exercise is to allow the Opposition the maximum time to participate; we have a tight schedule according to the business resolution.

The point was made about fairness. That is what this is about. We have had a measured, good-hearted debate. The key issue of fairness should always be uppermost in our consideration. The Government are taking a decision that has no party advantage for us. The Conservatives said that they were fighting on a point of principle, not practicalities, but when the elections loom, the issue of practicalities in Scotland will be important. We have no party advantage to obtain. It is important to say that, because we are pursuing a form of proportional representation to ensure fairness. It is a new Parliament; there should be a new politics. Much of the comment has dismissed that notion, but we owe it to the people of Scotland, and we are embracing change.

Apart from being fair, the system is trying to reach out to all parts of Scotland and to all the parties in Scotland. I urge the Conservatives to consider the beneficial effects of the changes that we are making, because, as I shall show later, those effects are substantial. Within the parameters of 1 May last year, the Conservative party had no representation under the first-past-the-post system, but it will have substantial representation in the new Parliament, even if it does not win a first-past-the-post seat. That is a political advantage for the Conservatives.

I shall deal first with amendments Nos. 47 to 49, 63, 241 and 64 to 66. The Government will create the Scottish Parliament with 129 Members elected by means of a combination of the simple majority system and the additional member system of proportional representation. That will deliver a Parliament that reflects a broad range of political views, in line with the commitment given in the White Paper.

The referendum result was a ringing endorsement, and it is wrong for Conservatives to say that people did not understand what they were voting for. We have had a long discussion about the sovereignty of the people, the foundation of which is to trust the people. It does not befit hon. Members to try to suggest that the people of Scotland made a decision that was flawed in terms of the final outcome.

The Government will ask the Committee to reject the amendments that I have just mentioned. Those tabled by the hon. Member for North-East Hertfordshire (Mr. Heald) and his hon. Friends reflect the Conservatives' dislike of the idea of proportional representation, despite the fact that, according to our projections, the Conservative party could win some 20 seats in the Scottish Parliament, which is a vast improvement on its Scottish representation in this House.

It is worth reminding the Committee that the purpose of the regional Member system in the Bill is to reduce the imbalance in political representation that can arise when one depends solely on the simple majority system at elections. The winner-takes-all aspect of the simple majority system means that a party can secure a significant number of votes but have no seats. As a result, the electorate can feel disfranchised and distanced from Parliament, because they feel that no one reflects their views. That should be a genuine consideration for the Conservatives, some of whom feel that they should be represented in the House. We believe that that should be the case, because some voters in Scotland feel great distance between the House and their activities. The proportional representation system that we suggest will benefit them enormously.

The result on 1 May brought into sharp focus the need for major change to the voting system in Scotland. Any Parliament interested in democracy cannot sustain the fact that 500,000 votes went unrepresented in the House. The electoral arrangements for the Scottish Parliament will ensure a fairer balance of representation than would be achieved by reliance on the simple majority system. While constituency seats will be contested in the traditional manner, regional seats will be allocated on the basis of proportional representation, but with a corrective element. Taken together, those systems should achieve a much fairer distribution of seats.

The system for returning regional Members is complex, but the voting process is relatively straightforward. Each elector will be able to vote for a constituency candidate and cast a separate regional vote for the party or independent candidate he or she favours.

The proposal in amendment No. 41, tabled by my hon. Friend the Member for Falkirk, West (Mr. Canavan), appears to be derived from the single transferable vote system, which is complex to operate in isolation. It would be even more complicated to operate in the system that we propose for returning regional Members. At a time of numerous changes to electoral systems, we need to make life as easy as possible for the electorate, and the amendment would simply complicate matters. I therefore ask my hon. Friend not to press his amendment.

Mr. Canavan: Would my hon. Friend consider the compromise of a rule whereby all party lists were prominently displayed in the polling stations?

Mr. McLeish: I was about to make that very point. It is a valid suggestion, and we are considering how best the names on the lists could be publicised. It is important to make that link, and I am happy to take my hon. Friend's suggestion on board.

Hon. Members on both sides of the Committee have commented on the new system. They will have received the notes on clauses and schedules, which show how the new system would work under clause 7. An example within the North-East Scotland European parliamentary constituency is based on votes cast in the parliamentary constituencies at the 1 May election. It takes no account of independents at this stage. The results on a first-past-the-post system were five Labour Members, two Liberal Democrats, two SNP Members and no Conservatives. Under the system that we recommend, and on the assumption that the vote on 1 May was replicated, the result would be five seats to Labour, which is no change, three to the Liberal Democrats, which is an increase of one, the SNP would increase its seats from two to four, and the Conservatives would have four seats instead of zero.

That shows the impact that such a system can have, although it is not necessarily a selling point for Conservative Members. The details of that practical example show the merits of a fairer system, which would be reflected in other parts of Scotland.

I do not agree with the suggestion that regional Members are second-class because they have not been returned in a constituency election. That is not a valid assumption. The lists will comprise people who want to make a contribution to the Parliament, and will be scrutinised more than any other lists for elections since the war. I believe that the parties will nominate good-quality candidates in the constituencies and on the regional lists if they want to maximise the number of seats that they secure.

Dr. Fox: The Minister said that regional lists would help to make up the democratic deficit. Does he accept that if lists are closed to the electorate and people have no say over who is on them and in what order, the democratic deficit will not be made up? At a time when the Labour party's internal discipline makes the Moonies look like a civil rights movement, it is hardly reassuring to the electorate that they will not have a say. Will the Minister, even at this stage, reconsider offering the electorate greater choice about who will be on the lists?

Mr. McLeish: I shall resist the temptation to deal with the comment about the Labour party, because it ill behoves a party that has no Members of Parliament in Scotland to make such a remark. I shall pick up the hon. Gentleman's serious point about open and closed systems when I deal with the appropriate amendments.

Mr. David Stewart: Reference was made to the Moonies, but in my view the Moonies were more successful in Scotland than the Tories at the election. It was argued that candidates on the list would be second-class citizens. What is my hon. Friend's view about candidates under the first-past-the-post system also standing under the list system?

Mr. McLeish: Mr. Lord, you will be pleased to know that I shall again resist the temptation to respond to the first part of my hon. Friend's intervention. The rules and

[Mr. McLeish]

regulations will allow candidates to be on the first-past-the-post part of the ballot and to stand under the list system, as long as it is in the same region.

I do not think that the second-class citizen problem would arise. Why should we visit on a new Parliament problems that are being created purely because it is a new idea with a new set of politics? It must be a mature Parliament, and we must trust what we are doing. It is not right to say that because it is a new Parliament, it will be second-class, or that any of the electors will be second-class. That does not make sense, and there is no evidence to suggest that that has happened elsewhere.

Mr. Davidson: Does my hon. Friend accept that problems will arise if two Members represent the same geographical area? On a planning dispute, the first-past-the-post Member may legitimately say that he has an interest, and a regional Member may say the same. If they choose to take different positions, there will be chaos. Protocols and arrangements will have to be drawn up to handle such a problem, otherwise there will be chaos.

Mr. McLeish: I do not accept my hon. Friend's central premise. Just because there are two Members, it does not mean that the system will collapse and there will be a crisis. It is realpolitik: people must talk to one another. There is no evidence to suggest that having both a first-past-the-post group of Members of the Scottish Parliament and a group elected under the regional Member system will create a dilemma and cause conflict. We could throw that up as a possibility, but there is no evidence for it, and we should have faith in our aspirations for the Parliament.

Mr. Ancram: Let me ask a genuine question. If a constituent has a housing problem, who should that constituent write to? Should constituents write to the directly elected MSP, or to the regional MSP? Will there be a difference in work load? I think that hon. Members are worried about that.

Mr. McLeish: We are discussing a great constitutional reform. When I became a local councillor 20-odd years ago, we dealt with questions such as that raised by the right hon. Gentleman: "Who will write to me? How shall I deal with the matter? Should I take it straight to the director of education, or should I send the correspondence to the local councillor first?" Some common sense must be applied. I do not think that the right hon. Gentleman's question is relevant. Indeed, it demotes the Parliament to suggest that that will be an aggravating factor in the equation.

9.15 pm

Mr. Swinney: Might not the committee that the Minister is convening consider what the protocols of the Scottish Parliament should be in regard to important issues that obsess the Conservatives—and some Labour Members as well?

Mr. McLeish: The hon. Gentleman stretches my charity, but I am happy to consider anything in relation to the consultative steering group. I do not think that there is a problem, but I can write to the hon. Gentleman—as they say—and, perhaps, clarify those points.

If a party runs mediocre candidates in either category, the electorate will quickly pick up on the fact. A good deal of discussion is currently taking place in Scotland about the quality of candidates, and that will ensure that the Labour party, at least, will scrutinise every candidate on every list. In fact, all the other parties will be doing the same. But why should we worry about quality? We have a unique opportunity to get it right—to attract a wide cross-section of people into the first-past-the-post system and on to the list—and I think that quality will be there anyway.

Once elected, a regional Member will have the same rights and responsibilities as any other Member. How well Members do their job will be important to the success of their party at the next election. The regional Member system also allows independent candidates to stand, and, potentially, to be returned if they can achieve sufficient support across the region. That is a useful advance on the proposals in the White Paper.

Let me return to my North-East Scotland example. If we base the calculation on the results of 1 May, we find that 20,520 votes—the votes of 5.7 per cent. of the electorate—would be needed for the election of an independent candidate. It is a low threshold, but it is a useful illustration. We make no apologies for a system that will not only involve the traditional political parties, but allow the involvement of those who do not want to be recognised as members of political parties.

I understand the reasons behind amendments Nos. 105, 106 and 107. Those who tabled them believe that we should give voters more freedom of choice by allowing them to identify their preferred candidate on a party list. The Government considered that possibility, but concluded that the drawbacks were significant in the circumstances that would apply to the elections. I understand that a similar view was reached in the Scottish Constitutional Commission, which developed the proposals subsequently adopted by the Scottish Constitutional Convention and now contained in the Bill.

Mr. Kirkwood: I do not think that the Minister can get away with merely saying that there are disadvantages. Will he share some of them with us?

Mr. McLeish: I shall do that shortly, because I think it important.

It must be borne in mind that the Scottish parliamentary elections will combine a constituency poll with a regional poll, the results of which will be applied on a corrective basis. Candidates may stand on a party list and in a constituency. If candidates are elected as constituency Members, their names will have to be disregarded in the allocation of regional seats to the party on whose list they stand.

The amendments would introduce more complication and, we think, confusion for voters, some of whom may feel that they are being asked to vote twice for the same candidate. I gave an illustration of that earlier. Let me say in response to my hon. Friend the Member for Falkirk, West that we suggested a way of achieving a better link between those who will be on the lists and appreciation of them by the electorate. We think that it would go some way towards meeting the concerns of hon. Members.

The amendments assume that voters will always prefer individual candidates. However, the question arises, "What if they do not?" In the interest of simplicity and comprehension, a closed-list system, which the Bill provides, is the best way forward at this time. Of course, voters will still have a direct say in electing their constituency Member. The amendments would complicate matters for the electorate and could lead to confusion and, although it is not a major consideration, they could lead to an increased risk of spoiled ballot papers. Hon. Members have mentioned that.

Mr. Kirkwood: I am anxious to bridge the gap, which I do not think is great. The Minister has diminished the risk that we all face, of the charge that this is a party political stitch-up. Of course, there might be difficulties and the Minister has adverted to some, which I shall carefully consider. Will he keep an open mind on the matter? The Bill has to go to the other place and will come back to us. Will he undertake to leave us just a chink of light on the issue of closed versus open lists?

Mr. McLeish: In Committee and elsewhere, I think carefully about these issues. As I said, the closed-list system is in the Bill, and that will continue. In a spirit of fairness and in response to my hon. Friend the Member for Falkirk, West, I undertake to look at the issue of it being said that there is a closed list because the parties devised it. However, we can go some way towards ensuring the involvement of people in regional areas.

I now come to amendment No. 129. The Government's position is that electors who wish to vote for a political party rather than an independent candidate in the election for regional Members should vote for the party and not for the individual candidates on the party lists. The lists and the order in which candidates will be returned will be published well beforehand, and the Bill makes it clear how seats should be allocated among the people on each list.

I was asked about informing the Scottish people about the new system. It is incumbent on the Government to ensure that people understand what is happening so as to minimise confusion. The parties will also want to engage in such an exercise. On the basis of what I have said, the electorate will know who is more or less likely to be returned by their votes. The amendment would leave the allocation of seats entirely to the parties. However, it does not say how or when they should reach a decision on that matter, and that could mean that the electorate had absolutely no idea as to which candidates would be preferred. We do not want that to arise. We want a system in which the candidates are known. The amendment may suit the parties, but it is not at all fair to the electorate, and in the spirit of what I have said, I hope that it will not be pressed.

Amendment Nos. 120, 121, 123 to 126 and 128 would prevent independent candidates from contesting regional seats in the Scottish Parliament. The Government's policy is to allow as wide a range of people as possible to stand for election. We are conscious that many talented people have no direct party political affiliation, and the regional Member system offers them the ideal opportunity of standing and of being elected to the Scottish Parliament. The provisions have been warmly welcomed, particularly in the highlands and islands and in the borders, where there is a long tradition of independents in local government. That might not be good news for the established political parties, but it is a sign of the new politics that we are trying to develop.

The Government think that it is wholly appropriate for the electorate to be given choices beyond those that are presented by the political parties, and the electoral system in the Bill does that. The Government believe in choice and opportunity, and the new Parliament will provide those. I invite the Committee to reject the amendments.

I shall now deal with amendment Nos. 233 and 241. My hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) suggested an alternative approach to the calculation of the number of regional Members in any region. He explained that the aim was to try to achieve greater parity in the ratio of electors to Members in any part of the country. I understand the logic of the amendments, but I cannot accept them. The Government recognise that the Bill will tend to favour rural areas to some degree. That is consistent with the Government's aim that the Parliament should be representative of Scotland as a whole and should not be dominated by any one geographical area. I invite my hon. Friend not to press his amendments.

My hon. Friend the Member for Pollok, in speaking to amendment Nos. 237 and 238, raised the intriguing idea that only people who pay income tax in Scotland should be allowed to stand as regional Members. It will come as no surprise to the Committee to learn that the Government cannot accept those amendments. We want there to be no restrictions, and have tried instead to create an open franchise. The fewer restrictions on those who can stand, the better. The amendments are unnecessary, and I invite my hon. Friend not to press them.

Mr. Dalyell: Are we sure that it is not the Sean Connery enablement clause?

Mr. McLeish: We have continually made the point that we are not putting restrictions in place. The issue was raised in the context of tax, and we are not accepting those amendments. The Bill and the literature show that the Government are trying to have an open approach to the Parliament. That is the best way forward.

Mr. Ancram: Mr. Lord, I think that the Minister was trying to tell the hon. Member for Linlithgow (Mr. Dalyell) that the gentleman to whom he referred will have licence to stand.

Mr. McLeish: That was not bad.

Mr. Ancram: It was not bad for this time of night. I actually think that the hon. Member for Glasgow, Pollok (Mr. Davidson) was stirring rather than shaking.

It was interesting watching the Minister trying to sell that voting system to the Conservative party, because the more he suggested that there was a benefit in it for Conservatives, the less enthusiastic about it his Back-Bench colleagues seemed to become. As a salesman, he was losing some of the sales that he had already managed to achieve, while not managing to persuade those whom he was trying to persuade to buy.

[Mr. Ancram]

The Minister must have heard from Conservative Members—to whom I am very grateful for the way in which they entered the debate—that we feel very strongly on the issue, and that, merely because we might win seats in the short term, we are not for sale on it. We believe that we are trying to achieve the best possible voting system for the Scottish Parliament, and that first past the post will achieve that. We are quite prepared to take our risk—as does every other political party—on the hustings to secure election to the Scottish Parliament on a first-past-the-post basis. I am confident that, when the Scottish Parliament elections come, Conservatives will achieve good representation on that basis in the directly elected seats.

Mr. Dalyell: Does the Conservative party therefore fancy the idea of a Scottish Parliament of perhaps 142, which would enable first past the post to operate?

Mr. Ancram: I am not sure that increasing the size of the Parliament necessarily means that there will be a change in the proportions of those elected. I have not done the psephological study on it, although it is an interesting concept. In this debate, lists containing 56 Members have been mentioned. I am sure that, like me, the Minister is conscious that there will probably be far fewer than 56 Members in the long term because the Bill's provision for a boundary revision is likely to reduce the number of directly elected seats—although, regrettably, after the Parliament has been elected—and because, on the same basis, as the White Paper states, there will be a proportionate change in those elected to regional lists. The point made by the hon. Member for Linlithgow therefore underlines and highlights one of the system's difficulties.

The hon. Member for Falkirk, West (Mr. Canavan) talked about lists on walls. In June 1996, we had that precise problem in the Northern Ireland elections on the negotiations, and—because it was impossible to put the number of names on a ballot paper—we resolved it by having printed lists in the polling booths, thereby enabling those who were voting to see who was on the list. I freely give him that advice, as I think that that is the way round the issue.

Conservative Members and other hon. Members raised important points in the debate, which were regrettably not dealt with specifically by the Minister—but then, we are used to him not necessarily dealing with all the points that have been raised. He might like to take account of two points that I think are important.

The first is the point raised by my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) that the currently proposed system would allow a plethora of parties that did not stand in the direct elections to appear on the party lists, and that that could be used as a way of engineering if not manipulating the results. He gave the example, which I have heard gossiped about in Scotland, that some Labour Members might stand on a Co-operative party ticket on the regional list, because they know that no more seats would be available on the Labour list for direct elections.

Clause 4(8) is very unclear about how political parties will be registered. It states:

"'registered political party' means a political party registered under any enactment providing for the registration of political parties".

That does not inform us very much. I do not know whether there is an Act in place already to which the Minister is referring or whether there will be an Act. Could we please be told what legislation will provide for the registration, and particularly whether there is protection in it against the type of manipulation and abuse about which we have been talking?

Mr. Davidson: The example that the hon. Member for North-East Hertfordshire (Mr. Heald) cited of the Labour party and the Co-operative party is not necessarily a manipulation of the system. Under the existing first-past-the-post system, the two separate parties feel it best to operate together and run joint candidates. Those two parties, each of which has its own members, structure, general secretary and policies, might feel that, given what the hon. and learned Member for Orkney and Shetland said, it is best that they learn new tricks. A new system could mean a new system of running for election. It would be excellent if the Co-operative party ran separate candidates, and I would thank it for reflecting my idea.

9.30 pm

Mr. Ancram: I am grateful to the hon. Gentleman, because he has allowed me to flush out what I thought was a rumour but what now appears to bear more resemblance to reality. It strengthens my request to the Minister to inform the Committee—whether now or by putting a letter in the Library at a later date—about the form of legislation that will register political parties and the protection against abuses from wherever they occur. It would be intrinsically bad for the Scottish Parliament if it were felt that it had been elected by some sleight of hand through the regional list system. It is in all our interests that we have an answer to that question.

Another important question was raised by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood). He asked who, after the Bill passed into law, could decide a future system of election if the current system turned out not to work. Would it be the House, through primary legislation, or the Scottish Parliament? It is important that we have an answer to that. Whatever else has been said in the debate, several very severe doubts have been raised about the system. The system may have to be changed, but at the moment we have no idea how. I shall give way to the Minister if he would like to intervene.

Mr. McLeish: I shall come back to the right hon. Gentleman on that after he has finished making his points.

Mr. Ancram: I am grateful to the Minister, because that is an important point.

We have had a full debate. My hon. Friends have covered comprehensively the reasons why we are against such a system of proportional representation. It shook me somewhat when the hon. Member for Pollok reminded us that we might be faced in the borders, where I still have certain interests, with Mummy Steel, Daddy Steel and Baby Steel. That nightmare does not necessarily bode well for the Scottish Parliament.

Mr. Davidson: The only thing that is more frightening is the right hon. Gentleman's extended family running for election. If we returned to a different voting system, such

as the one to which I referred earlier, in which there is one acre, one vote, his extended family would virtually be able to sweep the whole country.

Mr. Ancram: The hon. Member for East Lothian (Mr. Home Robertson) is in his place, and I am sure that the hon. Member for Pollok will want to discuss that proposition with him.

Mr. Home Robertson: Is there any truth in the rumour that the right hon. Gentleman might again contest his old constituency of East Lothian? He would be very welcome to try.

Mr. Ancram: I was rather hoping that the hon. Member for Pollok was going to tell us that he would be the Goldilocks in the scenario of Daddy, Mummy and Baby Steel. Perhaps that would give us some hope in the borders.

We have dealt with several important issues in relation to the PR system. I do not want to go over ground that has already been covered, but I shall make several points. We believe that the proposed PR system is neither fair nor effective. It will produce a system that will be decided largely by political patronage.

How the ranking on the party lists will be worked out is a matter for conjecture. I could not help thinking that, if some of the Labour Members who have spoken tonight were standing for such a list now, they might have received notes from the Whips telling them that they had just dropped from first to fifth. That ability to exercise influence on political grounds gives me great concern. We want a live Parliament. The proposed system is dangerous, because it could result in a large proportion of the Parliament consisting of party placemen—or party hacks, as one of my hon. Friends called them.

Several hon. Members have said that the whole point about proportional representation is that it produces moderate and balanced government. That is not my experience of PR. The Italians are moving away from PR to first past the post. The French tried PR, saw extremists being elected as a result and moved away from it again. In Ireland, with a Parliament elected completely by PR, in the middle of intense negotiations, the Government changed not because of a change in political opinion or a general election, but because two coalition partners fell out and a new coalition had to be formed. A different Government came in as a result of a falling out behind closed doors.

The Liberal Democrats say that PR secures balanced, moderate government because it brings in more people from the centre. It may have done in Germany, with the 5 per cent. threshold, but other countries with PR systems have had problems. In Israel, for example, the Parliament and the Government have been dominated for generations by minorities—normally extremist minorities.

Mr. Salmond: What process of accountability, democracy or consent from the people was employed when the right hon. Member for Huntingdon (Mr. Major) took over from Lady Thatcher?

Mr. Ancram: I had not realised to whom I was giving way. The hon. Gentleman has not attended the debate from the beginning and has obviously not heard all the points. He should think carefully about what is being proposed.

Mr. William Thompson (West Tyrone) *rose—*

Mr. Ancram: The hon. Gentleman has not been here at all during this debate, so I shall not give way to him.

The Bill proposes a variety of PR that will give enormous power to the parties. It will not necessarily produce the balanced result that those who favour PR want to achieve. Our amendments are designed to remove it from the Bill. We believe that, for all its imperfections, first past the post produces firm, clear government. People can see what they voted for and what they will get.

Before I draw my remarks to a close, I shall give way to the Minister if he wants to reply to me. I shall give my views on what we shall do with our amendments after that.

Mr. McLeish: The right hon. Gentleman said that his party was not for sale. Nobody wants to buy it. Principles and practice often coincide. The possibility of 20 seats may bring about an early rehabilitation.

The right hon. Gentleman made three important points. First, we have no interest in manipulating lists. We want to provide a fair system of voting. We have outlined some of the potential advantages for the Conservatives and for the people of Scotland. Secondly, we shall prepare full proposals on political registration. As soon as they are ready, I shall contact the right hon. Gentleman so that everything is in the open. The proposals will then be put in the House of Commons Library.

Thirdly, questions were asked about any future changes to the system of voting. That is a reserved matter, but we are very relaxed on the basis that there will be discussions within the Scottish Parliament and at Westminster. I have no doubt that, as we move towards changes in Wales and London, possible changes in Northern Ireland and the creation of regional agencies, the constitutional machine will be on the move. There will be much discussion in Westminster and Scotland over the coming years on this important point.

Mr. Ancram: I am grateful to the Minister for the two pieces of information that he has provided, and I look forward to seeing the draft of any order that will enact the legislation that is passed. He has taken seriously my point, and the point made by the hon. Member for Pollok. I thank him for his solicitude about my party. I shall look at him as someone once looked at St. Luke and say, "Physician, heal thyself." These are serious amendments, and we appreciate that these are difficult matters on which there are mixed views. It is right that we should make clear our objections to this system and to PR in general.

Mr. Davidson: The right hon. Gentleman said that his party was not for sale, but there is an important point. We ought to be clear about what his party and others will exact as the price for entering a coalition. Is the Conservative party saying that it will go into the election for the Scottish Parliament stating that it will not go into coalition with another party under any circumstances? Does he agree that other parties ought to make the same commitment?

Mr. Ancram: The hon. Gentleman is living in wonderland if he believes that that is the way in which

[Mr. Ancram]

coalitions work. My experience is that there is a lot of deal-making, smoke-filled rooms and expediency so far as coalitions are concerned. I have had experience of that and if that is what the Government want to create, they are doing a disservice to Scotland for the future.

Having said that, and having had this debate, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 1 ordered to stand part of the Bill.

Schedule 1

CONSTITUENCIES, REGIONS AND REGIONAL MEMBERS

Mr. Davidson: I beg to move amendment No. 240, in page 53, leave out lines 6 to 9 and insert

'the parliamentary constituencies in Scotland'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 205, in page 53, leave out lines 8 and 9 and insert—

'(c) the Western Isles, and

(d) seventy constituencies covering the mainland of Scotland to be determined b the Boundary Commission for Scotland in a way which ensures that the average electorate for constituencies lying wholly or partly within the unitary local authorities of Highland, Aberdeenshire, Moray, Argyll and Bute, City of Aberdeen, City of Dundee, Angus, Perthshire and Kinross, Stirling, Dumfries and Galloway and the Scottish Borders are lower than those lying wholly or partly within other unitary local authorities in Scotland.'.

No. 113, in page 53, line 9, at end insert—

'(1A) The parliamentary constituencies to which paragraph 1(c) applies are those determined by the Parliamentary Constituencies (Scotland) Order 1995, or those Scottish parliamentary constituencies determined following a report of the Boundary Commission for Scotland as determined by paragraph 3 of this Schedule, except a parliamentary constituency including either of those islands referred to in paragraphs 1(a) and 1(b).'.

No. 114, in page 53, leave out lines 15 to 17.

No. 115, in page 53, leave out lines 18 to 37 and insert—*'Redistribution of Scottish Parliamentary constituencies—*

3.—(1) The Boundary Commission for Scotland shall keep under review the representation in the Scottish Parliament and shall submit to the Scottish Executive a report either:—

(a) showing the constituencies into which they recommend that Scotland should be divided in order to give effect to the rules set out in Schedule 2 (subject to paragraph 7 thereof) to the Parliamentary Constituencies Act 1986 (hereinafter referred to as the 1986 Act) in so far as they apply to Scotland, or

(b) stating that, in the opinion of the Commission, no alteration is required to be made in order to give effect to the rules set out in Schedule 2 (subject to paragraph 7 thereof).

(2) Notwithstanding the provisions of section 81 of this Act, the rules in Schedule 2 of the 1986 Act as they apply to Scotland shall have effect in relation to the redistribution of the Parliamentary constituencies in paragraph 1(c).

(3) Subject to sub-paragraph (5), the provisions in sections 3, 5, and 6 of the 1986 Act shall, in so far as they apply to Scotland, have effect in relation to the reports and the workings of the Boundary Commission for Scotland's review of Parliamentary constituencies for the Scottish Parliament.

(4) Subject to sub-paragraph (5), the provisions of section 4 of the 1986 Act shall have effect in relation to the draft of any Order in Council laid before the Scottish Parliament by the Scottish Executive for giving effect, whether with or without modifications, to the recommendations contained in the report of the Boundary Commission for Scotland.

(5) References to the Secretary of State in the 1986 Act shall, for the purposes of this paragraph, be construed as references to the Scottish Executive and references to "Parliament" in the 1986 Act shall be construed as references to the Scottish Parliament.

(6) The Boundary Commission for Scotland shall submit its first report under this paragraph to the Scottish Executive no later than 30th June 2005.

(7) In the report, the Commission shall also recommend any alteration in any of the regions which, in their opinion, is required to be made in order to give effect to the rules in paragraph 7.

(8) If the Commission do not make any such recommendation under sub-paragraph (7), they shall in the report state that, in their opinion no such alteration is required.

(9) A report making a recommendation for an alteration in any region shall state the name by which the Commission recommend that the region should be known.'.

No. 116, in page 53, leave out lines 38 to 43.

No. 117, in page 53, line 46, leave out '3(2)' and insert '3(7)'.

No. 236, in page 54, line 49, leave out '73' and insert '72'.

Mr. Davidson: I shall speak speedily on this matter, as much of the ground has been covered. If this is to be a Parliament for all Scots, and all Scots are to be equal, is it fair that some should be more equal than others? Is it fair that 15,000 Orcadians should have a parliamentary representative in the Scottish Parliament—the same as 66,000 people in Carrick, Cumnock and Doon Valley? Where is the proportionality in that system? There are undoubtedly problems in Orkney caused by remoteness, but we must recognise that those may be met in many ways; perhaps by providing additional staff to the MSP for Orkney. The Scottish Parliament must take account of the special problems faced by people in remote areas, but not necessarily by making additional provision for them at the centre.

I have listened over the years to Liberals calling for fair votes, but at the first whiff of advantage to themselves, they grab it. "A Liberal seat for 15,000 votes? That will do nicely." Their fine words are easily jettisoned for partisan advantage. I understand why this is being done—clearly a deal has been struck to keep the Liberal Democrats on board.

Dr. Peter Brand (Isle of Wight): Does the hon. Gentleman recognise that there are Liberal Democrats in this place who represent as many as 104,000 people—also on an island—who receive no recognition?

Mr. Davidson: That island, unless I am mistaken, is not within Scotland and is therefore not covered by the Bill. That seems to be a not unreasonable point to make.

Clearly, a back-door deal was done—we can expect many such deals under coalition politics—but there was also an attempt to be inclusive, to try to draw in the marginalised and take special account of those in rural areas, which I welcome. My reservation concerns who is the most marginalised and alienated in Scotland today. I am not convinced that it is the people of Orkney.

There are more people on social security in my constituency than in the whole of Orkney. In my constituency, the unemployment rate is more than three times as high as in Orkney and Shetland. There are twice as many car owners in Orkney than in my constituency. There are three times more lone parents in my constituency as in Orkney, all of whom need representation. Twice the percentage of people in my constituency have long-term illness.

9.45 pm

Education, in particular, illustrates the issue of need and representation. In 1995–96, 72 school leavers from secondary schools in my constituency went on to full-time higher education; in Orkney, the figure was 120. From a population that is less than a third of that of my constituency, many more went on to further and higher education. Who, in those circumstances, is most in need of greater representation? In my view, those who are poor are in greater need than those who are much better off.

Another statistic is worth citing. In my constituency, 23 per cent. of school leavers went on to what are described as other known destinations; in Orkney, it was 8 per cent. "Other known destinations" generally means unemployment, which is far higher among young people in my constituency than in Orkney. Why, then, should the constituents of the hon. and learned Member for Orkney and Shetland (Mr. Wallace) require three times the representation? That is not fair, proportionate or reasonable.

In my constituency, 19 per cent. of part-time workers earn less than £2.50 an hour. The equivalent figure for Orkney is less than 3 per cent. Who in those circumstances is most in need of representation at a Scottish Parliament?

There has clearly been an understandable concession to an articulate, well-organised lobby. I fear that there will be concessions and special arrangements in the Scottish Parliament for those who are articulate and able to operate the system as, to their credit, the Orcadians have done in this case. Orkney gets a seat to itself, but what about the socially excluded, on the margins of society? What guarantee is there that they will also be provided for?

That is my reservation about the imbalance in representation. I have no particular antagonism towards the Orcadians, who I am sure are all fine upstanding citizens.

Mr. Wallace: I am moved to reply to that onslaught from the hon. Member for Glasgow, Pollok (Mr. Davidson). It was an interesting speech, and betrayed the central Scotland, old Labour mentality that makes this arrangement necessary to ensure that the islands have proper representation. I do not in any way diminish or disparage the social, employment, education and health problems faced by the hon. Gentleman's constituency, and I very much hope that the creation of a Scottish Parliament will be a more effective way of dealing with them than Westminster has been for many years, but he must recognise that constituencies have traditionally been based on geography.

It would be an interesting concept if we started to arrange constituencies on a different basis—perhaps on the basis of car owners or non-car owners; numbers of people who go on to higher education; relative number of sheep; or some other criterion. It could create some interesting cross-party alliances. Of course, that is not how it is done. To be serious, the reason why Orkney and Shetland secured separate representation was nothing to do with secret deals in secret rooms. Representatives of the island areas in the constitutional convention—not only me as Member of Parliament but members of Orkney islands council, Shetland islands council and the Orkney and Shetland movement—argued the case before the convention.

As the hon. Member for Pollok, who is a member of the convention, knows full well, the convention proceeded only by agreement and consensus. The argument made by representatives of the islands persuaded the convention. The recommendation that there should be separate representation for Orkney and Shetland is contained in the convention document. I cannot recall whether the hon. Member for Pollok was present on 30 November 1995 when we all signed the document, but if he was, he signed it, too.

In the context of the referendum, separate representation was important in persuading my constituents to vote yes. Let it be recalled that, in 1979, they recorded a 72 or 73 per cent. vote against devolution. In the referendum last year, both sets of islands recorded a majority vote in favour of the proposals. Although Orkney and Shetland are linked together for the Westminster parliamentary seat, they are two distinct sets of islands. If Glasgow, Pollok was the southernmost part of my constituency, the most northern part would be Dingwall. That is a substantial area to cover, even though the population is relatively small.

Amendments Nos. 113 to 117 seek to ensure that, once the number of Scottish Members of Parliament in the Palace of Westminster is reduced—something that we recommended and the Government accepted—the number of Members of the Scottish Parliament should remain roughly the same as now—129, rather than 105 or 106. There are a number of reasons for that, not least that the Parliament will operate substantially on a Committee basis, and a certain number of Members is necessary to run Committees.

It was foreseen by the constitutional convention that there might be a reduction in the number of MSPs. The convention was of the opinion that there should be a separate boundary commission to examine Scottish constituencies for the Scottish Parliament, which is what I and my hon. Friends have set out in amendment No. 115. I acknowledge that schedule 1 contains an effort to maintain the ratio of 73:56. Perhaps we have to work out the arithmetic in much more detail. Our concern is that the smaller the number of additional Members, the lower the chance of obtaining good proportionality. Our principal concern is that the degree of proportionality could be lost if the overall number, and the number of top-up Members, were reduced.

I hope that the Government are prepared to retain the proportionality that we thought we had agreed. I hope that the Minister will express a willingness to look at that.

Dr. Fox: The amendment tabled in my name and those of my right hon. and hon. Friends would protect against central belt dominance, which was one of the great themes to emerge during the referendum campaign. Whenever one went outwith the central belt, people had a genuine fear that between Glasgow and Edinburgh the political parties and the cliques that dominated the parties in those areas would have a disproportionate say over what

[Dr. Fox]

happened in the Scottish Parliament and over the Scottish agenda. That is not a figment of the imagination of the Conservative party. Other hon. Members have said that there is a genuine fear that the central belt will be unduly dominant.

The Bill already specifies special treatment for Orkney and Shetland. The Western Isles have the smallest electorate in Scotland. In our amendment, we merely extend the principle that they should have separate representation and that the numbers in directly elected Member constituencies in non-central belt areas should be smaller. Anyone who represents a rural constituency will know that there is a great deal more travelling and logistical difficulty in representing a rural seat than in representing an urban seat.

At the moment, many of the electorates in Glasgow and other west of Scotland seats are smaller than some in the highlands of the north-east. For example, Glasgow, Anniesland has an electorate of 52,955 while Inverness, East, Nairn and Lochaber has one of 65,701. Given the huge geographical area that needs to be covered in the latter, it seems only sensible that the electorates in the rural seats should be cut and those in the urban seats increased so that there is some sort of matching between the two.

Mr. Hayes: My hon. Friend is developing an interesting theme. Will he concede that much of the debate in Scotland has not been about isolation from this place and the supremacy of this Parliament, but about the separation of the people and power? It does not matter whether that power is vested in this Parliament or in the central belt. People in rural Scotland would feel just as remote in the exercise of political power if it was dominated by the central belt of Scotland.

Dr. Fox: There is a genuine worry about the exercise of power in the central belt. One of the worries that we dealt with in the previous set of amendments concerned the closed list, which the Minister mentioned in his reply, although, given some of the assurances, I am still not yet convinced that that particular threat has been removed.

However, it is important that the rural-urban split is dealt with early on, because it is extremely important to give confidence to areas outwith the central belt at the outset of the political process. We are seeing in general in the House a growing rural-urban split in our politics. It would be extremely unfortunate if that particular brand of politics, which seems to be seeping into the House and which was well displayed yesterday, was to poison the Scottish Parliament at the outset. Some of the arguments made earlier on that were important.

As the link between Westminster and the Scottish parliamentary seats is broken down under the system proposed by the Liberal Democrats, there would be a reduction in Scottish representation at Westminster, but what would then happen in the Scottish Parliament. Do they propose that even though Scottish representation in this House might fall, as the Government envisage, the number of seats in the Scottish Parliament would remain the same?

Mr. Wallace: That is precisely what would happen, because the rule that there must be no fewer than 71 seats in Scotland would continue to apply when the Boundary Commission addressed the question of seats in the Scottish Parliament.

Dr. Fox: The problem is that the electorate may see that as simply jobs for the boys. When Scotland's representation was being cut at Westminster, why should Scottish taxpayers continue to pay for the same number of people in the Scottish Parliament? If there were less for Scottish Members to do in this House, why should they continue to pay for a vast new bureaucratic army to sit in the Scottish Parliament in Edinburgh? We could not support the amendment because of that. I understand what the hon. and learned Gentleman is seeking to do in terms of proportionality, but I cannot accept the amendment, because there would be a disproportionate cost later.

I am sorry that the Minister is being pushed on this, but I look forward to his answer. I hope that he will take extremely seriously the point that Liberal Democrat Members and I have made concerning the problems of rural seats and the disparities between the electorates. That problem was mentioned time and again during the referendum and the Government said that they would try to put it right as best they could. I look forward to hearing what the Minister has to say.

Mr. McLeish: I shall try briefly to deal with amendments Nos. 113 to 117. The Government are committed to the maintenance of the United Kingdom. We believe that the integrity of the Union will be strengthened by having common constituencies for the Scottish and United Kingdom Parliaments, with the exception of Orkney and Shetland where separate representation in the Scottish Parliament will be guaranteed. The Bill provides that.

I know that the hon. and learned Member for Orkney and Shetland (Mr. Wallace) has given considerable thought to the amendments and there are arguments on both sides, but we believe that the Bill strikes the right balance. I am mindful that he might not wish to press the amendments to a vote this evening; if that is the case, we shall have a chance to look further at the arguments involved.

I have listened with care to the arguments advanced by my hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) in respect of amendments Nos. 233 and 240, but I cannot accept the amendments. The Government gave a commitment in the White Paper that there should be separate constituency Members for the Orkney islands and the Shetland islands and that the present UK Parliament constituency would be split for that purpose. The Government believe that such representation is important to ensure that the interests of the northern isles are properly reflected in the deliberations of the Scottish Parliament.

That embraces the points made by the hon. Member for Woodspring (Dr. Fox) that rural areas must be properly represented. That is the purpose of the Bill, and we can deliver on those options.

Mr. Davidson: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Motion made, and Question put, That this schedule be the First schedule to the Bill:—

The Committee divided: Ayes 341, Noes 73.

Division No. 143] **[10 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Church, Ms Judith
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Flint, Caroline
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McLeish, Henry
Maclennan, Rt Hon Robert
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Sir Robert *(W Ab'd'ns)*

Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Jon Owen Jones.

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, Rt Hon Michael
Arbuthnot, James
Beggs, Roy
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Cash, William
Chope, Christopher
Clark, Rt Hon Alan *(Kensington)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Evans, Nigel
Fallon, Michael
Flight, Howard
Fox, Dr Liam
Gale, Roger
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hawkins, Nick
Hayes, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Norman, Archie
Ottaway, Richard
Paice, James
Paterson, Owen
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Shephard, Rt Hon Mrs Gillian
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Taylor, Sir Teddy
Thompson, William
Tredinnick, David
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Oliver Heald and
Mr. Nigel Waterson.

Question accordingly agreed to.

Schedule 1 agreed to.

It being after Ten o'clock, THE CHAIRMAN *proceeded, pursuant to the Order [13 January] and the Resolution this day, to put forthwith the Questions to be decided at that hour.*

Clause 2

ORDINARY GENERAL ELECTIONS

Amendments made: No. 212, in page 2, line 2, after 'The', insert 'day on which the'.

No. 213, in page 2, line 3, leave out 'on a day' and insert

'and the day, time and place for the meeting of the Parliament following that poll shall be'.

No. 214, in page 2, line 22, leave out paragraph (c) and insert—

'(c) require the Parliament to meet within the period of seven days beginning immediately after the day of the poll'.—*[Mr. McLeish.]*

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3

EXTRAORDINARY GENERAL ELECTIONS

Amendment made: No. 215, in page 2, line 42, leave out paragraph (c) and insert—

'(c) require the Parliament to meet within the period of seven days beginning immediately after the day of the poll'.—*[Mr. McFall.]*

Clause 3, as amended, ordered to stand part of the Bill.

Clauses 4 to 13 ordered to stand part of the Bill.

Clause 14

DISQUALIFICATION FROM MEMBERSHIP OF THE PARLIAMENT

Amendments made: No. 216, in page 7, line 16, after 'made', insert 'by Her Majesty'.

No. 217, in page 7, line 18, after 'made', insert 'by Her Majesty'.—*[Mr. McFall.]*

Clause 14, as amended, ordered to stand part of the Bill.

Clauses 15 to 17 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. McFall.]*

Committee report progress; to sit again tomorrow.

Channel Tunnel Rail Link

10.15 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Madam Speaker, I beg leave of the House to make a statement about the channel tunnel rail link.

In March 1996, the development agreement to build the channel tunnel rail link was awarded to London and Continental Railways, known as LCR. LCR also took control of the European passenger services railway company, Eurostar UK, operating services from London Waterloo to Paris and Brussels.

The agreement provided for a taxpayer contribution worth £1.8 billion, due to be paid after 68 per cent. of the scheme by value had been built. LCR planned to raise the project finance through a flotation and major debt-raising exercise, towards the end of 1997.

LCR has recently explained that it has reassessed projections for Eurostar passenger traffic, and has concluded that its original forecasts were far too optimistic. As a result, LCR has now informed me that it would not be able to attract project finance from the debt and equity markets, as planned.

LCR said that it needed a further contribution worth £1.2 billion from the taxpayer over the next 10 years. That was in addition to the £1.8 billion already committed, making a total of £3 billion of taxpayers' money. I have told the board tonight that that was not acceptable.

I regret to tell the House that, at 8 o'clock tonight, the board informed me of its decision to issue me with a formal notice under clause 7.7 of the agreement, to confirm that it cannot fulfil its obligations under the agreement.

The agreement now provides for a 30-day period, during which there will be urgent discussions to reassess the situation and explore any revised proposals for completing the current agreement on the agreed route. I have assured the board that my Department stands ready to discuss, at the earliest opportunity, any revised proposals that it may have to complete the agreement. At the same time, preparations will be made for an orderly handover of the business to the public sector. [HON. MEMBERS: "Hear, hear."]

I should like to assure the House, the public, passengers and employees of Eurostar, that, whatever happens in the next month, the excellent international train services provided by Eurostar will continue to operate as normal, as we are obliged to ensure by various agreements. Whether on the platform, on the trains or in the booking halls, it will be Eurostar business as usual.

I thank the House for allowing me to make this brief statement. I will certainly report back to the House as soon as possible on any further developments.

Sir Norman Fowler (Sutton Coldfield): This was a project that had all-party support. Therefore, does the Secretary of State agree that the aim in the next 30 days must now be for everyone concerned to explore all the options to allow the project to go ahead? If it were to fail, would it not represent a great blow not only to the rail link as a transport project but to the development plans in Stratford and east London? The aim must be to see what other options can be developed. With that in mind, I ask four short questions of the Secretary of State.

First, the Secretary of State referred to a possible handover of the business to the public sector. Will he confirm that he has absolutely no intention whatever of making it a publicly financed project, and that it will go ahead with the help of only private investment?

Secondly, the Secretary of State referred to the reassessed projections for Eurostar passenger traffic. How much of it was due to the effect of the channel tunnel fire? The effect could be temporary. How much was more permanent?

Thirdly, London and Continental had been seeking to conclude a sale and leaseback arrangement for 11 Eurostar trains. What obstacles stood in the way of that arrangement? Will the Secretary of State confirm that, when looking at the options, he will look at all the alternatives, including, in particular, the contribution that Railtrack could make, and that he will have talks with it?

Lastly, is the Secretary of State aware that, whatever political differences there may be between us on this issue, every hon. Member in the House wants the rail link to succeed, and that that should be the aim of policy over the next month?

Mr. Prescott: It is the view of the House that we want to be connected to Europe by a fast, modern railway system. We will spend an awful lot of time trying to secure an integrated railway system. That view is shared on both sides of the House. I am asked to confirm whether I am prepared to provide £3 billion of taxpayers' money for a project that was estimated to cost the taxpayer £1.8 billion. Whether it is public or private, that is the reality.

Arguments about leasebacks may have had more to do with LCR getting sufficient finances to get to stage one before it began to raise the money on the markets. Since it does not have sufficient resources to complete the deal, I have to accept giving back the company to the public sector.

There are 30 days in which, under the development agreement, discussions can take place. I have told the company tonight that I am quite prepared to consider any further proposals it has, if it can complete the contract that it signed with the previous Administration.

The great problem with the deal, of course, is that, at the time—as the right hon. Member for Sutton Coldfield (Sir N. Fowler) may know, there may well have been an agreement for a channel tunnel rail link; the difference was in the judgment made by the competing companies about passenger traffic—LCR estimated that, at this stage, there would be 9 million passengers. Other bidders said that the figure could be as low as 6 million. It was, in fact, 6 million.

LCR made a wrong judgment about passenger numbers. That is why the deal is in real difficulty. It is not the intention of the Government—I do not know whether it would have been the Opposition's intention—to provide the £3 billion that LCR is asking for. If it can complete the contract, I will, of course, discuss with it public-private contracts, whatever.

What is absolutely clear—*[Interruption.]* In regard to Railtrack, it is not Railtrack that owns the company at the moment. If LCR wants to make an arrangement with other companies about future changes to the deal, I will be prepared to consider it, but as the guardian of the

[Mr. Prescott]

taxpayers' interest in this matter, I have to say to that company, or, indeed, to any new company, that £3 billion is too much to pay for the link at this time.

Mr. Matthew Taylor (Truro and St. Austell): Does the Deputy Prime Minister accept that we have some sympathy for him in having to deal with an agreement botched by the previous Government? If the company must go back into—I am sorry, I mean go into—public ownership, does that mean that investment in the high-speed rail link will fall, or will the Government take on that investment and, if so, at what cost?

Have the Government had any contact with Eurotunnel itself, the financial position of which has not been steady, and which may be put at risk by tonight's announcement? Does the Deputy Prime Minister accept that putting the liabilities that result from this into the public sector should be a last resort, not a first resort?

Mr. Prescott: There is a large, complex agreement on the Channel tunnel rail link, involving property and all sorts of matters that made up the grants given to the company by the Government. I was informed of this decision by the directors at 8 o'clock tonight, and my first job was to inform the House as quickly as possible, which is what I have done. Many of the questions they asked I have asked myself, and I have agreed to further talks on the matter.

The hon. Gentleman thought that he was making a mistake by saying that the company would be going back to the public sector. It started off in the public sector, went to the private sector, and is now possibly returning to the public sector.

Mr. Dennis Skinner (Bolsover): It is almost like going back 20-odd years. In the early 1970s, a similar statement was made when Rolls-Royce had to be rescued by Parliament. We sat through the night and took it back to the public sector because the then Tory Administration had cocked things up good and proper.

Labour Members will do all we possibly can to ensure that this first taste of nationalisation continues. There may be other occasions when we shall have to take similar measures. Some eight months have elapsed since we won a historic victory on 1 May; I did not think that we would be doing this in the first year, but thank God we have started.

Mr. Prescott *rose—*

Hon. Members: Answer!

Mr. Prescott: I will try.

I thank my hon. Friend for his helpful contribution. I think that I know his mind on this matter. He is right to point out the history concerning Rolls-Royce. Let me reassure the House that I have been an advocate of public-private partnerships in respect of transport financing. Indeed, I think that the concept of publicly owned, publicly accountable is compatible with public-private financing, and I reassure my hon. Friend that there is a lot of sense in raising private capital, so long as it is in the form of accountability and public ownership. I may have an opportunity, when the underground case arises, to justify my point.

In this case, under the development agreement, if the company comes forward with an alternative during the next 30 days, it can carry out the contract agreed with the Government, in whatever changed form. Provided that it does not cost taxpayers any more money as has been suggested, I am still bound to consider that as part of the contract agreement. That judgment will be made in the next 30 days; I stand ready to talk to anybody involved to see whether the contact can be agreed.

Mr. Peter Brooke (Cities of London and Westminster): Does the Deputy Prime Minister agree with the observation of Field Marshall Lord Slim in world war 2 that no news is ever as good or as bad as it first appears?

Mr. Prescott: No.

Ms Margaret Hodge (Barking): Does the Deputy Prime Minister understand the anger and despair that will be felt by thousands of my constituents whose homes have been blighted for many years by the proposed channel tunnel rail link? They now face further blight as a result of the mess that we inherited owing to the previous Government's failure to produce a proper scheme. Does he realise that, when the legislation came before the Standing Committee, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) and I argued strongly that the financing of this proposal was always unrealistic? The chickens have come home to roost far sooner than I would have dreamed.

Will the Deputy Prime Minister make a statement on the delay that this crisis could cause to the construction of the channel tunnel rail link? Will he please examine again the compensation scheme for those who are affected by the blight, who are locked into home ownership and have lost their freedom to move at different times in their lives?

Mr. Prescott: My hon. Friend makes some sound points. I cannot answer her questions now, but I hope that I shall be able to give the House a further statement when we have had discussions about the success or failure of LCR under this agreement. I hope that I shall be able to satisfy my hon. Friend on the issues that she raised.

Mr. Tom King (Bridgwater): Is the Deputy Prime Minister aware that his demeanour at the Dispatch Box is much more appropriate to the gravity of his announcement than the jollity of those on the Benches behind him? The announcement is very serious, and is extremely bad news for east London. It holds out the prospect that we will not get a channel tunnel rail link. We will continue with the existing rail communications to the channel tunnel, whereas the French have a high-speed rail link—*[Interruption.]*

The rail link may have to be nationalised, and the public sector may have to put up £3 billion, but the right hon. Gentleman's objective must surely be to ensure that it is built. I assume from his statement that he wants to minimise the cost to the public Exchequer, and to involve private finance.

Mr. Prescott: The right hon. Gentleman should realise that the £3 billion is the public sector's contribution to a

project costing £6 billion or £7 billion. Public and private resources are already involved. A doubling of the taxpayer's contribution is not acceptable. I shall wait to hear from the companies.

I am sure that the right hon. Gentleman did not intend to mislead the House, but we should remind ourselves that there is an existing channel tunnel link. Many people will be thinking about their holidays. I can assure them that, whether they use the shuttle or the existing link, they can still make their travel arrangements, because those services will continue.

I have long advocated public-private partnerships to raise tremendous resources for investment in the transport sector. Since I have been in this job, one of the difficulties has been renegotiating the terms of the channel tunnel and the channel tunnel rail link, largely because Mrs. Thatcher, when she was Prime Minister, decided that they had to be privatised projects.

Mr. Mike Gapes (Ilford, South): Does the Deputy Prime Minister accept that there will be great concern in east London about the implications of this collapse? We are pleased that the Government intend to act with determination to ensure that the project goes ahead and is completed on time, because it will regenerate the economy of east London. Will the Government guarantee that the project will go ahead for the benefit of east London and the whole country?

Mr. Prescott: I deliberately made a short statement, to give the House the essential information. There were many questions that I thought hon. Members would want to ask—and, indeed, some of those questions have been asked—but I cannot give an adequate answer at this stage. There are many questions that I must ask the company during the discussions that will take place in the next 30 days. After that, I shall be able to give a more appropriate and comprehensive reply.

I am afraid that I cannot answer all the questions that are evidently in all hon. Members' minds, without engaging in a full discussion with the company. As I am sure the House will appreciate, difficult negotiations went on all day—until 8 pm. That was quite traumatic for the company as well. I must wait to hear the result of other reflections before I can give a proper and comprehensive reply to the House.

Mr. Alex Salmond (Banff and Buchan): Will the Deputy Prime Minister confirm that the public contribution to the project went far beyond the £1.4 billion cash contribution? There is the Waterloo international terminal, the freedom from Eurostar debt, and all the railway land that has been given to the consortium. Can the right hon. Gentleman tell us that all those public assets will be returned if no deal is done, free and unencumbered? He has said that a £3 billion cash contribution is unacceptable; will he assure us that he will not negotiate well beyond £1.4 billion?

Mr. Prescott: I do not think that the company doubted that I was in no mood for negotiation beyond the contract agreement. The £1.8 billion that is in the present development agreement was made up of land, grants and all manner of things. The company is now asking for £1.2 billion in cash, and it wants that to be advanced earlier than the profile suggested. As the total amount increased, so the risk for the public sector increased. I did not consider that acceptable, which is why I refused to accept the deal.

Dr. Howard Stoate (Dartford): Does my right hon. Friend share the anxiety that will be felt by my constituents, particularly about the future of the Ebbsfleet station and about the number of jobs and businesses and the future economic prosperity that ride on the project?

Mr. Prescott: That is another of the questions that I want to discuss with the company. If it could find some means by which it could fulfil its contracts, my hon. Friend's constituents' fears would be groundless, because the project would be implemented. At this stage, I cannot see where the money will come from, but I am prepared to discuss that. Until I hear from the company, I do not think that I can say anything more to the House.

Miss Ann Widdecombe (Maidstone and The Weald): Does the Deputy Prime Minister agree that thousands of people in Kent will have been deeply offended by the manifest glee with which Labour Members greeted his statement? Does he agree that that reaction was wholly inappropriate? Furthermore, does he agree that the cheers at the mere mention of nationalisation and public ownership—almost like the reaction of Pavlov's dogs—brings into disrepute any claims that the Labour party may have to be approaching the issue seriously? [HON. MEMBERS: "Apologise."] The right hon. Gentleman should indeed apologise, and I hope that he will do so at the Dispatch Box.

Thousands of people in Kent, including some of my constituents and those of my hon. Friends—who I hope will catch your eye, Madam Speaker—have been affected by blight, and have been made anxious. [HON. MEMBERS: "It was your Government!"] Labour Members regard that as a laughing matter. Let the right hon. Gentleman stand up and apologise for his hon. Friends.

Mr. Prescott: I do not think that the right hon. Lady's contribution will assist proper consideration of this serious matter. Over a long period—much of it during the time when the right hon. Lady's party was in government—the problems and concerns of the people of Kent were met by sheer incompetence. The route of the rail link was changed four or five times, and talk of privatisation added to the uncertainty.

Mr. George Galloway (Glasgow, Kelvin): Does my right hon. Friend agree that the best course for Opposition Members would be to apologise humbly to the House for the disaster that they have visited on the country? Would that not be the proper demeanour for them to adopt? There are those who brayed "Private sector good, public sector bad"—especially when the public sector was investing billions of the taxpayer's pounds in what was to be a private profit-making venture. Was this not a piece of Thatcherite madness from the beginning? Should not we have followed the French example of public investment and public ownership which has given them a successful rail network on their half of the channel tunnel project?

Mr. Prescott: I understand what my hon. Friend says. The difficulty is that one cannot turn the clock back.

[Mr. Prescott]

We should treat this matter with all seriousness, because the House is committed to desiring and maintaining a modern, fast railway connection to Europe. The Government intend to seek to achieve that, and at the moment we are discussing the failure, for the reasons that I have given, of a particular project. I look forward to modern, fast communications to Europe. I do not want to be outside Europe without such connections, and, while I have some responsibility for the environment and transport, I shall seek to achieve our aim.

Mr. Andrew Rowe (Faversham and Mid-Kent): Before Labour Members get too excited about the benefits of public ownership, it might be worth reminding them that this project had its roots in a British Rail proposal on estimates that have proved to be lamentably wrong. British Rail bought at the height of the market a huge number of properties much too early at a cost that decimated the prospects of the property market in my area. It created blight by designating four possible lines.

What is more, not only British Rail but, I have to say, my own Government, flatly refused to contemplate a freight-carrying capacity on which the future of the line depends. We now have a failed passenger project, which is exactly what my constituents forecast. They now want certainty. I congratulate the Secretary of State on coming to the House to give an early statement. Will he promise that my constituents can expect certainty rather than doubt, and freight-carrying capacity rather than mere passenger capacity for which there is no demand?

Mr. Prescott: The hon. Gentleman has a long history of debating all these issues on the channel tunnel rail link, and he has often been right in his judgments over other judgments. British Rail may have made an estimate of the passenger numbers, but when the deal was done and signed, private companies got together and estimated what they thought the passenger flow was likely to be. This company judged that it would be 9 million passengers. It was 6 million, and another bidder estimated 6 million.

There was much controversy at the time about whether those passengers could be gained. The hon. Gentleman may have commented on that. It was not a British Rail but a private sector assessment. I do not relish whether it was private or public. We must not just make the ideological point that it was British Rail and argue public-private. Why cannot they work together to achieve the objectives that we want? I intend to follow that course.

I shall give another fact to the hon. Member for Faversham and Mid–Kent which is not clearly known. When the channel tunnel agreement was signed, it was to be all private capital. The guarantee on which most of the loans were based was that public sector rail, both in France and in Britain, would have to pay for more capacity in the tunnel than it could use. That has contributed to some of the financial difficulties not only of the passenger link but also of the rail freight link. That is why we have had to do a deal on the rail freight side, too. It is nonsense to talk about it purely being private money. As usual, it was underpinned by a great many public guarantees.

Mr. Derek Foster (Bishop Auckland): Does my right hon. Friend agree that not only Londoners and the people of Kent are angry, but that the whole nation feels let down? Many people in the north of England looked forward to benefiting from the rail link. We have wasted a decade because of the totally ideological view that the link could be accomplished entirely by the private sector. We now face the fact that the French have been benefiting from the link for years. Their investment came almost entirely from the public sector. Our public sector is now being required to pick up the bill and tidy up the pieces.

I am delighted that my right hon. Friend has come to the House to make his statement. The House is totally behind him in finding a solution to the problem. However, will he please ignore the disorganised hypocrisy of Conservative Members? They are the ones who should apologise, not only to the House but to the nation.

Mr. Prescott: I thank my hon. Friend for his question. He has reminded me of the channel tunnel debates, during which many hon. Members were told that the channel tunnel link would have northern route services. As one of the first casualties of the agreement to face the realities, those services—like sleeper services—were cancelled, causing great resentment. Ultimately, we will have to find some way of making the link work—although, as I said, not at any price. I wait to hear the company's proposals in the next 30 days.

Mr. Damian Green (Ashford): The Deputy Prime Minister will be aware that my constituents in Ashford have probably suffered as much blight over as long a period as anyone, and that—not universally, but by and large—they were prepared to put up with that blight and to welcome the prospect of the benefits that a decent high-speed link through the tunnel, through Ashford to London and beyond, would accrue not only to Ashford but to the nation. One of the matters that my constituents will be most concerned about is how long the uncertainty caused by today's announcement will last.

I ask the Deputy Prime Minister for two specific assurances. The first is that, after the 30-day period in which negotiations will continue with LCR, he will try to move as swiftly as possible to one of two options: that the line goes ahead, with either LCR or another operator; or that it is scrapped as soon as possible and replaced by a scheme to upgrade existing lines through Kent—as, over the years, many rail engineers have argued would be a practical alternative. The second assurance is that, in no circumstances, will he or anyone else attempt to reopen the route by trying to draw new lines across the maps of Kent, as that would cause blight for many thousands of people.

Mr. Prescott: No hon. Member who remembers our debates over the years and the very real blight problems in the south-east would want to reopen discussions on the link; we are discussing the link and the route that are associated with the contract. I cannot give full answers to the hon. Gentleman's questions, except to say that it is sensible to start thinking of how we might relieve rail congestion. In planning the link, about 80 per cent. of services and income were based on improved Network SouthEast trains. In achieving a modern transport system, we have a great desire for those improvements to be made. However, I cannot comment on those judgments until I have had further talks with the company.

As for the suggestion that another operator might take over running the company, an awful lot of public money would be required. For the next few years, until the income stream provides a return, Eurostar's projected losses would require a subsidy of about £1 billion. That is a lot of money, and I have not seen any private-sector interests queueing to provide it.

Mr. Harry Cohen (Leyton and Wanstead): Does my right hon. Friend agree that the shambles derives from the previous Government's poor decisions, and that it has serious implications for east London, including Stratford and its surrounding areas? Will he give a promise to ameliorate the ill effects that that shambles will have on Stratford and those areas?

Mr. Prescott: It is quite improper to comment until I hear from the company whether it has a further proposal to extend the contract. That is what I have told the House, and I cannot say more than that.

Sir John Stanley: Will the right hon. Gentleman give a clearer assurance than he has just given to my hon. Friend the Member for Ashford (Mr. Green), and an absolutely clear statement to the House, that, if the channel tunnel rail link is built, the Government's policy is that it will be built on the line as agreed in legislation passed by the House, and on no other route?

Mr. Prescott: I have made it clear twice; I shall try a third time. The contract is wedded very much to the route. There is no intention or desire to move away from that route. I thought earlier about whether I could give a later statement, but I took the view that I should make a statement to the House as soon as possible. The financial implications require me to do so. I have not given many answers to the House. I would like to give a fuller statement. That will be made as soon as I know whether the project has failed, and whether the company is no longer able to find an alternative way of building the link as required under the development agreement.

Dr. John Marek (Wrexham): I congratulate my right hon. Friend, and wish him well in his negotiations. Does he intend to make an integral part of any new arrangements fast trains, using the rail link, going through London to the midlands and the north?

Mr. Prescott: It has always been the desire of my hon. Friend and many of us to see those fast links go further than London. That should be the intention of any modern transport system. Again, I must ask that I am allowed to wait and see what I have got—whether the company can do a further deal. It has asked me to stand by for further negotiation. I intend to do that. It has notified me that, within 30 days, the keys must be passed to me as the person responsible for the railway system. Until the company makes the statement and I have completed those discussions, I cannot add anything further.

Mr. Roger Gale (North Thanet): I am sure that all Kent Members of Parliament appreciate the fact that the right hon. Gentleman has come to the Dispatch Box as fast as he has to deliver the message—however unpalatable it may be. I am personally grateful to him for that. He will be aware that those of us in east Kent who represent channel ports and constituencies with channel port interests have been very concerned at the full effect of the channel tunnel on channel ports. He is much better placed than most to appreciate the threat faced by the cross-channel ferries from the ludicrous imposition of some new registration schemes for passengers and the loss of duty free trade. I know that he appreciates the value of cross-channel ferries to the prosperity of the nation. Will he assure the House that the ferries are not about to face back-door unfair competition as a result of a huge subsidy to bail out the project?

Mr. Prescott: That is a little wide of the statement. I am pleased that my Government decided to agree with the shipping companies on a regulated arrangement, so that there could be more stability on channel services and the public interest rather than the interests of competition was met. Matters relating to the channel tunnel are much better, because we rejected the previous Administration's view to leave it all to competition, which was causing great uncertainty. With the agreement of the Monopolies and Mergers Commission, we have agreed a better system, which brings stability and requires the public interest to be better met.

Mr. Hugh Bayley (City of York): Does my right hon. Friend agree that, when the dust has settled, an independent observer would contrast the ability of the French and German Governments to build through public-private partnerships fast rail links, with the inability of the Conservative party—through dogma—to deliver links in this country?

The £1.8 billion already committed by the Government, and any additional monies that may be committed, will be contributed by taxpayers from every part of Great Britain. Those taxpayers, including the majority who live north of London, will be expecting this public investment to show a return for them in the regions north the London. Simply to complete a service to London, although that is necessary, will not be good enough.

Mr. Prescott: Whatever the inadequacies of the present development agreement, under which £1.8 billion is provided, that £1.8 billion will not be increased. We are not considering whether we should increase the subsidy beyond what is in the agreement. We may have to look at that if we find that there has been a total failure, or the company says that it can no longer provide a successful project. That is all I can say, and that is all I am reporting to the House.

Mr. Crispin Blunt (Reigate): Does the right hon. Gentleman accept that Conservative Members wish him luck over the next 30 days in trying to negotiate a new deal, in the initial circumstances, with London and Continental Railways? Such circumstances—perhaps—occurred because the previous Government defended the taxpayers' interest too rigorously for the consortium.

I suspect that there is a difference of opinion between the Secretary of State and the Treasury, which I suspect is putting pressure on him, on the merits of putting £1.2 billion or some sum between £1.8 billion and £3 billion into the project. Will he assure the House that

[Mr. Crispin Blunt]

the Treasury will not play unnecessarily hard ball, and that we will not end up with a poorer project that costs a great deal more than £3 billion?

Mr. Prescott: The agreement, which involves a commitment of £1.8 billion, was agreed by the Treasury of the previous Administration. The hon. Gentleman should not think that I am going to negotiate, or that there is any difference on the issue between the Treasury and me. We have said that we are not prepared to find £1.2 billion on top of the £1.8 billion that the previous Government negotiated, which we honour in the contract. That is not acceptable. I hope that the companies take that into account when they come back with their next deal.

Ms Oona King (Bethnal Green and Bow): Does my right hon. Friend agree that, if we are to have a fast, reliable and efficient service, it must not be driven purely by ideological dogma? However unpalatable the fact, we must accept that, in this instance, the private sector has not delivered, and, in France, the public sector has. I worked at the European Parliament in Brussels for five years, and I had to put up with howls of derision and laughter from French, German, Spanish and Italian colleagues who travelled through the tunnel. When the train arrived in this country, it invariably broke down. I wish my right hon. Friend the best of luck, and thank him for bringing the issue to the House so quickly.

Mr. Prescott: The House will agree that we would prefer our trains to go at the same speed as they are travelling when they enter the tunnel from the French side. We intend to give the British people as good a transport system as the French have.

Mr. Alan Clark (Kensington and Chelsea): Does the Deputy Prime Minister agree that LCR got the contract by grossly over-estimating the traffic by 50 per cent.? Will he assure the House that taking the project into the public sector is not a euphemism for finding the £8 billion that he admits will be the total cost? The trains are running perfectly well at the moment. The extra money is needed to build a monstrous and vandalistic stretch of rail and concrete across Kent. Why does he not drop the whole project, and let matters stay as they are?

Mr. Prescott: I cannot drop the whole project, because the Government of which the right hon. Gentleman was a member committed me to a contract, which I am honouring. If the company comes up with a deal and says that it can build the line and operate it for the price in the development agreement, I am bound to accept it. As for taking over Eurostar, it is not making a profit, and is not envisaged to do so for some years. It will still be costly, whether to the private sector or the public sector. LCR made the wrong calculation that the right hon. Gentleman mentioned, putting a huge hole in its finances. That is why the contract is unlikely to be met.

Mr. Jeremy Corbyn (Islington, North): I thank my right hon. Friend for his statement, preparing us to ensure that the public sector runs the project if all else fails. He will be aware that, in east London and in my borough, there has been enormous concern about the environmental damage that the original plans and route would have done. I understand what he has said about maintaining the existing route. Will he assure the people of the urban areas of London and the rural areas of Kent that there will be no cuts in the environmental improvements agreed during the planning, and that the tunnelling arrangements will not be ended? All the campaigning, deputations and demonstrations must be borne in mind, and there must be no change to the planned route, which is part of the Act.

Mr. Prescott: The route is already contracted for in the agreement, including the arrangements for which parts of the line go in tunnels and which parts go overland, as well as the environmental protection arrangements. We shall have to wait and see what proposals the company comes up with in the next 30 days. Until we hear that, I cannot make any further comment.

Mr. Ian Bruce (South Dorset): Is not the reality of the announcement this evening that the channel tunnel rail link has never been an economic viability? The last Government wanted it done totally by private sector finance, but were eventually persuaded to part with £1.8 billion of public funds because the customers were not willing to pay to speed up the journey by ten or twenty minutes.

Is not the prospect of spending £3 billion of public money—or even spending £8 billion to take over the whole project, as my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) mentioned—nonsense? Whatever his gut feel for rail may be, I say to the right hon. Gentleman that we should not be spending this amount of the United Kingdom's resources—private or public—on something that will always be a white elephant.

Mr. Prescott: Before it becomes history that the cost of the project is £8 billion, I should point out that a lot of factors make up that figure, including servicing the debt. Whether the figure is £7 billion or £8 billion does not matter at present—what is relevant is that a contract is before us which I am quite prepared to honour. The company has said that it cannot honour it, and it has 30 days to consider that matter.

The hon. Gentleman may lead the House to believe that the numbers of passengers using the service are not increasing. In the last few years, the passenger figure doubled from 3 million to 6 million. Other companies which bid for the contract thought that that was a proper projected rate for the traffic. The company with the contract thought that the figure should be 9 million, and built its whole financial agreement on that. It made a terrible mistake, and we are debating that tonight.

Dr. Lynne Jones (Birmingham, Selly Oak): Is it not clear from my right hon. Friend's statement that the whole concept of the transfer of risk to the private sector for essential infrastructure is nothing more than an expensive sham?

Mr. Prescott: Clearly, if we paid the bill that the company is asking us to pay, it would be expensive—costing up to £3 billion. There are good examples of combinations of public and private finance providing for infrastructure. That means that public money can be used to pay for other things in the economy which my

hon. Friend and I feel are important but which cannot be met by private means. In transport, private means can be found, and where there is an income flow, one can borrow against it. I have not set my mind against that, and I am quite prepared to consider anything that improves the transport system for the benefit of this country.

Mr. Oliver Letwin (West Dorset): I appreciate the hesitancy that the Deputy Prime Minister has rightly displayed, as he would not wish to say certain things in the course of what will no doubt be a perplexed negotiation over the next 30 days. However, a simple question has been asked repeatedly in various forms by my right hon. and hon. Friends, and I wonder whether the right hon. Gentleman could reassure us on this point.

If, during that thirty days, the negotiations should, alas, fail, and if the project should thereafter be transferred back to the public sector, will the right hon. Gentleman assure the House that the public sector will not come up with what he has described as £7 billion or £8 billion to carry the project forward in its current form?

Mr. Prescott: I can assure the House that the Government would not feel that paying £7 billion or £8 billion of public money to cut the channel tunnel rail link services by 35 minutes was a priority. That is the argument with which we have been presented, but that is not the bill. Some in the company would say that we were getting a £5 billion facility for £1.8 billion of public money. These are the judgments one must make in these projects.

Let me assure the hon. Gentleman—and others—who said that I am in perplexed negotiations. I do not want to misguide anyone outside this House. I am not in negotiations; I want to hear from a company about whether it can complete its contract.

Mr. Gordon Prentice (Pendle): Is not the whole saga a terrible scandal? We are not talking about only £1.8 billion from the public sector. As the hon. Member for Banff and Buchan (Mr. Salmond) said, Waterloo international station—which is barely completed—was handed over for £165 million; St Pancras hotel was handed over for £75 million; and the King's Cross railway lands—God knows how much they are worth—were also handed over. The whole thing has been a scandal.

The hon. Member for South Dorset (Mr. Bruce) talks about £1.8 billion. The Conservative party sold the entire British Rail network for £2 billion. We are talking about a 68-mile-stretch of line for £1.8 billion—the Conservatives sold off British Rail for £2 billion. This link should have been built a decade ago, and the person responsible was the noble Lord Parkinson, who decided in 1990–91 that there would be no public money to build the link. The link will never be built without public involvement. It could be entirely and directly in the public sector or in a partnership, as must be possible, between public and private sectors.

Mr. Prescott: There is a history to be written about the plundering of assets during privatisation, but that is for another time. Clearly, the issue before us is the building of the channel tunnel rail link. I am well aware, as my hon. Friend said, that the judgment was that no public money would be involved; but that is simply not true of either the tunnel or the rail link. Public money was involved, despite a clause that said that it would be illegal to subsidise the tunnel.

It is a matter of interpretation of the way in which finance works: if the private sector cannot find the money, the public sector must underpin the loan to some extent. That is precisely what happened with the tunnel. It was a sorry episode, but we have a tunnel and we want the fast links, which are an important part of a modern economy. They must be built, one way or another.

Mr. Rhodri Morgan (Cardiff, West): I thank the Deputy Prime Minister for coming to the House so promptly with a statement. He has to make the best of a very bad job, bequeathed to him by the dogma-driven divisions in the Conservative party, not only because this is the worst property blight problem in the history of this country, but because, as his statement definitively demonstrated, the only way in which to get infrastructure built is to have a fluid and flexible line between the public and the private sector, without any dogma about private sector always being good and public sector always being bad.

Mr. Prescott: There is an awful lot of common sense in bringing the public and private sectors together, especially in transport investment. I have been an advocate of that for a long time, and I continue to advocate it.

Mr. Jonathan Shaw (Chatham and Aylesford): Does my right hon. Friend appreciate that this delay will cause great concern to those of us who represent seats in and around the Medway towns, and that it is absolutely vital that the construction of the channel tunnel rail link and the widening of the M2 over the Medway valley happen at the same time? We have been campaigning for that for a long, long time. It is essential, to avoid further chaos in and around the Medway area.

Mr. Prescott: I understand my hon. Friend's point, but we are drifting into the area of motorway policy. The roads are under review, and a White Paper on integrated transport is to due to be published. I will have the opportunity to give proper answers to such questions when that has happened.

Housing (Brown-field Sites)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McFall.]*

11.7 pm

Dr. George Turner (North–West Norfolk): The subject of the debate should have been linked as a sequel to an important debate in the House yesterday, when we had the opportunity to discuss seriously the compromises required to ensure that we have adequate housing, for 2012 in particular, along with proper protection for the green belt and our rural environment.

Responsibilities in Committee kept me from much of the debate, but, having read *Hansard* and heard some of what was said, I judge that it was a sad reflection on the House's ability to examine the nation's priorities and policies.

The problem with the Conservative party is its record in government. Having spent 30 years in rural Norfolk, I know the shame with which the Conservatives should regard their planning policies over that period. Like the grand old Duke of York, they first led us to build out of town. Driven by a dogma of priorities determined by a need for competition, they presided over urban sprawl and inadequate facilities for the estates that were built. As chairman of my local education committee, I spent several years picking up the pieces, because they did not even plan for the schools in those urban sprawls.

Again like the grand old Duke of York, the Conservatives then marched us all back into town again and we had a pretty rigid period of policy in which certain developments could take place only in the town centre. It was a shameful record. No wonder they had to use yesterday's tactics of slur and other topics to avoid the serious issues.

I assure my hon. Friend the Minister that people in my constituency want serious debate on serious issues. Last Friday, my right hon. Friend the Home Secretary came to King's Lynn, the main market town in north-west Norfolk. Some 600 to 700 people turned up to hear him discuss the serious issue of crime, rather than the drivel from the Opposition that we hear so often, and heard again this afternoon at Prime Minister's Question Time.

Several organisations have written to me in the short period since they found out that I had this Adjournment debate. They include the National Farmers Union, the Norfolk Society, the Royal Institution of Chartered Surveyors and the Council for the Protection of Rural England. I know from the work that I have done with the King's Lynn and West Norfolk borough council and the interest taken by the county council and charitable bodies, especially the Clean Rivers Trust, let alone commercial organisations, that people see that there is a real issue to be tackled and that there is a need for real debate and a change in policy to reflect the needs of the country in the next millennium.

I have noted with interest and pleasure the Government's robust and innovative approach, led by the Department of the Environment, Transport and the Regions, to the issues involved. I have read with interest the press releases. I want to bring to the House a specific example of a site. I can speak with some authority, having researched it, about the detail of the problem. I ask the Minister for assurances that I can carry back to my constituents in North-West Norfolk, who are interested in the real debate, not the shambles that we had yesterday, that the Government intend to do something about the problem, which we need to tackle.

The site to which I wish to refer is largely derelict. It is mainly a former fertiliser works, with adjoining land, commonly known in the locality as the muckworks. That reflects the fact that, for many years, the site was used to produce fertiliser for agriculture, which dominated my constituency for so long.

The site is on the outskirts of the town of Lynn on the south side. It is bounded in part by the River Nar and in part by residential properties on the Saddlebow road. It has a mixed history over 100 years of industrial use. Records are poorly kept, but we know that many of the industrial activities that have been undertaken there have left the site contaminated. We know that the contamination includes cyanide, asbestos and a range of nasties that will make it difficult for any owner to clean up the site and for any developer to develop it.

The site currently has three owners. The main site—the muckworks, some 32 acres—is owned by Benside Ltd. a company owned entirely by well-known local business men who will be personally known to my hon. Friend the Member for Norwich, North (Dr. Gibson) through his associations with football in the county. The company has little financial backing. The borough council owns some 14 acres of former allotments. One wonders how safe those allotments were for a number of years. The balance of the site, mainly cleared, is owned by Dalgety plc.

I mention that to the Minister because it is interesting that most of the contamination probably came from gas works and the former fertiliser works, which were operated originally by the West Norfolk Fertiliser Company, which has been purchased by Fisons Ltd. None of the current partners had any involvement or association with the activities on the site or with the West Norfolk Fertiliser Company or Fisons. Therefore, the current owners cannot be held responsible for the contamination of the site. I suspect that the land was bought as a bit of a pig in a poke.

The site is identified as a key site within the county of Norfolk because, on its own, it could provide one twelfth of the borough's housing needs in the planning period that we are addressing. Its problems and opportunities are typical of those presented by brown-field sites as an alternative to unnecessarily building on the green and pleasant land which much of Norfolk still remains.

We have to build, and some of our villages will need to build on fresh land. We will never build all we need on the brown-field sites, but we can and must ensure that, where possible, there is proper encouragement to do so.

Dr. Ian Gibson (Norwich, North): The strong Labour-controlled council in the fine city of Norwich has been responsible for decontaminating land and riverside, and building 1,500 dwellings on brown-field sites of some 24 hectares, and 1,400 houses on city green-field sites of some 46 hectares. Is not that a fine example of how, even in inclement times with no Government support for 18 years, with determination those brown-field sites can be decontaminated and developed to provide the houses that our people need?

Dr. Turner: I recognise the importance of local initiative, and I hear and commend what my hon. Friend

says. However, local initiative has not been lacking in my constituency either. I hope that the Minister will acknowledge that it is not a matter of asking the Government to bail us out.

Those who have responsibility, including the borough council, which has been assiduous in looking for ways forward for these sites, have been considering what can be done. The problem is that their resources remain limited. A proposal to consider the technical requirements of decontamination, which have changed significantly since work was carried out around 1990, is out to tender.

English Partnerships' willingness to fund up to 40 per cent. of the cost of the initial study is most welcome. However, the study of how to decontaminate the site may require a five-figure sum. To pluck a figure from the air of the order of magnitude that is required, £5 million may be required to decontaminate the site once that study is complete. A little more than the contribution that the borough council can make will be required if we are to see building, rather than talk about building, on brown-field sites in my constituency.

In principle, English Partnerships can offer financial assistance for decontamination works, as the site is within one of its priority areas. That support is most likely towards the abnormal infrastructure costs and would be through gap funding the cost of reclamation against the site value. English Partnerships can either make its support as a direct grant or on the basis of a deferred share in any development. At the moment, English Partnerships cannot provide any further information on its level of support. It will not be able to assess that until the proposed development costs and, in particular, the decontamination costs are known.

Mr. David Prior (North Norfolk): Does the hon. Gentleman agree that, although decontamination can be expensive and is a major consideration on a number of brown-field sites, two other factors must be taken into account? First, it can take a long time for a developer to put together a package for a brown-field site and, secondly, VAT is charged on refurbishing houses and not on new-build. Those two factors should be taken into account more in the Government's future planning guidelines, to encourage brown-field rather than green-field development.

Dr. Turner: The hon. Gentleman makes a valid point. Indeed, on the site that I am talking about, one option would have been to make a submission under the single regeneration budget challenge fund. However, if the bid is successful, the year-to-year funding does not provide sufficient flexibility, and a complex site in multiple ownership could easily lead to the sort of slippage that the challenge funding would not accommodate under its rules.

The local involvement and commitment to the site are clearly there, but to meet the requirement in the plan that the site be multi-use in future will require some Government involvement and help. If there is to be decontamination of the site and redevelopment of the former fertiliser works, in reality—rather than just talk, which is what happened under the previous Government—there will have to be a strong public-private partnership where the public sector provides the important and essential role of pump-priming the process through the injection of capital both at the beginning and at critical stages throughout the development, assisting the provision of, or directly providing, infrastructure. It will also require a positive and flexible planning process that will enable redevelopment to become a reality. That may mean giving a more responsive interpretation of planning guidance than we have seen hitherto.

Mr. David Drew (Stroud): I cannot match my hon. Friend's knowledge of his local scene, but, in a debate yesterday, we had an opportunity to discuss the sequential principle, which is that, if we allow developers to develop green-field sites, that must be as part of a commitment to brown land. The degree to which that is tied in may be the subject of some flexibility, and may require some changes in attitude.

Does my hon. Friend agree that, in the short term, that could be done by strengthening the conditions under which green-field sites are currently used and making the conditions relating to brown land less rigorous, thus changing the balance in the hope that developers would respond accordingly?

Dr. Turner: My hon. Friend makes a valid point, but this is only the start of the debate. What I welcome about the Government's approach is that they are clearly interested and willing to make changes to the planning and financing regimes.

Mr. John Hayes (South Holland and The Deepings): At the beginning of his speech, the hon. Gentleman condemned the previous Government in respect of what he describes as urban sprawl. It is all very well to talk about changes in planning procedures, but planning authorities—many Labour, some Tory—have a key responsibility for some of the worst decisions that have been taken. Any liberalisation of the planning procedures should not be designed to give still more power to people who have a dodgy track record.

Dr. Turner: That was not a helpful intervention.

I should like the Minister briefly to address the following points. May I take back to my constituents a recognition by the Government that the market towns and the rural environment need the protection that can be provided by proper attention to development on brown-field sites? This is not an inner-city issue, but one related to market towns.

Will the Minister confirm that, with innovative measures in mind, the Government are looking at ways to provide carrot as well as stick in the process, to ensure that we get building in the most appropriate sites? Finally, will he confirm that, in the review of planning procedures and while balancing the protection of the town centre correctly, the Government will ensure that they will sensitively approach the need for mixed-site developments and so enable the development of sites such as the muckworks to become a reality instead of remaining a pipe-dream, talked about year after year as under the previous Government?

11.24 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I congratulate my hon. Friend the Member for North-West Norfolk (Dr. Turner) on initiating the

[Mr. Nick Raynsford]

debate. After yesterday's debate on the protection of the countryside, my hon. Friend could not have chosen a more topical subject. I am especially pleased, however, that he has chosen the positive dimension of building on previously developed land as the focus for debate tonight. He was supported in an intervention by my hon. Friend the Member for Norwich, North (Dr. Gibson), and other hon. Members contributed to the debate. They all predominately focused on the positive dimension to which I referred.

My hon. Friend's topic has a clear and constructive purpose, and that is to make our town centres and cities better places, rather than focusing on a narrower, more negative and possibly "not in my backyard" approach. On the strength of last night's performances, that approach tends to dominate the Opposition's thinking.

The debate provides another opportunity to clarify some misunderstandings, to set out some of the facts and to clarify how the Government's thinking on this important subject is developing. As we said in yesterday's debate, we shall be making an announcement next month on household growth, on household projections, on how they are to be translated into development plans, on targets for the use of previously developed land and on how to prioritise where new development should go. I am sure hat the House will understand that I cannot anticipate that announcement, but I should like positively to respond to my hon. Friend's comments.

The latest household projections, produced under the previous Government, were for an extra 4.4 million households between 1991 and 2016. Already, more than 1 million of the homes that we need have been built since 1991. The projections have been endorsed by two independent inquiries. The numbers may seem large, but they involve only an extra 175,000 households a year. If that is translated into housebuilding, it means 175,000 extra homes a year, which is a low figure when compared with the rates of housebuilding since the war, and far lower than the levels of new housebuilding during the 1950s, 1960s, 1970s and 1980s. We need to get that into perspective.

Those who wish to raise scares conjure up the figure of 4.4 million as a horrible prospect. The reality is that it will be one of the lowest levels of new housebuilding in the post-war era.

When we make our announcement next month, it will be seen that we propose a number of things. First, as my hon. Friend the Minister for the Regions, Regeneration and Planning told the House yesterday, we shall move away from the old "predict and provide" philosophy in housing. We do not believe that the patterns of the past should always dictate the future. Changes in policy can, and will, make a difference. At the same time, we recognise our responsibility to ensure that every member of our society has the opportunity of a decent home.

Secondly, just as we want to give political power back to people in Scotland, Wales, London and the English regions, we want to decentralise decision making on a range of issues, including how the regional housing figures will be arrived at. We shall listen more to what people have to say locally, on how to accommodate household growth.

Thirdly, we want to avoid unnecessary building in the countryside. The presumption against development in the green belt will remain as strong as ever, but that does not mean that there will never be any building on green-field sites.

Fourthly, we want to make the maximum use of previously developed land and buildings within urban areas. My hon. Friend is particularly interested in that. We recognise that what is achievable will vary from place to place. North Norfolk, for example, is very different from south-east England, let alone the north-west. Our policies will seek to reflect significant regional differences.

We see making the best use of previously developed land and buildings as central to our strategy. We are concerned that too many approaches to assessing capacity are conservative. They have been defensive exercises designed to show that a county is full up and not serious attempts to explore the options by examining more imaginatively issues such as densities, car parking and other standards.

A recent study for London, commissioned by the London Planning Advisory Committee and the Government office for London, considered what that would mean. I accept that the study's findings are not necessarily appropriate in every part of the country, but there are general lessons to be drawn from them. The scope for creating more housing, especially round town centres, needs to be more fully explored. We should look at buildings as well as sites, and ways of finding more housing and providing a wider range of choices.

We are committed to enhancing the quality of life in both town and country. Part of that means a good-quality environment. We must ensure that, when we build or convert housing in our towns and cities, those new homes add to the quality of the urban environment. Good design is crucial to creating a better quality of urban life—so, too, are jobs, good transport links and access to services. We must not forget the importance of parks, green spaces and recreation facilities. Our approach will encourage high-quality urban design and developments that enhance the urban environment—not "town cramming", which would be an inappropriate response.

We are committed to the regeneration of our towns and cities. We want to make them more attractive and more sustainable. We are already refocusing our regeneration efforts on the worst areas. We have allowed councils to increase investment through the capital receipts initiative, to renovate rundown housing.

It is crucial to improve our towns and cities. If we cannot make them more attractive, people will continue to leave and the pressure will really be on the countryside. We cannot protect the countryside at the price of a poor urban environment.

Mr. Prior: Will the Minister take into account the need to regenerate not only bigger towns and inner cities, but small market towns, such as North Walsham and Fakenham in my constituency?

Mr. Raynsford: I will indeed, but the debate was initiated by my hon. Friend the Member for North-West Norfolk, and I shall say a little bit about regenerating small towns, such as King's Lynn. I hope that the hon. Gentleman realises that, in an Adjournment debate, prime attention must be given to its initiator, and that I show no disrespect to his concern.

Overall, it is our approach that is getting support—whether from the Countryside Commission or the House-Builders Federation. People are starting to understand that we must look at the big picture—how to create more sustainable towns, make the best use of brown-field sites, and protect the countryside and the green belt.

Household growth is an opportunity not only for urban regeneration but to promote more sustainable patterns of development. We can build on the advantages of existing towns, using and supporting existing infrastructure and services. In Norfolk, as the county has suggested, that could mean putting major new developments in the key urban areas, such as Norwich, Great Yarmouth and King's Lynn, in the constituency of my hon. Friend the Member for North–West Norfolk. It could mean encouraging development in various towns that act as centres for rural areas, including some in the constituency of the hon. Member for North Norfolk (Mr. Prior), and allowing development in other smaller market towns, represented by the hon. Gentleman and my hon. Friend. I think especially of Hunstanton in my hon. Friend's constituency.

I know that King's Lynn and West Norfolk borough council, which has one of the highest housing figures in Norfolk, has been actively considering that issue—indeed, it is one of the few local authorities that have a policy that sets a minimum density. I only wish that more did that, because low-density housing developments tend to be the biggest consumers of land. Therefore, if we can achieve higher density in appropriate circumstances—I am talking not about a return to soulless estates or to high-rise housing, which was a disaster in the past, but about sensitively, well-planned housing at high density—that can help to contribute to the solution.

My hon. Friend the Member for North-West Norfolk is worried about other types of development—not just housing. Even though housing accounts for about 70 per cent. of land used for urban development, other uses can be a greater threat to sustainable development. Our planning policy guidance on town centres—to which we formally reaffirmed our commitment in our response to the Select Committee on the Environment, Transport and Regional Affairs in July 1997—makes it clear that we expect offices, shopping, leisure and other key town-centre uses to go to town centres.

That policy is especially important for small market towns, which are easily undermined by out-of-town-centre shopping and leisure developments. Not building out of town also saves green-field sites.

One of the issues that my hon. Friend raised is how to get brown-field sites back into use, especially if they are contaminated. In particular, he raised the question whether a tax on green-field development could be used for that purpose. The issue of taxing green-field development was raised by a number of respondents to the previous Government's Green Paper. Many respondents who argued for high brown-field recycling levels called for economic instruments to help local authorities to achieve that end.

We have not taken decisions yet on those options. We want to hear people's views and undertake more research and analysis. Unlike the previous Government, we want to open up a debate about the scope for using economic instruments to help to achieve our planning objectives.

In his intervention, the hon. Member for North Norfolk referred to VAT. That is another important issue, but when we are discussing bringing back derelict and empty sites such as the one to which my hon. Friend referred, VAT is not relevant, as no VAT is chargeable on new housing. Any decisions on national taxation are a matter for my right hon. Friend the Chancellor of the Exchequer.

My hon. Friend the Member for Stroud (Mr. Drew) raised the issue of a sequential test. He will know that we are considering the matter. We shall say more about it when we make the statement in due course.

With regard to the muckworks site in King's Lynn, I understand that a study on the potential for redevelopment on the site may soon be undertaken, as my hon. Friend said, and that English Partnerships has indicated that it will contribute a significant proportion of the costs of the study. My hon. Friend questioned English Partnerships' potential on-going contribution. My understanding is that subject to the outcome of the study, and subject to demand and to detailed development proposals demonstrating a shortfall of developed value against development cost, English Partnerships will consider financially supporting the regeneration of that site.

Finally, I shall deal with the countryside—the other side of the coin. Let me make it clear that we are committed to protecting the countryside, but we cannot freeze it in a time warp. People in the countryside need homes and jobs. In some cases, change is inevitable, but it must be positive and sustainable. Our planning policies already promote such change with an emphasis on strict control, decent design and rural regeneration.

From some accounts, one would think that the English countryside was now confined to a few pockets of land. In fact, almost 90 per cent. of England remains rural; 12 per cent. is green belt and another 33 per cent. is specially protected—for example, national parks. Urban areas look set to grow from 10.6 per cent. to 11.9 per cent. of England by 2016. That figure could be even smaller if local authorities and private developers did more to recycle land. Even at 11.9 per cent., there will be more green-belt land than urban land.

However, we are concerned not just with protecting the green belt. We are concerned about the countryside as a whole. We are looking for the most sustainable solutions, and sometimes, as was said last night, a green-belt site will offer the most sustainable place for new development—for example, when the alternative would mean developing on better quality land beyond the green belt.

Overall, we must look at these difficult issues—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-three minutes to Twelve midnight.

House of Commons

Thursday 29 January 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Madam Speaker: Members will already be aware that a wooden moulding fell from the ceiling of our Chamber during the night. This morning, our staff checked to see whether there were similar defects in any other mouldings, and one further moulding has been removed. *[Interruption.]* It is not very funny, actually. I have been advised by our experts that they are as sure as they can be that it is safe for us to continue sitting here. Over the weekend, steps will be taken to ensure that all the mouldings are screwed into the ceiling joists, but I am confident that everything will be in good order again by the time that we sit on Monday. We shall now proceed with our usual business.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

The Secretary of State was asked—

Student Loans

1. **Mr. Chidgey:** What plans he has to extend student loan provision to students studying part time on equivalent undergraduate courses. [24179]

The Parliamentary Under-Secretary of State for Education and Employment (Dr. Kim Howells): There are no current plans to extend student loans to part-time students, most of whom are employed and are therefore able to support themselves. However, for the first time, we are making significant sums available to part timers through access funds.

Mr. Chidgey: Given that the Government have accepted the Tories' spending plans for the next two years, can the Minister explain why he is unable to give an assurance that part-time students should be able to access student loans in the life of this Parliament, given that the Government's Teaching and Higher Education Bill, currently in another place, makes exactly that provision?

Dr. Howells: The Bill makes that provision because we have a great deal of sympathy with the evidence that is emerging on behalf of part-time students, and we are ensuring that they are adequately provided for so that they may undertake and complete the courses that they desire to complete. However, the hon. Gentleman does not understand that his plan—which, of course, will once again be paid for out of the magic penny that the Liberals are always spouting on about—will result in payments being made that will be a deadweight because, as he must have heard me say, most part-time students are already employed. That is why Lord Dearing did not recommend such a measure in his inquiry into further education.

Mr. Gordon Marsden: I welcome the Minister's assurance on the widening of access to loans, but may I ask that the Department continues to keep the matter sympathetically under review? I draw his attention especially to the increasing numbers of part-time students who are studying in the new universities, and to the courses that they are fulfilling. It is important—especially given the many women on such courses—that access to, and encouragement to serve on, those courses, continues.

Dr. Howells: I can assure my hon. Friend that we are fully aware of the important part that part-time study plays in lifelong learning. That is why we have doubled access funds to £36 million and extended provision to accommodate part-timers.

Mr. St. Aubyn: Is the Minister aware of efforts by the Select Committee on Education and Employment to find ways of accelerating and increasing the amount of genuinely private funding that might be used to fund student loans? Does he agree that, if such efforts were successful, more money might be provided for access funds and for higher education? Will the Department for Education and Employment undertake to support any such efforts?

Dr. Howells: We shall always examine such evidence and we are keen for private enterprise to play a much greater part in ensuring that its employees receive every opportunity for education at all levels. The best firms in the country are already doing so.

University for Industry

2. **Dr. Whitehead:** If he will make a statement on the progress of the establishment of the university for industry. [24180]

The Secretary of State for Education and Employment (Mr. David Blunkett): We have made substantial progress with the help of the working group chaired by David Brown of Motorola Ltd., and we shall produce further details in the forthcoming White Paper on lifelong learning and the prospectus for the university for industry, which will be published in March.

Dr. Whitehead: Does my right hon. Friend agree that, given the right degree of support, the university for industry will rank alongside that other achievement of a Labour Government, the Open university? Can he assure me that the creation of the essential starting point, the multi-media learning network, is being satisfactorily progressed by the design and implementation advisory group?

Mr. Blunkett: I can give that assurance. The university for industry will make a major contribution to equipping our nation with the skills required to sustain growth with stable inflation, and to do so in a new century, when new

skills and the ability to take advantage of information and communication technology will be at the forefront of our prosperity and our ability to compete.

Higher Education Reform

3. **Mr. Garnier:** How much his Department has spent on publicising the Government's proposals for the reform of higher education. [24181]

Dr. Howells: The Department has spent some £534,000 on publicising the Government's proposals for the reform of higher education. That covers our response to the report of the national committee of inquiry into higher education under Sir Ron Dearing—Lord Dearing—and the new arrangements for financial support for students in higher education.

Mr. Garnier: How does the Under-Secretary justify a reform that will cost the poorest students £2,000 a year more than better-off students during an academic year?

Dr. Howells: We undertook to inform everybody who needed the information about the details and the truth of the new funding arrangements that we intend to put in place. We think that that is a proper expenditure of money. The evidence of the success of our approach is seen in the rising number of applications for undergraduate places for next year.

Mr. Bradshaw: Does my hon. Friend agree that some students are labouring under the misinformation and scaremongering spread, in part, from those on the Opposition Benches? Does he agree that that small sum spent to tell the truth, so that students are not put off doing courses, is money well spent?

Dr. Howells: It is interesting that the nature of that scaremongering and misinformation that has come so often from some quarters is changing rapidly. I understand that the shadow Secretary of State for Education last night informed the audience at a debate on the future of higher education that he thought that our proposals for student loans would be much fairer than the arrangements put in place by the previous Government.

Mr. Don Foster: Is not the only reason why the Minister has had to spend so much money on advertising details of his proposals to students, the Government's hasty and ill-conceived response to the Dearing commission report? Does he agree that the proposals will do nothing to improve the funding crisis left by the previous Government because of the failure to passport the additional money from student fees to higher education, and that we shall end up with a higher education system that has two tiers—ivy league universities and bargain basement universities?

Dr. Howells: No, I do not agree. I am proud that this Government had the guts to make a decision—something that is not a characteristic of the hon. Gentleman's party.

Mrs. Anne Campbell: Has not the publicity served its purpose well, and have not potential students responded? The applications to Anglia polytechnic university in my constituency are up on this time last year, and I am sure that my hon. Friend will join me in welcoming that.

Dr. Howells: My hon. Friend is right. Applications are rising quickly. The Jeremiahs and doom-predictors have been proved wrong. Students know that a degree brings them great opportunities in life and enables them to earn more when they are working. That is what we intend higher education to do. We shall see that the money is in place so that every student with the qualifications to take up those places can do so.

Mr. Welsh: What plans does the Department have to pay the fourth-year tuition fees of students undertaking an honours course at a Scottish university, thus ending the present discrimination against English and Welsh students? Is the Minister aware of the harmful effect of his policy on university policy?

Dr. Howells: As the hon. Gentleman knows, because I have told him so on several occasions, we are urging Scottish universities to recognise the great worth of two-year A-level courses in England and Wales, and allow students with good grades into the second year of four-year degree courses at Scottish universities. That is a perfectly good arrangement, and we shall try to ensure that it works properly.

Mr. Dorrell: Is not the truth that the hon. Member for Exeter (Mr. Bradshaw) was seeking that the student from a high-income background will pay an extra £3,000 for a three-year degree course under the Government's proposals, while a student from a low-income background will pay an extra £5,265 for the same three-year degree course? Will the Minister now answer the question posed by my hon. and learned Friend the Member for Harborough (Mr. Garnier): why do the Government believe that low-income students should face a steeper increase in the cost of their degrees than their contemporaries from more privileged backgrounds?

Dr. Howells: The shadow Secretary of State does not understand that students from low-income families will not be required to pay tuition fees. He adds up the sums in an incredibly idiosyncratic way. That is why he keeps jumping up and down in his seat. The money will be there for every student who wishes to take up a place at university and who requires it. The payback arrangements for such loans are good. People will take up such loans, and the proof of that is in the present application rates.

Qualifications

4. **Mr. Rendel:** What plans he has to consolidate 14 to 19-year-olds' qualifications into a single framework. [24182]

Mr. Blunkett: My remit letter to the Qualifications and Curriculum Authority asked it to develop our manifesto commitment to a coherent and high-quality national framework for 14 to 19-year-olds. Our consultation paper, "Qualifying for success", which progresses that manifesto commitment and the earlier Dearing report on 16 to 19-year-olds, will be reported on by the QCA in February.

Mr. Rendel: Does the Secretary of State agree that it is important that we should establish a parity of esteem

between academic and vocational qualifications? If so, will he confirm that the present divide in the gold standard between A-levels and advanced national vocational qualifications is destroying that parity of esteem, and it would be better to combine the two?

Mr. Skinner: He knows all about it—he went to Eton.

Mr. Blunkett: I cannot top my hon. Friend's answer.

There is undoubtedly a divide in Britain between vocational and academic qualifications, which is reflected in the way in which people too often disparage industrial and business routes. Therefore, we are committed to providing a high-quality, over-arching certificate, on which we are consulting, which retains the gold standard of the A-level, extends its breadth and provides people, through vocational qualifications, with an equally credible and high-quality route for achieving the same goals.

Mr. Sheerman: Does my right hon. Friend agree that we have inherited a real problem from the previous Administration as a result of the pressure on young people from training and enterprise councils—many of which are trying to do a good job, like my own in Calderdale and Kirklees, which is doing an excellent job? Over the years, young people have been pushed towards fast training that leads to qualifications so that TECs get their money, and away from longer-term, more expensive training, such as the new apprenticeship schemes? Can we do something about that quickly?

Mr. Blunkett: I am happy to say that the new standards council that we are establishing, and our review of NVQs, will help us to ensure that high-quality qualifications are available whichever route people take post-16, as will our commitment in the legislation presently in the other place to ensure that 16 and 17-year-olds have the right to education and training in order to gain a qualification while at work, so that they, too, can take their place in the labour market of the future.

Training and Enterprise Councils

5. **Mrs. Virginia Bottomley:** What representations he has received concerning the activities of training and enterprise councils. [24183]

Dr. Howells: I regularly receive representations about TECs on a variety of issues.

Mrs. Bottomley: Is the hon. Gentleman aware that the Government are in danger of giving the impression that they are so blinkered by the limited welfare-to-work programme—money and priority are only for that—that they are squeezing out all other topics? Small and medium enterprises in my area tell me that their problems are recruitment and skills shortages—something that the Surrey business link identified in its latest survey. Will he particularly commend the Surrey TEC, which has involved more than 1,000 companies in its modern apprenticeship programme?

Dr. Howells: Although I have no hesitation in congratulating the Surrey TEC on its achievements—and they are great achievements; more than half the new starts in Surrey are modern apprenticeships, and that is a model that every TEC should follow—I have to dispute the assertion that the right hon. Lady made at the beginning of her question. This year, there will be 72,000 new, modern apprenticeship starts—10,000 more than under the present arrangements. We value them, and want them to expand and continue.

Mr. Derek Foster: I invite my hon. Friend to reconsider the relationship between TECs and regional development agencies. At the risk of offending his national sensitivity, may I suggest that he follows the Scottish model? Would it not enable the RDA to pursue a coherent economic development strategy, including a skills strategy, within the regions?

Dr. Howells: My right hon. Friend raises some interesting issues. We are looking at every possible option. We want our training to be the best in the world, and for that we must have the most efficient means of brokering, commissioning and paying for training. I am interested in what he says. I shall look at it carefully. We are looking at the models not only in Scotland but in Wales, where they seem to work quite well.

Mr. Keetch: Is the Minister aware that hon. Members were told this morning that training and enterprise councils are required to keep approximately £70 million in reserve, but they would like to keep £170 million in reserve? Yet, in a written answer to me today, he accepted that more than £278 million is in reserve, which he says will be used for Government priorities. Will he assure the House and the TECs that that money will not be directed simply to bolstering the new deal but will be used for the benefit of TECs in their areas?

Dr. Howells: I can give the hon. Gentleman an assurance that that money will be used for the best possible projects, which will strengthen competitiveness and the employment infrastructure in the areas that the TECs serve. I want it to be spent on an array of new projects. We have some interesting ones in mind. Perhaps, over a cup of tea, I could talk to him about them.

New Deal Pathfinders

6. **Mr. Dawson:** If he will make a statement on the progress of the new deal in pathfinder areas. [24184]

Mr. Blunkett: I commend all those who have involved with the 12 pathfinder projects for the new deal. In the first three weeks alone, 5,300 young people were invited for interview. Three thousand young people entered the gateway, of whom half have been placed for jobs, and hundreds of young people who are not yet entitled to enter the new deal have presented themselves at jobcentres wishing to be part of it. That is a tremendous start, of which we can all be proud.

Mr. Dawson: I thank my right hon. Friend for that most encouraging response about this excellent scheme.

Can my right hon. Friend assure me that young people entering the new deal scheme will be offered a real choice of quality training and work placement? Can he further assure me that vulnerable young people, who are in so

much need of this scheme, will receive the counselling and emotional support that they require to enable them to continue in ways that were previously denied to them?

Mr. Blunkett: I am happy to give that assurance. The gateway, with basic social and educational skills provisions, the specific advisers and mentors for the young people concerned, and the commitment that every young person will get education and training to an approved qualification, all demonstrate our commitment to ensuring that this is not just a makeweight scheme but a real programme that equips young people to take their place in the labour market and helps to meet the skills shortage referred to earlier.

Mr. Rowe: Have the pathfinder areas thrown up for the Secretary of State the people who are paying the real cost of the new deal? Will he explain to older people in my constituency, many of whom have made 200, 300 or 400 applications for jobs, why they are now told that their job clubs are to be cut back because of the costs of the new deal? Given that unemployment is falling, is not the money originally set aside for the new deal more than ample? How does he explain to my constituents that they are being sacrificed to the Chancellor's need to build up a war chest to win the next election?

Mr. Blunkett: I should like to inform the hon. Gentleman's constituents why they have been unemployed for so long under a regime that the hon. Gentleman helped to prop up. I should like to explain to young people in his area how we shall ensure that they do not become the long-term unemployed adults of the future and that they have the opportunity that has been denied to middle-aged people. I should like to explain, as the Chancellor said, and as my right hon. Friend the Minister for Employment, Welfare to Work and Disability Rights said on 5 January, how we shall extend the scheme to older unemployed workers, giving them the qualifications and skills that they need.

Above all, we shall ensure that no young person ever again faces, at the age of 18, the prospect of not having a job year after year. They must learn to get out of bed, get themselves into a job and earn their own living for the future rather than depend on the state.

Dr. Lynne Jones: Has it yet been possible to evaluate the adequacy of the allocation for the gateway period? Will my right hon. Friend keep that matter under review, as £260 for up to four months seems a small amount?

Mr. Blunkett: I assure my hon. Friend that we shall keep the matter under review. It is important that the gateway is a quality entry into the new deal and that we let no one down in terms of evaluating the first 12 pathfinder programmes. It was appropriate to pilot the programme first to ensure that we learn the lessons and apply them when we roll the programme out for the United Kingdom as a whole.

Mr. Willetts: Let me return to the question posed by my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe). Does the Secretary of State not recognise that, in the past week, many hon. Members on both sides of the House will have received a letter from their local employment service telling the same story about the cuts in job club placements and in job plan workshops for people who are not eligible for the new deal? Is it not clear that there will be two different categories of unemployed people: those with the extra expenditure of the new deal; and more than a million people who will receive less assistance in the future than they received in the past?

Mr. Blunkett: The hon. Gentleman's last assertion is incorrect. A higher proportion of adult unemployed will have access to job clubs and similar measures than is the case now. Unemployment dropped by 28 per cent. in the past year; job clubs are being reduced by only 15 per cent.; and the take-up at job clubs has been only 87 per cent. With the 750 remaining job clubs, it is therefore possible to do a better job more effectively and in the best interests of unemployed people, so that they get a job rather than attend a club.

Welfare to Work

7. **Mr. McAllion:** What recent representations he has received relating to the Government's programme for welfare into work for 18 to 25-year-olds. [24185]

The Minister for Employment, Welfare to Work and Disability Rights (Mr. Andrew Smith): We continue to receive many supportive comments and suggestions, including from businesses, the voluntary sector, training providers and, most importantly, from young people, whose reaction to the introduction of the new deal in the pathfinder areas has been very positive.

Mr. McAllion: All the agencies that work with the young unemployed agree about the new deal's huge potential to make a real difference, but there is widespread criticism of the element of compulsion within the scheme. Does my right hon. Friend accept that, by insisting on compulsion, he is sending out a message that the new deal will be done to the unemployed rather than for the unemployed? Could he not put his faith in the genuine quality of the options being offered as a guarantee of the new deal's success? The tiny minority who say no to offers of genuine help need more help, not more compulsion.

Mr. Smith: We have had the answer, in that more than 3,000 gateway interviews have been conducted and we have not had to initiate sanctions in a single case. Moreover, more than 500 young people have volunteered to go on the new deal programme early. So far, all the evidence from the pathfinder interviews is that young people understand very well the difference that the new deal will make for them and for their prospects of employment.

Mr. Clifton-Brown: How does the Minister square his pre-election pledge of getting 250,000 young people off the unemployment register with the fact that only 122,000 people are currently on that register? If he accepts those figures, will he tell us why the Chancellor has allocated a disproportionately large amount of resources to getting young people off the unemployment register under the new deal? Younger people are more mobile, better educated and more able to get a job. It is the older, long-term unemployed who need the resources.

Mr. Smith: I make no apology for the attention that this Government, unlike the Conservative Government,

have given to the particular needs of the young unemployed. Unemployment levels among young people are twice those in the rest of the work force. A terrible price is paid as a result of persistent unemployment among the young. It damages people's lives and the lives of their families, and leads to the corrosion of communities. The statistics show not only that 120,000 young people have been out of work for more than six months, but that 15,000 pass the six-month threshold every month.

Mr. Kidney: What role does my right hon. Friend envisage for collaborative partnerships between employers and further education colleges in delivering the quality training that is such an important component of welfare to work?

Mr. Smith: A very important role. The hallmark of the new deal is the provision of quality training in every option, so that young people gain the recognised qualifications that will not only get them into a job, but will help then to progress in employment. One of the most exciting and innovative aspects of the new deal is that colleges and other training providers will work in partnership with employers to open up opportunities to young people who have previously been denied them.

National Curriculum

8. **Mr. Fearn:** What plans he has to introduce a new national curriculum for primary schools within the next five years. [24186]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Estelle Morris): We plan to introduce a revised national curriculum from September 2000. My right hon. Friend the Secretary for State announced plans on 13 January to give primary schools more time to focus on literacy and numeracy for the next two academic years.

Mr. Fearn: Does the Minister agree that, in the past few years art, music and sport have been squeezed out of the curriculum? Are there any plans to bring those subjects back into the curriculum? I visit quite a few primary schools, and they all say that those subjects have been squeezed out because of the limited time allowed in the curriculum.

Ms Morris: I am not sure that those subjects have been squeezed out: they have not been dropped from the national curriculum. Those and the other core and foundation subjects have a place, and are taught in schools. Long may that remain so, because the subjects to which the hon. Gentleman referred are important, and are part of a broad and balanced curriculum for our children.

Helen Jones: Does the Minister agree with me and with the primary school teachers in my constituency who responded to the White Paper that the primary curriculum has been overloaded and prescriptive? They wanted more flexibility, and more time to concentrate on literacy and numeracy, which is what the Secretary of State's proposed in his recent announcement.

Ms Morris: I agree with my hon. Friend. That is exactly the message that we have received from teachers and parents. Parents made it clear in their response to the White Paper that their overriding priorities were, quite rightly, literacy and numeracy. The proposal that my right hon. Friend announced last week will enable teachers to exercise their professional judgment. In delivering that broad and balanced curriculum, they will now have the freedom to concentrate on literacy and numeracy. If those skills are taught before the end of key stage 2, children will have greater access to the broad curriculum when they reach secondary school.

Mr. Dorrell: I agree that it is desirable for the national curriculum to focus on the essential core, as was always the intention, but why will the Government not publish the results of key stage 2 tests at the end of children's primary education: tests against that curriculum? Does the Minister recollect that, last March, the Secretary of State pledged a future Labour Government to national publication of the test results—not local publication by local education authorities, but national publication by the Department? Why are the Government breaking that pledge?

Ms Morris: The right hon. Gentleman is mistaken. I thought that he was going to congratulate the Government on publishing key stage 2 test results a full two months earlier than his party did when in office.

The results have been published locally for parents—

Mr. Dorrell: Nationally?

Ms Morris: They will be published nationally, so that everyone will be able to see how local authorities and schools are performing. I understand that the local authority figures will be published next week, and that the others will be published when they are available. We always said that they would be put on the internet.

The key point, however, is that parents, who have a right to know how local authorities and schools are performing, received the information two full months earlier than they did under the last Government—and next year they will receive more information, even earlier.

School Attendance

10. **Dr. Stoate:** What measures the Government are taking to ensure that children of school age attend school regularly. [24189]

Ms Estelle Morris: All pupils need to attend school regularly if standards are to be raised and if young people are to gain an adequate grounding for higher education, training or employment. We are supporting locally devised projects to a value of £22 million in 119 English local education authorities under the improving attendance and behaviour category of the standards fund for 1998-99. We are also consulting widely on detailed new guidance for schools and LEAs on attendance issues.

Dr. Stoate: I thank my hon. Friend for her reply. Does she agree that those who are away from school without good reason can become marginalised? How may the new social exclusion unit be able to help the problem?

Ms Morris: My hon. Friend is absolutely right. Those who leave school without qualifications are excluded from

so much else in life. Some of the saddest figures relate to those who become offenders and appear in court while they are of school age. Six in every 10 of them have been persistent truants or excluded from school.

That is the cost of poor attendance and truancy, and that is why dealing with those problems is such a high priority for the Government—and why my right hon. Friend the Prime Minister has announced that dealing with them will be one of the first tasks of the social exclusion unit. It will address the problems as they have never been addressed before, in a multi-disciplinary way, drawing together the efforts and resources of a number of Departments. We look forward to receiving an early report from the unit, so that we can make progress.

Mr. Paterson: Will the Minister join me in congratulating the governors and teachers of Kinnerley primary school, which came top of the league in Shropshire this year? That included attendance figures. Will she ask how on earth the teachers and governors of Shropshire schools—*[Interruption.]* I should be grateful if the Minister would pay attention and listen to my question.

How on earth will teachers and governors deliver a similar quality of education in Shropshire next year with 450 fewer teachers? That shortage has been caused by cuts of £10 million, and the Government's swingeing shift of resources from shire counties to inner cities.

Ms Morris: The hon. Gentleman's closing comments are a strange reflection on a Government who have just put more extra money into education than his party's Government ever managed to do. I am happy to congratulate the school in his constituency, and all the schools elsewhere that take local action with well-devised projects to reduce truancy and ensure good attendance.

School Security

11. **Mr. Edwards:** What measures have been taken to enhance school security for 1998–99. [24191]

The Minister for School Standards (Mr. Stephen Byers): The Government are making available an extra £22 million in 1998–99 to improve security in schools in England.

Sir Patrick Cormack: Is the hon. Gentleman sure of the numbers?

Mr. Byers: Absolutely, yes; it is two times 11, I think. That sum is in addition to the £6 million provided through our new deal for schools.

Mr. Edwards: I thank my hon. Friend for his answer. Does he agree that a secure environment is essential for learning and for teaching, and that vandalism is far too common in our schools? May I assure him that all the schools in my constituency in Monmouthshire will greatly welcome the Government's commitment to allocate additional resources and specifically to improve school security?

Mr. Byers: I am grateful for my hon. Friend's questions. This year, Monmouth has received some additional resources to help with school security. We have to put the interests of children and school staff first, which is why it is vital for the Government to ensure that they have a secure environment during school hours.

Mr. Evans: I am sure that the Minister will agree that it would be even better if seven times £8 million pounds were spent to help secure our schools. Do the Government have any plans to encourage local education authorities to visit some of the schools in their area to test security? It is all very well for schools to make an assessment of their own security needs, but parents would be reassured if an independent assessment of schools' security needs were made urgently.

Mr. Byers: This is an important matter, about which I am sure all hon. Members are concerned. The working group on school security is still considering the matter, and I will draw to its attention the hon. Gentleman's suggestion. He is absolutely right to say that we need to ensure that parents feel confident about the school environment in which their children spend many hours a day.

Mr. Drew: Does my hon. Friend recognise the particular problems faced by schools in rural and semi-rural areas? Although they may not have the same order of problems, they still—because of isolation—need to be secure. Will he ensure that moneys reach the more rural schools? Anything he can do to ensure that that happens will be welcomed.

Mr. Byers: I assure my hon. Friend that, when we make our decisions on allocating money for school security under phase 2 of our new deal for schools—which will have a school security element—we will be conscious not only of what are perhaps to many people the more obvious needs of schools in more urban and built-up areas but of the specific needs of isolated rural schools. All schools need a secure environment. Although it is important that schools do not become fortresses, we have to get the balance right and ensure that our children receive education in a secure and safe environment.

School Repairs (Lewes)

12. **Mr. Baker:** What plans he has to help tackle the backlog of repairs to schools within the Lewes constituency. [24192]

Mr. Byers: As a result of the Budget statement on 2 July 1997, we expect that an additional £2 billion will be spent through our new deal for schools. Moreover, in 1997-99, East Sussex local education authority will receive a capital allowance of over £21 million to support building improvements.

Mr. Baker: I am grateful for that answer. However, does the Minister realise that, after 18 years of underfunding by the previous Conservative Government, schools in my constituency—indeed, across East Sussex—have a huge backlog of basic maintenance and repairs? Although the news that he has given us is welcome, the problem will not be solved. Does he realise

that many small village schools have real, specific and considerable needs even though they are rarely at the top of action lists? I am thinking of village schools in my constituency such as, for example, Wivelsfield, Newick and Upper Dicker. What comfort can he offer to them? Will he press the Prime Minister and his other colleagues to lift capping, so that local authorities can do the job that they know they want to do?

Mr. Byers: The very important element of our new deal for schools funding is that it is making grant available to local authorities and to schools for building purposes. As it is grant, it will not count against a local authority's cap, making the capping regime irrelevant in the new deal. The hon. Gentleman will be pleased to know that 15 schools in his own constituency are covered by East Sussex's application for the second phase of new deal funding. If that application were to be successful, it would make a very real difference to the quality of education that children in his constituency are receiving. We are confident that, with the new deal phase 2 for our schools, we will provide a quality learning environment, which we believe will play a vital part in driving up standards in our schools.

Mrs. Browning: Given that the hon. Member for Lewes (Mr. Baker) has raised specific questions about local education authority schools such as those in East Sussex, what is the Minister's response to the letter sent only yesterday to the Secretary of State for Education and Employment by the general secretary of the National Association of Head Teachers, who lists East Sussex as an LEA threatening cuts? The letter lists other LEAs, many of them Labour-controlled, that will not be spending all their additional allocation on education and schools, and states:

"the additional £835 million for education in next year's Budget is not going to find its way into schools, despite the Government's declared wishes."

We hear words, words and words from the Government, but education is not a high priority in Liberal Democrat and Labour-controlled LEAs up and down the country.

Mr. Byers: I join the hon. Lady in condemning East Sussex for failing to pass on the money that it has been given by the Labour Government, which we believe should be spent in the schools of East Sussex. However, I am sure that she will be aware that East Sussex is under Conservative control, so she needs to make representations to her political colleagues in East Sussex and urge them to ensure that the money that the Labour Government have given East Sussex—

Mr. Ian Bruce: No, they have not given it.

Mr. Byers: They have given it. East Sussex has the money, but Conservative councillors there are refusing to pass it on. New deal funding is grant so it does not count against the local authority's cap.

Out-of-school Child Care Initiative

13. **Mr. Gapes:** What assessment he has made of the out-of-school child care initiative. [24194]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Alan Howarth): In 1997, the Government commissioned a third evaluation of the out-of-school child care initiative to assess the extent to which schemes have become financially viable and to examine the factors affecting their viability. The report was published on 22 January and a copy has been placed in the House of Commons Library.

Mr. Gapes: I welcome the Government's commitment to double funding for the out-of-school child care initiative, but can my hon. Friend assure me that more efforts will be made to ensure that resources reach the poorest and most disadvantaged communities with the worst deprivation?

Mr. Howarth: My hon. Friend expresses his characteristic concern for the most disadvantaged of his constituents. The previous Government would support provision under the out-of-school child care initiative only when a scheme could demonstrate that it would be self-sustaining within a short period. Only this morning, I discussed that and other child care issues with representatives of training and enterprise councils. They want more attention to be given to developing local capacity in deprived areas over longer time scales and to supporting parents in low-income households to meet the costs of child care. I fully recognise the force of what my hon. Friend and the TECs have said.

New Deal Pathfinder (Black Country)

14. **Mr. Cranston:** What reports he has received on the progress of the new deal pathfinder in the black country. [24195]

Mr. Andrew Smith: I have received weekly reports on the new deal pathfinders, including the one in the black country. I was pleased to visit Dudley last month. It is early days, but the programme has made an encouraging start, and I thank my hon. Friend for his active involvement locally.

Mr. Cranston: I thank my hon. Friend for that reply. He will know that last Friday I visited Dudley zoo, which has just taken on one of my constituents, a young man who had been unemployed for seven years. How can we further involve small and medium-sized enterprises such as Dudley zoo in the new deal?

Mr. Smith: When I visited Dudley, I met representatives of business, including small businesses. There will be an active marketing campaign, locally and nationally, to get as many employers as possible signed up. We are also working through the sectoral business associations and bodies such as the Federation of Small Businesses have pledged their support to ensure that as many small businesses as possible are involved. My hon. Friend recounted the story of his constituent, and such instances bring home just what a difference the new deal will make to people's lives. That is why we need it and why it is such a good programme.

Mr. Baldry: Does the Minister accept that unemployment rates in Dudley, as elsewhere in the

country, are coming down fast, as the Secretary of State said recently? As a consequence of Conservative policies, unemployment fell by 28 per cent. over the past year. Is not the real problem in Dudley and elsewhere that employers are increasingly facing skills shortages? Will the Minister give an undertaking that the Department will keep under review the amounts spent on the new deal and whether some of that money could be better used by TECs to help with more skills training? Otherwise we shall have the ludicrous situation of money being spent where it is not needed and not spent where it is needed.

Mr. Smith: Despite the welcome fall in unemployment, far too many people are unemployed—especially young people—and for everyone who remains unemployed, that unemployment is 100 per cent. They need all the help that the new deal will provide. We are implementing the right programme at the right time for the reasons that the hon. Gentleman gives. When the labour market is tightening and firms are finding it difficult to recruit workers with the skills that they need, a programme that equips young people with training and skills so that they can help to fill those vacancies will not only benefit the young unemployed but will be good for business.

Special Needs

15. **Mr. Paul Clark:** What steps will be taken to ensure that young people with exceptional needs are able to enter the new deal early if they choose to do so. [24196]

Mr. Alan Howarth: We are committed to ensuring that the new deal meets the individual needs of all young people, including those with special needs, who will be offered the opportunity to join it early. That includes people with disabilities, those with literacy or numeracy problems, lone parents, ex-offenders and others at a particular disadvantage.

Mr. Clark: I thank my hon. Friend for his reply. The scheme that is being developed to deliver the new deal in the Medway towns will ensure that those opportunities exist. Special advisers to the scheme through the gateways opportunity, including Members of Parliament who are members of the planning team, will experience some of those opportunities. That is why I cannot wait to join the Army in the woods for a 36-hour survival course to develop my motivation and team skills. Does my hon. Friend agree that the new deal has given opportunities at a local level—that is the important point—to build strong, wide-reaching partnerships involving the private and voluntary sectors, the Employment Service and the public sector to deliver the training and skills that our young people require for the 21st century?

Mr. Howarth: After his magnificent result at the general election, my hon. Friend should be offering survival courses. He may receive applications from Conservative Members who are already panicking at the thought of the next election. I am delighted by the quality of partnership that is being developed for the new deal in the Medway towns. I pay tribute to my hon. Friend for his commitment, to Linda Russell, who has led the process for the Employment Service, and to all the businesses, TECs, local authorities and voluntary organisations that have responded so positively to the Government's challenge to give better support to unemployed people.

Mr. Ian Bruce: The Minister was clearly the first person in the Labour party to benefit from the new deal. I am glad that he is being less aggressive in response to questions on the new deal. Members of Parliament have received letters from the Employment Service telling us what is happening. We are grateful for that, but we are panic-stricken because the Employment Service is dismantling itself before the new deal has come in. It will be needed to help the most difficult cases to come off the unemployment register. Will the Minister please look again at the cuts to the Employment Service currently being announced?

Mr. Howarth: The hon. Gentleman is part of the old deal. Unemployment is 28 per cent. lower than a year ago. It must be sensible to scale back certain provision against that background. Funding per person is largely unchanged. The hon. Gentleman must acknowledge that there is a sensible case for what we are doing given that job clubs are only being used to 87 per cent. of capacity. However, where local partnerships think it appropriate, more job club places can be provided. Employment Service district managers are consulting Members of Parliament and locally. It would be preferable for Members to respond constructively rather than using the opportunity for opportunistic political point scoring.

Mr. Allan: Does the Minister recognise the concerns expressed by many in our ethnic minority communities, which traditionally suffer disproportionately high unemployment, that their young people will have difficulty gaining access to the high-quality employment option under the new deal? Does he recognise that such concerns are often fuelled by scepticism as a result of poor experiences on schemes under the previous Administration? Does he have any plans to deal with such issues?

Mr. Howarth: The hon. Gentleman is absolutely right to draw attention to the grievous reality of unemployment among members of ethnic minorities—particularly young people. Unemployment among people from ethnic minorities is running at twice that among white people—15 per cent. as against about 7 per cent. Unemployment is higher among young people across the range of ethnic minorities. For young black people, unemployment is running at 34 per cent. The most chilling statistic is that, among black men in London aged between 16 and 24, unemployment is 45 per cent. The previous Government left behind a shameful situation.

We are involving ethnic minority organisations at every point in the new deal. We have introduced ethnic

monitoring to examine what barriers to success there may be for young people from ethnic minorities. We are, of course, monitoring very closely the outcome so that we can respond sensitively and urgently to this very important challenge.

Regional Aid

16. **Mr. Barnes:** What representations he has received recently from the alliance for regional aid; and if he will make a statement. [24197]

Mr. Andrew Smith: I met representatives of the alliance for regional aid in August last year. We discussed the reform of the European structural funds and the criteria for their allocation. The Government are seeking arrangements which are fair, affordable, efficient and durable, and which take due account of United Kingdom regional interests.

Mr. Barnes: The alliance for regional aid is worried that £1,000 million a year, which we have been receiving from the European regional development fund under objective 1 and objective 2 assistance, may begin to disappear. One of the factors involved is the unemployment figures that are presented to the European Union. We still operate on the fiddled method that the Conservatives introduced. It must therefore be made clear to the EU that unemployment is higher than the official record shows. We might need to adjust the figures to show that that is so.

Mr. Smith: The Government have been making the point about the importance of accurate unemployment statistics. We are seeking to re-establish public credibility and confidence in unemployment figures, which were so shamefully undermined by successive changes and fiddles when the Conservatives were in government. The review has properly been conducted by the Office for National Statistics at arm's length from the Government precisely so that it could not be subject to any charge of political interference or manipulation—nor has it been. My hon. Friend and the House can expect an announcement from the Office for National Statistics in the very near future. In the meantime, the Government will continue to fight for a fair deal for the United Kingdom regions in our negotiations with Europe.

Literacy and Numeracy

17. **Mr. Ivan Lewis:** What steps he plans to take to ensure that schools are able to timetable for teaching an hour a day of literacy and numeracy. [24198]

18. **Mr. Llwyd:** How many representations he has received on his recent proposals for more school time to be devoted to teaching numeracy and literacy, and if he will make a statement. [24199]

Ms Estelle Morris: We announced earlier this month that schools will have time to devote an hour each day to literacy and to numeracy. From September, primary schools will no longer be required to follow the current prescribed programmes of study in the national curriculum subjects of art, design and technology, geography, history, music and PE. We have also published our plans to free teachers from unnecessary bureaucracy and give them more time to teach the basics.

Mr. Lewis: I thank my hon. Friend for that response. Since 1 May she has made it clear that we shall demand the highest standards from our schools, but also that we shall give our teachers and governors the tools with which to deliver such standards. In the context of literacy and numeracy, books are an important element in the ability to deliver high standards. What plans do we have to increase access to and use of books in our schools?

Ms Morris: The whole House will have been pleased to hear the announcement made this morning by my right hon. Friend the Secretary of State, that the Government are to provide an additional £23 million for books in schools. That will mean that most schools will receive £1,000 extra to spend on books. When we add that to the £59 million already put into the literacy strategy, we see that the Government are taking action to ensure that we raise standards in the basics of literacy and numeracy. That will be welcomed by all schools and all parents.

Mr. Llwyd: Bearing in mind the present low morale in the teaching profession, will the hon. Lady assure the House that, before the changes are introduced, there will be wide consultation with the profession, in order to allow those changes to work? The move is surely right and proper; none the less, it should be implemented in a way that is comfortable and practicable for schools and teachers.

Ms Morris: We shall indeed consult on the proposed changes over the next few months. I know that my right hon. Friend's announcement this morning will also raise morale in classrooms. It shows that the Government are giving teachers the tools to do the job. They are essential partners in our crusade to raise standards, and I know that they will welcome today's announcement.

Bloody Sunday

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I will make a statement on the events in Northern Ireland on 30 January 1972, which has become known as Bloody Sunday.

The facts that are undisputed are well known. On 30 January 1972, during a disturbance in Londonderry following a civil rights march, shots were fired by the British Army. Thirteen people were killed and another 13 were wounded, one of whom subsequently died. The day after the incident, the then Prime Minister set up a public inquiry under the then Lord Chief Justice, Lord Widgery.

Lord Widgery produced a report within 11 weeks of the day. His conclusions included the following: that shots had been fired at the soldiers before they started the firing that led to the casualties; that, for the most part, the soldiers acted as they did because they thought their standing orders justified it; and that although there was no proof that any of the deceased had been shot while handling a firearm or bomb, there was a strong suspicion that some had been firing weapons or handling bombs in the course of the afternoon.

The time scale within which Lord Widgery produced his report meant that he was not able to consider all the evidence that might have been available. For example, he did not receive any evidence from the wounded who were still in hospital, and he did not consider individually substantial numbers of eye-witness accounts provided to his inquiry in the early part of March 1972.

Since the report was published, much new material has come to light about the events of that day. That material includes new eye-witness accounts, new interpretation of ballistic material and new medical evidence.

In 1992, the then Prime Minister said in a letter to the hon. Member for Foyle (Mr. Hume), who has campaigned tirelessly on the issue, that those shot should be regarded as innocent of any allegation that they were shot while handling firearms or explosives. I reaffirm that today.

Last year, the families of those killed provided the previous Government with a new dossier on the events of Bloody Sunday. The Irish Government also sent this Government a detailed assessment that analysed the new material and Lord Widgery's findings in the light of all the material available.

I want to place on the record our strongest admiration for the way in which our security forces have responded over the years to terrorism in Northern Ireland. They set an example to the world of restraint combined with effectiveness, given the dangerous circumstances in which they are called on to operate. Young men and women daily risk their lives protecting the lives of others and upholding the rule of law, carrying out the task that we have laid upon them. Lessons have, of course, been learned over many years—in some cases, painful lessons. But the support of the Government and the House for our armed forces has been and remains unshakeable.

There have been many victims of violence in Northern Ireland before and since Bloody Sunday. More than 3,000 people, civilians as well as soldiers, police and prison officers, have lost their lives in the past 26 years. It may be asked why we should pay such attention to one event. We do not forget or ignore all the other attacks, all the innocent deaths, all the victims of bloody terrorism.

Sir Kenneth Bloomfield, a former permanent secretary in the Northern Ireland Office, is currently considering a suitable way in which to commemorate the victims of violence. In particular, the sacrifice of those many members of the security forces, including the Royal Ulster Constabulary, who lost their lives doing their duty, will never be forgotten by this Government, just as it was not forgotten by the previous Government. The pain of those left behind is no less than the pain of the relatives of the victims of Bloody Sunday.

Bloody Sunday was different because, where the state's own authorities are concerned, we must be as sure as we can of the truth, precisely because we pride ourselves on our democracy and respect for the law, and on the professionalism and dedication of our security forces.

This has been a very difficult issue. I have re-read Lord Widgery's report and looked at the new material. I have consulted my colleagues most closely concerned. We have considered very carefully whether it is appropriate now to have a fresh inquiry into the events of Bloody Sunday. I should emphasise that such a new inquiry can be justified only if an objective examination of the material now available gives grounds for believing that the events of that day should be looked at afresh, and the conclusions of Lord Widgery re-examined.

I have been strongly advised, and I believe, that there are indeed grounds for such a further inquiry. We believe that the weight of material now available is such that the events require re-examination. We believe that the only course that will lead to public confidence in the results of any further investigation is to set up a full-scale judicial inquiry into Bloody Sunday.

We have therefore decided to set up an inquiry under the Tribunal of Inquiry (Evidence) Act 1921. The inquiry will have the power to call witnesses and obtain production of papers. As required by the Act, a resolution will be needed to set up the inquiry. That resolution will be tabled later today in my name, in the following terms:

> "That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, namely the events on Sunday, 30 January 1972 which led to loss of life in connection with the procession in Londonderry on that day, taking account of any new information relevant to events on that day."

Lord Saville of Newdigate, a Law Lord, has agreed to chair a tribunal of three. The other two members are likely to be from the Commonwealth.

It is not possible to say now exactly how long the inquiry will take, but it should be allowed the time necessary to cover thoroughly and completely all the evidence now available. It is for the tribunal to decide how far its proceedings will be open, but the Act requires them to be held in public unless there are special countervailing considerations.

The hearings are likely to be partly here and partly in Northern Ireland, but, again, that is largely for the tribunal. Questions of immunity from prosecution for those giving evidence to the inquiry will be for the tribunal to consider in individual cases, and to refer to my right hon. and learned Friend the Attorney-General as necessary. The inquiry will report its conclusions to my right hon. Friend the Secretary of State for Northern Ireland, and our intention is that they will be made public.

Let me make it clear that the aim of the inquiry is not to accuse individuals or institutions, or to invite fresh recriminations, but to establish the truth about what happened on that day, so far as that can be achieved at 26 years' distance. It will not be easy, and we are all well aware that there were particularly difficult circumstances in Northern Ireland at that time.

Bloody Sunday was a tragic day for all concerned. We must all wish that it had never happened. Our concern now is simply to establish the truth, and to close this painful chapter once and for all. Like the hon. Member for Foyle, members of the families of the victims have conducted a long campaign to that end. I have heard some of their remarks over recent years and have been struck by their dignity. Most do not want recrimination; they do not want revenge; but they want the truth.

I believe that it is in everyone's interests that the truth be established and told. That is also the way forward to the necessary reconciliation that will be such an important part of building a secure future for the people of Northern Ireland. I ask hon. Members of all parties to support our proposal for this inquiry.

Mr. William Hague (Richmond, Yorks): I thank the Prime Minister for his statement, and for giving more than the usual notice of it. On behalf of the Opposition, may I echo what he has said about the work of our security forces, who have so consistently shown great courage and professionalism, often in the face of extreme danger or provocation?

I believe that it was right for my right hon. Friend the Member for Huntingdon (Mr. Major), when he was Prime Minister, to say that those who died on Bloody Sunday were innocent victims of the troubles, and the Prime Minister has today reaffirmed the statement of my right hon. Friend.

Is the Prime Minister aware that we welcome the fact that the extensive press speculation in recent weeks that he was planning to make an immediate apology turns out to have been misinformed? Indeed, it would have been bizarre for the Prime Minister to make an apology in advance of any inquiry. As the Prime Minister has reminded us, more than 3,000 people have died in the present troubles, most of them at the hands of ruthless terrorists. Does he agree that, when it comes to discussing apologies, it would be both right and helpful to our hopes for peace to have an apology or to see some sign of contrition from terrorist murderers on both sides of the sectarian divide?

On behalf of the Opposition, may I say that we are naturally sceptical about reopening an inquiry which was conducted 25 years ago, especially since previous Governments have already carefully examined new evidence submitted to them? However, if the Prime Minister is personally satisfied—on the basis of the strong advice he has received—that genuine, fresh and compelling evidence has now been submitted which is significant enough to warrant the reopening of the inquiry, we shall accept his judgment.

Finally, does the Prime Minister agree that the members of the tribunal and all of us here—especially those of us who have never served in the armed forces—should be very careful indeed when trying to second-guess with hindsight, and from the comfort of the House, the actions of a 19-year-old soldier under fire on the streets of Londonderry 26 years ago?

The Prime Minister: Yes, I agree with all those points and particularly with what the right hon. Gentleman said in respect of the difficulties facing young soldiers in those circumstances, and in respect of the actions of ruthless terrorists over a number of years. The fact that there is to be an inquiry should not in any shape or form be taken as an indication of any diminution of our total condemnation of those terrorist acts and our belief that those who are responsible for them should show the remorse, apology and contrition necessary. I agree with that entirely.

In answer to the right hon. Gentleman's point, of course there are difficulties with reopening an inquiry after this length of time, but I am personally satisfied that it is the right thing to do. In the circumstances—although there can be all sorts of debate about whether the balance of advantage politically lies in this or that direction—if the evidence is there and is compelling, and I believe it is, it should be done.

Mr. John Hume (Foyle): May I express my very deep appreciation to the Prime Minister for his statement? He is very right when he underlines the terrible tragedy that that day was. I know something about it, having been the only public representative on those streets on that day. It is therefore right and proper—this is an objective that no reasonable person should oppose or could oppose—that the full truth be established about what happened on that day.

May I also thank the Prime Minister for his recognition of the enormous dignity of the families of the victims of that day in their pursuit of that objective—the truth? Let us now hope that the steps he is putting in place will finally produce the full truth and be a major part of the healing process in our divided community.

The Prime Minister: I thank the hon. Gentleman for his comments. His work in campaigning for this is especially worthy of remark, as he is one of the people who have always believed in a peaceful solution to the problems of Northern Ireland.

Mr. David Trimble (Upper Bann): I am sorry to have to say to the Prime Minister that I think that the hope expressed by the hon. Member for Foyle (Mr. Hume) that this will be part of the healing process is likely to be misplaced. Opening old wounds like this is likely to do more harm than good.

The basic facts of the situation are known and not open to dispute. An arrest operation went wrong. The arrest operation was directed at rioters engaged in sustained rioting after an illegal republican parade. It was a pity to hear the mealy-mouthed language that the Prime Minister used about that.

I also have to point out to the Prime Minister that mistakes by the security forces have happened frequently over the years. There have been many cases where the security forces have fired on and killed innocent civilians. There have also been cases where the security forces have fired on and killed other members of the security forces. When such mistakes occur, the fault lies less with the men who have been placed in difficult circumstances than with those who have created them.

[Mr. David Trimble]

We are in favour of the truth, too. We would like the truth to come out about many things. There will be widespread scepticism about new witnesses. There will also be questions about selectivity in dealing with this incident and not others.

We have heard that the Irish Prime Minister has pressed for the inquiry. Will our Prime Minister ask him to look into the actions of his party when it connived at the creation, funding and arming of the Provisional IRA? Does the Prime Minister realise that there will be those who will use this inquiry to denigrate our armed forces? The relatives may not seek revenge, but others do.

Finally, I thank the Prime Minister for his reference to the victims of terrorism and, in particular, for his reference to the Royal Ulster Constabulary. Does he agree that it is a pity that the Northern Ireland Office removed the reference to the security forces from the terms of reference of the Bloomfield inquiry into victims?

The Prime Minister: May I say to the right hon. Gentleman, in respect of the circumstances, that one of the difficulties is that it cannot be said—to deal directly with his point—that this is a situation in which those who were killed were engaged in illegal activity. It cannot be said, because the Widgery report itself—this is one of the reasons why I think it is important that we reconsider what happened—makes it clear in respect of many of those who were shot and killed that there is no suggestion that they were acting illegally. I went through the report myself in a great deal of detail.

In respect of the four people who were killed in the Glenfada Park flats, let me quote from Lord Widgery's conclusions on evidence. He says:

"the balance of probability suggests that at the time when these four men were shot the group of civilians was not acting aggressively and that the shots were fired without justification."

That is actually in the Widgery report. This is not a set of circumstances in which one can say that there is a necessary correlation between any illegal activity that day and the people who were killed. That is one of the reasons why it is important to consider the evidence.

In respect of what the right hon. Gentleman said about terrorists and the actions of terrorists, I entirely agree, but we do not need an inquiry into Warrenpoint, Enniskillen, Hyde park and Warrington. We know who was responsible. Those were appalling acts of savagery and violence, and we condemn them. The people responsible for them should be punished to the full extent of the law.

What is important, however, is that we make sure that, in respect of matters where there has been fresh evidence given and where we have considered that carefully and come to the conclusion that that evidence genuinely warrants looking at these matters again, it would be wrong, no matter what the inconvenience or the political advantage in pushing it away, not to act according to the evidence. That is what I did, and I ask the right hon. Gentleman to accept that I did that on the basis of a serious examination of the report, the new evidence that had been submitted and a careful analysis of where it might lead. I believe that the best way of dealing with the matter is to have a proper objective reconsideration, without any preconditions as to what the outcome may be, so that the truth can be established and told.

Sir Edward Heath (Old Bexley and Sidcup): I thank the Prime Minister for telling me last night that he was going to make his announcement today. I do not think that it is appropriate at this stage to carry on discussions and arguments about what in fact happened; for that, we must now await the new report.

On the right hon. Gentleman's remark that Lord Widgery produced his report quickly, I would say only that that was the demand of the House of Commons. The event took place on the Sunday; the Home Secretary announced on the Monday that the commission would be set up; and I announced the commission here on the Tuesday. The general demand was that the matter should be dealt with speedily, because members of the forces change rapidly and the House also wanted the quickest possible answers to the questions. That is the explanation.

I shall readily agree to the commission seeing any of our papers, if it so wishes. The Widgery commission saw the greater number of them—whatever it asked for, it saw. However, if there are still others that the new commission wants to see, I shall readily agree.

The Prime Minister concluded by expressing the hope that this commission will see the end of the matter. I sincerely share that hope—but it is a hope.

The Prime Minister: I do not dissent from any of that—it is a hope. I entirely agree with what the right hon. Gentleman said about the circumstances in which Lord Widgery was asked to perform his task, although that obviously had certain consequences, which I also described in my statement, as to the evaluation of the evidence. In respect of what he said about his own co-operation, I am very grateful to the right hon. Gentleman.

Mr. Menzies Campbell (North-East Fife): The proposal that the Prime Minister has made has the support of my right hon. and hon. Friends and myself. I do not believe that he is being mealy-mouthed; this is a courageous decision, not least because some of the conclusions may be painful and even disturbing. I commend his remarks about the young men and women of the security services: I and many other hon. Members have seen their qualities at first hand, and anyone who has done so could not but be impressed by their maturity and bravery.

Does the Prime Minister agree that the inquiry should not become part of the peace process or a substitute for it, but should be seen as a confidence-building measure to assist the progress of that process? Does he further agree that to try to arrive at the truth after 25 years is a Herculean and probably unprecedented task, and that the tribunal will therefore require all the help it can get? Rather than deal with the question of immunity on the basis of individual cases, would it not be right to establish in principle and in advance that those who give evidence freely and frankly before the tribunal will be given immunity from subsequent civil or criminal proceedings?

The Prime Minister: On the last point, there are rules set out in the 1921 Act in respect of that matter, and it is open to the tribunal to request immunity, which the Attorney-General would be able to give. It is also the right of any people appearing in front of the tribunal not to give evidence that incriminates themselves. We certainly do not see this as an exercise in recrimination—the more help that we are given in establishing the truth, the better, so I shall certainly take on board the hon. and learned Gentleman's point.

It is true that there is a 26-year time gap, but much of the process will consist of evaluating evidence that is already there and can be re-evaluated, together with the new evidence that has now been passed on to us. As for its not being part of the peace process or peace talks, that is absolutely right—it stands on its own in the end. There are arguments both ways politically and we have given careful consideration to the issues, but I hope that the House will accept from me that the decision was made because, having gone through the Widgery tribunal, having looked at all the evidence and also at some of the findings of fact made by Widgery and finally having looked at the conclusions, it seemed to me absolutely clear on the evidence that there was material that demanded fresh reconsideration. That is especially true given that it had already, in a sense, been accepted by the British Government, in the 1992 statement, that those who were killed were innocent of any illegal intent.

Mr. Roger Stott (Wigan): I am not entirely sure whether my right hon. Friend is aware that seven of his Back-Bench Members of Parliament were in Northern Ireland on Monday and Tuesday; as secretary of the departmental Select Committee on Northern Ireland Affairs, I was happy to arrange that visit.

Our final round of talks on Tuesday afternoon, in the guildhall in Derry, was with the families and the victims of Bloody Sunday. I am sure that I speak on behalf of all my colleagues who were there, on behalf of the families of Bloody Sunday and on behalf of my hon. Friend the Member for Foyle (Mr. Hume), when I say that we thank my right hon. Friend for his statement today.

The Prime Minister: I thank my hon. Friend for his support.

Mr. Andrew Hunter (Basingstoke): Does the Prime Minister agree that Bloody Sunday should also be seen as the tragic climax of a sequence of events that started some time before January 1972, and that many people and organisations helped to shape those events? Will the inquiry's terms of reference enable the tribunal to consider relevant background factors before 30 January?

The Prime Minister: The tribunal's inquiry is into the events of the actual day itself, but I agree with the hon. Gentleman that, of course, it is right for us to consider—no doubt it is something that the tribunal will have in mind when it comes to consider what happened on that day—the events that led up to it. There had been an extraordinary amount of violence, and many killings and murders had been carried out by terrorist organisations—in particular, the IRA. Of course all these things helped shape the context in which the events of that day took place. None the less, the tribunal will focus specifically on the events of that day and on the responses that were made, which is right and proper, but I have no doubt at all that it will have in mind the context in which those events happened.

Mr. Peter Temple-Morris (Leominster): The Prime Minister is to be commended for this decision, and he deserves the full support of the House for it. Is he all too well aware that certain historical events in Ireland—often very sad events—have polarised and symbolised the opinion of many of the Irish towards the British, and that we must get over those to secure the peace? Does he further agree that this is not about retribution or recrimination, but about implementing the even-handed treatment of all the people of Northern Ireland, without which we cannot secure the peace that they deserve?

The Prime Minister: That is right. Of course there are many polarised views. When we are presented with conflicting claims—some people calling for an inquiry; some people saying that it is not the right thing to do—the only way out of that situation is to examine the evidence and see whether it is justified on its merits. I believe, for the reasons that I have given, that it is.

It has not been a difficult decision. Indeed, I have been very closely personally involved with that decision; that is one of the reasons why I made today's statement myself. I have no doubt at all that, on the evidence, it is the right decision.

Rev. Ian Paisley (North Antrim): The Prime Minister has made it clear why Bloody Sunday is entirely different from the Bloody Mondays, Tuesdays, Wednesdays, Thursdays, Fridays and Saturdays that Ulster has endured; he said that it is different because the state's own authorities were concerned in it. If that is so, on the other side, the state's own authorities—the Dublin authorities and leading members of the Dublin Government—were involved in bringing about the Provisional IRA, and many of the terrorist acts that the Prime Minister is condemning were done by the Provisional IRA. Indeed, a member of the talks process today, who sits there presiding over his own party—Gerry Adams—was responsible for the terrible calamity of Bloody Friday in Belfast.

Therefore, as the Irish Government have joined in pushing for this inquiry, I would ask the Prime Minister to join now in pushing for an inquiry to look into the state's involvement, in the south, in producing the IRA, which has done such terrible deeds.

The Prime Minister: First, of course we received representations from the Irish Government, but the decision was our decision, and it was taken on the basis of the evidence. Secondly, in relation to the Provisional IRA and the events in which it was involved, the hon. Gentleman mentioned Bloody Friday, in which, some six months after the events of Bloody Sunday, 11 people were killed and 130 injured in Belfast. We know who was responsible for that and we can condemn them. We do not need an inquiry to condemn it; we know who was responsible. The Provisional IRA was responsible, and we condemn it.

Mr. David Winnick (Walsall, North): My constituency is not far from Birmingham, where so many innocent people were murdered in November 1974. Is there not all the difference in the world between a Government in a democracy, who should always make sure that the rule of law is upheld, and terrorist organisations that, by their very existence, defy the rule of law? That is the answer to those on the Opposition Benches who speak of all the victims of violence. The important difference is between those who might have been terribly wrong, as quite likely they were on Bloody Sunday, and the victims of terrorist violence, which we have always condemned in the House.

[Mr. David Winnick]

I hope that the time will come when, as my right hon. Friend mentioned, there will be a memorial to all the victims of violence. We have a memorial in Birmingham to those whom I mentioned. Let all the victims be remembered.

The Prime Minister: I agree. All the victims should be remembered. I agree also with my hon. Friend's initial point, that we do not operate according to the standards of terrorist organisations. We operate according to the standards of the rule of law. That is why it is important always, in any circumstances where doubts are raised, that we lay those doubts to rest.

Let me make it clear once again: this is an inquiry into the facts, not a prejudgment of the facts. We shall inquire into what happened on that day. It is one of the best answers of democracy to the terrorists to say that when allegations are made against us, we are prepared to look at them. We have nothing to fear from a proper inquiry. We are prepared to uphold the rule of law. Terrorist organisations do not do that, which is precisely why they are terrorists and why we support the rule of law. If that distinction can be made, it is the distinction between the path of democracy and the path of violence.

Sir Nicholas Lyell (North-East Bedfordshire): I know from my 10 years' experience as a Law Officer in Northern Ireland and from the opportunity for discussion with people of good will on both sides that there is a genuine residue of anxiety not only about the events of that day, but about the inquiry that had to follow so swiftly. Lord Widgery is held in great regard, but there remain anxieties about that inquiry.

I believe that the Prime Minister is right to set up a fresh inquiry, but would he re-emphasise to the House that the armed forces are always placed in the most difficult position; that the object of the inquiry must be to get at the truth, not to go for recrimination and not to go for prosecution; and that any request by the tribunal to the Attorney-General for immunity could properly be considered sympathetically?

The Prime Minister: I agree with all of that. It is not for me to make the Attorney-General's decisions for him, but I know that he will give the matter proper consideration when requests for immunity are made. I agree entirely with the right hon. and learned Gentleman about the difficult position in which the armed forces are placed. That is why I went out of my way in my statement to put on the record our support and admiration for the work that they do.

The right hon. and learned Gentleman's comment about the genuine residue of anxiety is right—in part, for the reason that I gave earlier. There has been much debate about the Widgery conclusions, but, even in relation to the Widgery tribunal's findings of fact, it is clear that, in respect of many of those who were killed that day, there is no suggestion that they were involved in unlawful activity. That is why there is a residue of anxiety. People ask whether, if it is accepted that innocent people were killed, it is not right to establish the truth of what happened.

I agree with those who said earlier that we should not prejudge the outcome. We have set up the inquiry under a highly respected Law Lord, an extremely able man. There will be two good people with him. That tribunal of three will genuinely inquire into the facts. It will be for them to establish the facts, which I am sure they will do impartially.

Mr. Dennis Canavan (Falkirk, West): Is my right hon. Friend aware that I was a member of the delegation of Labour Members who visited Derry on Tuesday of this week when we met some of the relatives of the victims of Bloody Sunday who have been campaigning for justice for more than a quarter of a century and who put forward a strong case for some form of international independent inquiry?

Is my right hon. Friend also aware that some of the representatives of the Unionist community whom we met expressed no objections whatever to such an inquiry and, therefore, it is important that the inquiry is seen to be a search for truth and justice, which surely is in the interests of all the people of Northern Ireland, whatever their political or religious beliefs?

The Prime Minister: Yes, it should be a search for truth, and I believe that many in the Unionist community will understand why it is necessary to have this inquiry. However, what those in the Unionist community will want us to do—which is why it is so important that we do so in the House—is to express our abhorrence at all the killings that there have been in Northern Ireland and our condemnation of the terrorists who engaged in those killings. That is a necessary part of reassuring them that this is not something that is done for one community or the other community; it is something done genuinely to get at the truth of what happened.

Mr. William Ross (East Londonderry): Is the Prime Minister aware that I am somewhat disappointed that, having read the Widgery report, he did not set out very plainly to the House the background of the events? The Widgery report says that between August and February in that area nearly 3,000 shots were fired at the security forces and 456 nail bombs were thrown at them; that there were 225 explosions, mainly in commercial premises which belonged to Protestants, the end result of which was that they have largely disappeared from the west bank of the Foyle; that there was heavy and sustained rioting on that day; that the illegal march was part of the on-going effort made to overthrow the Government of Northern Ireland which the then Prime Minister, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), carried out three weeks later; and that the soldiers were there to uphold the rule of law, which, as the hon. Member for Walsall, North (Mr. Winnick) said, all democracies should uphold.

Will the Prime Minister give us a clear understanding that the tribunal will not only consider the evidence that has been produced by the Irish Government and people in Londonderry, but will consider and seek out all other evidence that was available at that time and not examined, because some of it might shed a somewhat different light on the events that the right hon. Gentleman has explained to the House today?

The Prime Minister: I am sure that the tribunal will consider all relevant evidence, as it should do. In respect of the background of the events, I entirely agree with the hon. Gentleman. I said that earlier myself. Of course the

background to the events was as he described, but the plain fact of the matter is, as I also pointed out earlier, that it is not in dispute that, even on the basis of the Widgery report, at least some of those who were killed were killed wrongly. Therefore, it is important to try to establish the truth.

The background will no doubt be part of the consideration that is given by the tribunal to what happened on that day. None the less, it is important, in circumstances where it is a matter of common ground that innocent people were killed on that day, that the truth is properly established. In the end, that is best for both sides of the community.

Mr. Norman A. Godman (Greenock and Inverclyde): I offer my sincere compliments to my right hon. Friend on his remarkable decision to set up the tribunal. There is now an opportunity, perhaps a final opportunity, to uncover the truth of that awful day and bring this dreadful affair to an end. It would be appropriate if many of the sittings were held in Belfast. I also emphasise, if it needs to be emphasised, that Labour Members hold our armed services in high regard. Some of us have even served with the British Army.

The Prime Minister: I agree entirely with what my hon. Friend said at the end. The tribunal sittings will be a matter for the tribunal itself. In respect of the process, it is natural—I think that the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), the former Prime Minister, implied this—that there are of course risks in such an undertaking as holding this inquiry; there are bound to be. The process will be difficult and painful at times—that is clear as well. What is plain to me is that the problems, the wounds, have not disappeared over 26 years. They are still there. The best chance to heal them is to have a proper reconsideration and to try to get at the truth once and for all.

Mr. Gerald Howarth (Aldershot): I represent the home base of one of the most distinguished regiments in the British Army, the Parachute Regiment. Just a few weeks ago, the 1st battalion of the Parachute Regiment returned to Aldershot from yet another tour in Northern Ireland, which it carried out with great distinction and great sensitivity.

Is the Prime Minister aware that this is a two-sided business; that there were indeed casualties on that tragic day in 1972, but that, since 1969, no fewer than 43 members of the Parachute Regiment have lost their lives in trying to uphold the peace in this country, in these islands, and that six civilians and one Roman Catholic padre were killed in Aldershot, outside the officers mess, in a despicable retaliatory action by men whom he condemns but who will not be called to account by the inquiry that he is to set up?

The Prime Minister made great play of his and his Government's support and admiration for our armed forces, and I believe that to be sincere. I believe that he does recognise the particular difficulties faced by young men in having to make split-second decisions, but does he not recognise that his decision today in some sense threatens to put counter-terrorist operations at risk if the front-line soldier feels that he does not have the support of his political master, whose orders he carries out?—*[Interruption.]* These are questions which deserve answers. I represent men who are serving in Northern Ireland—[HON. MEMBERS: "We all do."]—as do right hon. and hon. Members on both sides of the House, and those men deserve an answer. The IRA will not be called to account in the inquiry that the Prime Minister will set up.

I conclude by reminding the Prime Minister:

"These tragic events belong in the past."—[*Official Report*, 19 April 1972; Vol. 835, c. 521.]

Those are not my words but those of his predecessor, now Lord Callaghan.

The Prime Minister: I understand the point that the hon. Gentleman is making. Whether these events should be revisited and whether it would have any effect on the way in which the armed forces operate on the ground weighed heavily with us. I agree entirely that they have to know that they have the support of their political masters, and they have it 100 per cent., but it would be a disservice to them to believe that they should have anything to fear from an inquiry that establishes the truth, where people accept that people were killed in circumstances in which they should not have been killed. Far from undermining support for our armed services, I believe that, by setting up the tribunal of inquiry under a highly respected Law Lord and establishing it in such a way that it can get at the truth, we underline the fact that, unlike the terrorists, we do not have anything to fear from inquiries into the truth.

The hon. Gentleman said that the IRA will not be called to account. Yes, they will be called to account. We do not need a tribunal to call them to account—we call them to account now. We call them to account every single time that any one of us speaks on these issues. We condemn absolutely and unequivocally what they have done and the terrorist murders that they have carried out.

Labour Members as well as Conservative Members have had constituents who were killed, murdered, in random acts of terrorism. That has happened on both sides of the community. We have seen in the past few weeks terrorists who have gone to a taxi rank and shot the taxi driver just on the basis that he happened to be a Catholic. All those people deserve our condemnation. It is precisely to show why we set higher standards than the terrorists that we say that it is right to have this inquiry.

Mr. Harry Barnes (North-East Derbyshire): The seeds of the inquiry were contained in letters sent from the previous Prime Minister to my hon. Friend the Member for Foyle (Mr. Hume), saying that the victims were innocent, and, prior to that, in letters to the hon. Member for Worthing, West (Mr. Bottomley) and myself, saying that they were not guilty. In those circumstances, an inquiry was on the cards.

I was also with the group that met the families of the victims of Bloody Sunday in Derry on Tuesday. They said that there were two things that they did not want: first, they did not want an apology, because that would cut across and perhaps substitute for an investigation; and, secondly, that the inquiry should not be dealt with as a quid pro quo or a confidence-building measure but should take place entirely on the ground that it is the correct and just thing to do. I very much welcome my right hon. Friend's statement.

The Prime Minister: My hon. Friend has a proud record of raising issues in relation to Northern Ireland in

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a particularly impartial and constructive way. I agree with both the points that he made. First, it would have been quite wrong if an apology cut across the investigation, and, secondly, the inquiry should be based on the evidence. It is based on the evidence, because, in a sense, that is why the matter has not gone away over 26 years. It might have gone away had the evidence been less clear, but it has not gone away precisely because the evidence is clear. There are matters that must be investigated and looked at.

Mr. Peter Bottomley (Worthing, West): The new dialogue group has been asking for at least a partial reopening of Widgery. May I give unqualified support to the Prime Minister's decision, to his statement and to his answers to questions? I am sorry both that people died in Derry that day and that thousands have died in the years since. There is nothing that the Provisional IRA can do to make people in Great Britain want to split the Union, but we should warn the disloyalists who are killing Catholics after the murder of Billy Wright that they test the unity of the Kingdom far more.

The Prime Minister: I thank the hon. Gentleman for his support for what we have said. I agree that those who carry out appalling killings in the name of loyalty to the United Kingdom commit a profound act of disloyalty to the United Kingdom, and they will not affect the Government's judgments in any way.

Mr. Bill O'Brien (Normanton): I thank my right hon. Friend for his statement and the assurances that he gave. They are a further demonstration that he and his Government, including the Secretary of State for Northern Ireland, want to do everything possible to bring fairness, justice and the truth to the Province of Northern Ireland. Will he assure us that there will be no sidetracking of evidence, but no one will be intimidated against giving evidence, and that we shall obtain the truth, which will be published and presented to Parliament?

The Prime Minister: Yes, I can give those assurances. Certainly, the evidence will be properly considered and the results given to the House.

Mr. John Wilkinson (Ruislip-Northwood): I sat through the debate to which my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), the former Prime Minister, referred, on 1 February 1972, and heard how earnestly hon. Members on both sides of the House desired to establish the truth—the then Minister of State for Defence, Lord Balniel; Robin Chichester-Clark; the Home Secretary; Merlyn Rees, now Lord Rees; and Harold Wilson. Lord Widgery produced an exemplary report, which was remarkable for its clarity and objectivity. May I say to the Prime Minister that we need to look resolutely forward to secure reconciliation? The wounds run too deep. May I say candidly that reinvestigating these matters will just exacerbate the pain, sorrow and grief, and lead to further alienation of loyal people in Northern Ireland, who look to their Government to secure and protect their birthright and inheritance?

The Prime Minister: First, I do not cast any aspersions on the decisions that were made at that time. Many hon. Members have given graphic descriptions of the circumstances in which those decisions were taken. In the end, it is a matter of judgment. We must make a judgment on whether it is possible to look forward without having sufficiently looked back and sorted out the problems that history has left us. My judgment is that we will not be able to move on to the next chapter until this chapter is properly closed.

I understand why the hon. Gentleman may disagree with that judgment. It is a fine judgment to make, but I came to it on the evidence. This issue will not go away. The residue of anxiety and grievance will not disappear while the evidence remains so clear that it is necessary to reconsider and re-evaluate what happened on that day. I do not doubt that that will be painful in many circumstances, but it is always better to search out and reach for the truth than to decide that it is too painful to get at and we should move on.

Mr. Jeremy Corbyn (Islington, North): I thank the Prime Minister for his statement, and for establishing the inquiry. Will he assure the House that all Government and military departments will give their full co-operation, that the evidence that was ignored by the Widgery tribunal will be made available to the inquiry, and that witnesses, from whatever quarter, who require financial support for legal representation at the inquiry, will receive it?

All of us who want peace in the Six Counties recognise that it has to be based on honesty and truth. The inquiry will help to give an awful lot of people confidence that the Government are serious about the search for peace in Northern Ireland.

The Prime Minister: The Ministry of Defence will advise any of those serving at the time who give evidence to the tribunal, and will ensure that they are looked after properly. Other questions of representation will be for the tribunal to decide.

A lot of evidence will be examined afresh, although it is also fair to say that some of that evidence will be re-evaluated; it was available at the time.

Mr. Peter Robinson (Belfast, East): The Prime Minister has told the House that a judicial inquiry is needed because he wants to get at the truth, which he said was particularly important as an arm of the state was involved. Is he aware that another event—one that did not occur 26 years ago when someone else was Prime Minister—occurred in HMP Maze not much more than 26 days ago while he was Prime Minister? A man under the controlled custody and care of the state was murdered. A civil service-type inquiry is being held into that incident. Why can we not have a full-blown, judicial, public inquiry into those events, especially in view of the fact that a number of innocent people have been killed as a result?

The Prime Minister: There is already a perfectly well-established procedure for inquiring into such events. Two inquiries are already under way: one by the RUC and the other by the person specifically appointed to look into incidents in prisons. We have made it clear that we shall inform people of the results of those inquiries, and I am satisfied that that is the best way to deal with the matter.

Mr. Edward Garnier (Harborough): I assure the Prime Minister that my question implies no criticism

either of the decision to reopen the inquiry or of the two eminent Commonwealth judges who are to sit with Lord Saville. Will he explain why he has decided to have two Commonwealth judges, as opposed to three United Kingdom judges?

The Prime Minister: Because it is important to make it absolutely clear that the inquiry will not only be impartial but will be seen to be impartial. Those appointments give the best chance of credibility. We have considered the matter carefully. We believe that it is right to have a senior British Law Lord, and that it will assist the inquiry to have two Commonwealth judges, who come from outside our jurisdiction but are familiar with its rules, sitting alongside him. That has been broadly welcomed across the spectrum.

Mr. Andrew Robathan (Blaby): Almost every hon. Member will agree with much of what the Prime Minister has said. I certainly do, and I do not doubt his good intentions. Does he accept that, since the Widgery report in 1972, the operational conditions of the Army and the security forces have changed dramatically, with the introduction of the yellow card and more stringent regulations? Because of that, two guardsmen, Fisher and Wright, are now languishing in gaol because they believed that they were doing their duty—mistakenly, as it happened.

Does the Prime Minister accept that, apart from the families of the deceased, with whom we all sympathise, the people who will gain the most satisfaction from his announcement may easily be—I regret to say—the IRA and Sinn Fein? As the Prime Minister rightly pointed out, they were responsible for Warrenpoint and Enniskillen, but he recently met their representatives at No. 10 Downing street.

Finally, will the Prime Minister accept my assurance that, whatever he may believe, the announcement of an inquiry will make it more rather than less difficult for the security forces on the streets of Northern Ireland to carry out their task?

The Prime Minister: I do not agree with that. If I had thought that, it would have been a very strong reason for not having an inquiry. I have to say that I think the single best weapon in the hands of those who are on the extreme side would that they could say, "They are not having an inquiry even when the evidence demanded it, because they are afraid of having one." I think that the greatest benefit of being seen to be unafraid to establish the truth in an inquiry will go to the democrats, who are able to say, "We are the people who recognise that we do things in a different way from terrorists, and when allegations are made about the way in which we have done things, we are prepared to have them investigated, and investigated properly."

As for the way in which the regulations have changed since 1972, yes, they have changed considerably. In respect of the case of Messrs Fisher and Wright, leave was granted in the High Court on Monday to seek a judicial review of the Secretary of State's decision. I do not think that it would be appropriate for me to comment further while legal proceedings are in train, but the hon. Gentleman will have heard the response that I gave an hon. Member yesterday.

Mr. Lembit Öpik (Montgomeryshire): Will the Prime Minister welcome the support that his initiative has received from many parties in the House, including the Liberal Democrats? Will he confirm that the intention is not to carry out a witch hunt, but to hold an inquiry that is seen to be absolutely independent? Lastly, does he agree that the intention is not to build a monument to anguish, but to dismantle one, so that we can lay to rest the 26 years of uncertainty that many have experienced—and, perhaps, find it a little easier to look forward to a more peaceful future rather than back to a troubled past?

The Prime Minister: I agree with that entirely.

Mr. Patrick Nicholls (Teignbridge): Will the Prime Minister comment on one problem that will clearly arise from what he has said today?

I think that it is common ground between us that there is a strand within the Republican movement—it is probably a majority strand, although I accept that it is not a unanimous strand—that has not been seeking an inquiry for all these years, but seeking a verdict. The verdict that those people have been looking for is that a British army of occupation murdered peaceable people in the street.

I must tell the right hon. Gentleman that people in that frame of mind will not be satisfied by any form of inquiry that does not give them the verdict that they seek. While I do not for a moment minimise the difficulty of the decision that the right hon. Gentleman felt that he had to make, there is a sense in which what he has done today, far from laying the matter to rest, means that it will stay there in perpetuity.

There are those who would believe—and I think that they would believe it without criticising the Prime Minister for the decision that he has made—that the interests of the innocent people of Northern Ireland, and of the British Army that has protected them with such conspicuous courage, would have been better served if the House had said collectively, "A judicial inquiry was set up by a democratic Parliament, and we should have the confidence in our own institutions to stand by that original verdict."

The Prime Minister: We should stand by it entirely, unless there is evidence to suggest that it should be reconsidered. It would be contrary to the spirit of what the hon. Gentleman has said if, having evaluated that evidence, weighed it, looked at it and decided that it merited a reconsideration of the events of that day and of the original tribunal of inquiry, I refused to allow that.

As for the suggestion that people may want a type of verdict that convicts the "British army of occupation" and all the rest of it, and they are not going to get it, and that will be a problem for them, I am not setting up the inquiry for those people. I am setting up the inquiry because the relatives of those who died that day have the right to expect us, their Government—the British Government—to try to establish the truth of

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the events of that day. I am interested in their interests, their concerns and their sense of grievance, not in the sense of grievance of people who have engaged in terrorist acts.

Mr. Tim Collins (Westmorland and Lonsdale): May I ask the Prime Minister whether he can assure the House that, before his decision, he neither sought nor received any expression of opinion on the matter from any member of the Clinton Administration?

The Prime Minister: I have not personally, no, although I think that their views on it are pretty well known—as are the views of the Irish Government. They are perfectly entitled to their views. I took the decision based on the evidence.

Madam Speaker: I think that that is it. Thank you very much, Prime Minister.

Business of the House

4.29 pm

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): Madam Speaker, I should like to make a statement about the business for next week.

MONDAY 2 FEBRUARY—Consideration in Committee of the Government of Wales Bill (Fourth Day).

TUESDAY 3 FEBRUARY—Consideration in Committee of the Government of Wales Bill (Fifth Day).

WEDNESDAY 4 FEBRUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Motion on the Police Grant Report (England and Wales).

Remaining stages of the Public Processions (Northern Ireland) Bill *[Lords]*.

THURSDAY 5 FEBRUARY—Motion on the English revenue support grant report.

FRIDAY 6 FEBRUARY—Private Members' Bills.

The provisional business for the following week will be as follows.

MONDAY 9 FEBRUARY—Opposition Day [7th allotted day].

Until about 7 pm, there will be a debate on the Child Support Agency on a motion in the name of the Liberal Democrats. The subject for the second half of the day to be announced.

TUESDAY 10 FEBRUARY—Consideration in Committee of the Scotland Bill (Third Day).

Motion relating to the beef bones regulations.

WEDNESDAY 11 FEBRUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Until 7 pm, motions on the Welsh revenue support grant reports.

Consideration of any Lords Amendments which may be received to the Greater London Authority (Referendum) Bill.

THURSDAY 12 FEBRUARY—Consideration in Committee of the Scotland Bill (Fourth Day).

FRIDAY 13 FEBRUARY—Private Members' Bills.

Last week, I said that my hon. Friend the Minister for Women had asked for a debate, but that no date had yet been fixed. Her request was echoed by Conservative Members. I am pleased to be able to give early notice to the House that there will be a debate on women, on Friday 27 February.

Mrs. Gillian Shephard (South-West Norfolk): I thank the right hon. Lady for her statement. I say again to her—I say it each week, but it is appreciated—that it is useful for the House to have notice of two weeks' business. I thank her for her response to our request for a debate on women. I also appreciate the fact that a thorough airing of devolution issues relating to Wales and Scotland is possible because of the amount of time allocated to the Bills' Committee stages on the Floor of the House.

I listened very carefully to what the right hon. Lady said, but heard no mention of a debate on the national health service, which I asked about last week. As I said then—I think that she did just acknowledge it—there have

been a number of statements and policy developments in the national health service. We have not had a debate on it since July, and the Opposition called that debate. We now await announcements on the future of London hospitals and on a public health Green Paper. I therefore hope that we can have a debate on the national health service quite soon.

I believe that the right hon. Lady's instinct is for openness in the House. Indeed, that attitude illuminates a great deal of the work that is being done by the Select Committee on the Modernisation of the House of Commons. Last week, she assured the House that there have been no changes to the ministerial code of conduct in respect of overseas trips for Ministers. Yesterday, the Prime Minister said the same—although he said it so irritably that the roof of the Chamber fell in overnight.

Given that the code uses the word "spouse" throughout; that, before 1 May, it was spouses who accompanied Ministers; and that Government sources have been quoted widely in the press as saying that Ministers are now free to decide whether their partners count as spouses, it was a bit disingenuous of the right hon. Lady, and perhaps against her instincts, to say last week that the code had not been changed. Would it not have been more open to admit that, while the wording of the code may not have been changed, Government practice has, without the House having been informed? Will she therefore make a statement on the new and changed practice in relation to the code, if only for the benefit of taxpayers, who, after all, are footing the bill? Will she also arrange for the House to be told whether that changed practice is to be extended, for example, to Her Majesty's forces' entitlement to travel, or whether, in their case, travel at public expense is limited—rightly, in my view—to serving personnel, their husbands, wives and children?

Will the right hon. Lady arrange for a debate on the public sector pay awards, which are being announced this afternoon? If, as has been widely trailed in the press, the pay awards are to be staged—they may not be, of course—will she arrange for the Chief Secretary to the Treasury to explain to the House how it was last year that the then shadow Chief Secretary described such staging as a "deception" and an "admission of failure" and to tell us how he proposes to describe the Government's staging of the award this year?

On the subject of public sector pay, will the right hon. Lady arrange for a statement on the cost to the taxpayer of the early dismissal of Anne Bullen before her contract had expired, in the continuing saga of the Foreign Secretary's diary arrangements?

Finally, will the right hon. Lady arrange for the Minister of Transport to explain to the House why he is introducing a tax on new cars with effect from 1 April? That tax was not included in the Chancellor of the Exchequer's Budget last July and, inevitably, its details have been announced by press release and not to the House. Although that demonstrates the Government's customary attitude towards the democratic process, it is nevertheless an abuse of the House.

Mrs. Taylor: The right hon. Lady's first point was about the debate on women. I am pleased that we have been able to arrange that. As I said last week, the Minister for Women has requested such a debate and has suggested a date that we have now agreed. It is good that both sides of the House want such a debate.

I am glad that the right hon. Lady welcomes the progress that has been made on both devolution Bills and the airing that they are getting on the Floor of the House. We should also place on record our gratitude to those serving on the Business Committee, who make sure that the Bills are handled in the appropriate way.

The right hon. Lady asked for another debate on the national health service. As I explained last week, we have a packed parliamentary programme—however, we have much to say about the national health service. She mentioned the Green Paper and the fact that there may soon be an announcement on London hospitals. I shall consider the possibility of statements being made to the House on one or both of those issues.

The right hon. Lady then referred back to the point that she made last week and which the Leader of the Opposition—very unwisely, I think—made yesterday at Prime Minister's Question Time, in respect of the code of conduct. The issue is not worthy of the right hon. Lady, and I do not feel that anything needs to be said in addition to what my right hon. Friend the Prime Minister said yesterday. As for the roof of this building, my hon. Friend the Member for Bolsover (Mr. Skinner) is claiming credit for that. However, you, Madam Speaker, have assured us that everything is safe.

In respect of the public sector pay awards, the right hon. Lady is correct that the announcement is being made, as is usual practice, by way of a parliamentary answer this afternoon. There has been no reversal of previous policy. Last year, we opposed local bargaining, which was bureaucratic and administratively extremely difficult, and caused much resentment in the national health service.

In respect of the dismissal of the diary secretary of my right hon. Friend the Foreign Secretary, there is a debate on that next week, but of course the lady concerned was on a fixed contract, having been appointed from outside the civil service by a previous occupant of that office.

I can add nothing about tax changes. The right hon. Lady and her colleagues will have to wait for the Budget.

Several hon. Members *rose—*

Madam Speaker: There are at least two hon. Members who came into the Chamber at the end of the Leader of the House's statement. They will not be called to put questions because they did not hear the entire business statement.

Mr. Derek Foster (Bishop Auckland): My right hon. Friend the Prime Minister is rightly seeking to modernise the welfare state, to deal with the dependency culture and to encourage citizens to be more self-reliant. Could we have a statement next week on the issues arising from the case of my constituent who was self-reliant, took out an insurance policy and then found that the income that he derived from it was deducted from his jobseeker's allowance? He is left with only £3 a week to live on. There are 7 million people with similar insurance. Some £1.2 billion of insurance income is involved. Local authorities might have to reclaim more than £1 billion from claimants of housing benefit because of the new situation.

Mrs. Taylor: I recall that case from a few weeks ago. As I remember, there had not been a change in the rules.

[Mrs. Taylor]

The interaction of all those matters can be taken into account in the welfare reform debate. There will be a Green Paper setting out the principles underlying the direction of welfare reform. My right hon. Friend and others will have an opportunity to contribute their ideas then.

Mr. Paul Tyler (North Cornwall): I welcome the Liberal Democrat Supply day, for which we are grateful, and the opportunity to debate our motion on the beef on the bone ban—an opportunity that is warmly welcomed by hon. Members on both sides of the House. I hope that the motion will receive all-party support.

As the right hon. Member for Bishop Auckland (Mr. Foster) has just said, there is widespread concern about the operation of the jobseeker's allowance. There is a specific problem coming down the track. Early-day motion 689 has all-party support.

[*That an Humble Address be presented to Her Majesty, praying that the Jobseeker's Allowance (Amendment) Regulations 1998, (S.I., 1998, No. 71), dated 15th January 1998, a copy of which was laid before this House on 23rd January, be annulled.*]

I notice that the leader of the Conservative party and members of other parties have added their names to the motion. I hope that we shall have an early opportunity to debate that important issue.

The Leader of the House was in her place last night to hear the statement on the channel tunnel rail link and the points that were made after it. I am sure that she will acknowledge the importance of the issue. The Deputy Prime Minister said several times that he had come early to the House—we all welcomed that—with only a bald interim statement. Several hon. Members on both sides raised some very important issues, but we did not have the benefit of a detailed assessment of the situation.

Will the Leader of the House assure us that, during the 30-day consultation period with London and Continental Railways, we shall have an opportunity to understand the issues and the criteria that the Deputy Prime Minister will use to assess the options? The matter has great implications for other private and public institutions. We do not want a witch hunt back to 1990, to see what Lord Parkinson did or did not do, but it is important, given the huge sums involved, that the House should have an opportunity to understand the options for progress.

Mrs. Taylor: I am glad that we were able to provide the Opposition day that the Liberal Democrats wanted. I look forward to hearing the second topic for debate, which I shall announce next week.

The beef on the bone regulations are up for discussion. I know about the rivalry to get a name on such a prayer.

The hon. Gentleman asked me to find time for a debate on the statutory instrument on the jobseeker's allowance. As he knows, any such requests are discussed through the usual channels in the normal way.

The House appreciated my right hon. Friend the Deputy Prime Minister coming here as soon as possible after the news about the channel tunnel rail link was confirmed at 8 pm last night. Hon. Members on both sides were pleased that the fullest information available was given directly to the House. My right hon. Friend said that he would try to keep the House informed as much as possible, although there could be delicate and difficult negotiations in the next 30 days. It may not always be appropriate for all the information to be in the public domain. Given my right hon. Friend's start in informing the House last night, we can be confident about his intentions to keep the House informed.

Mr. Tam Dalyell (Linlithgow): Having sat through every Welsh and Scottish devolution debate, may I be forgiven for asking my right hon. Friend the Leader of the House a question of which I gave her office notice? Could not three hours be found for a debate that goes further than a private notice question—I thank Madam Speaker for Monday's question—on the desperate situation that might result in this country going to war in the Gulf? Could certain issues be made clear arising from Madeleine Albright's visit? In particular, what are the precise objectives of bombing biochemical and biological installations—assuming that they exist—in the light of my question, to which my hon. Friend the Under-Secretary of State for Defence promised to reply shortly, on the specific issue of bombs landing on anthrax or botulinus installations? What would be the effects of released spores? Those problems ought to be discussed before we get into a mire that could cause endless difficulty in the middle east, where we seem to have no Arab support.

Mrs. Taylor: When my hon. Friend raised the issue last week, I said that we would keep the House informed whenever possible of any developments. We hope that diplomatic efforts will succeed. The Ministry of Defence has carried out theoretical modelling based on the worst case scenario of bombing installations containing anthrax, assessing the risk to military operations that might result from the destruction of enemy biological production and storage facilities. I repeat that we desperately hope for diplomatic progress. I know that my hon. Friend has different views on the importance of the issue, but I hope that he accepts that the Government will try to keep the House informed on that difficult subject.

Mr. Eric Forth (Bromley and Chislehurst): Could we have a debate on the Government's commitment to the principles of the social chapter? Could it be focused on their long-standing wish to protect people with short-term contracts, particularly women? Will the Leader of the House promise that the debate will be replied to by the Foreign Secretary?

Mrs. Taylor: I see no need for such a debate.

Mrs. Maria Fyfe (Glasgow, Maryhill): I welcome the plan for a debate on women. Perhaps it will concentrate on the real needs of women, not on cheap jibes about a tiny number of women who have been in the papers lately. I have a serious point. I am disappointed that the debate is to take place on a Friday. That does not seem to be a good choice. Is there a good reason why the right hon. Member for South-West Norfolk (Mrs. Shephard) chose a Friday and why the Government agreed? A normal business day would have been better for a discussion on the wide range of issues affecting women in Britain.

Mrs. Taylor: I am glad that my hon. Friend welcomes the debate in principle. I am not surprised, given the

interest that she has shown in women's issues for many years. I am sure that she will talk about the real needs of women if she is able to catch your eye in that debate, Madam Speaker. I am sure that, like me, she looks forward to the right hon. Member for Bromley and Chislehurst (Mr. Forth) being in his seat and perhaps participating.

The Friday in question is designated for Government business. As a Scottish Member, my hon. Friend will understand that there are constraints on time because of the need to debate the Scotland Bill.

Mr. Nick Hawkins (Surrey Heath): Particularly in the light of the Prime Minister's sanctimonious words in answers to questions yesterday and on other occasions about the importance of issues relating to women in the workplace, will the Leader of the House consider not only a debate to address the specific issue mentioned by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), but a statement from herself or one of her right hon. Friends, releasing Anne Bullen from the ban on her speaking, so that she is able to respond to the campaign of vilification that is being waged against her by the Foreign Secretary, his henchmen and Labour spin doctors?

Mrs. Taylor: I do not think that that comment is even worthy of an answer. The hon. Gentleman will be aware of next week's Adjournment debate.

Dr. Lynne Jones (Birmingham, Selly Oak): May I also ask my right hon. Friend for a debate on the Jobseeker's Allowance (Amendment) Regulations? In doing so, I draw her attention to early-day motion 709.

[*That this House notes that the Jobseeker's Allowance (Amendment) Regulations, which increase waiting days from three to seven, was proposed and announced by the previous Tory Government in November 1996; observes that the Social Security Advisory Committee has said the proposal 'would add unacceptably to the hardship experienced by unemployed people and their families' and that 'people will be less likely to take the risk of starting casual work or work of short duration' and has advised the Government not to proceed with it; regrets that the Labour Government is nevertheless proceeding with these Tory regulations in order to save £65 million but also notes that the Tory front bench has changed its position and is now opposing its own proposal; and therefore calls on the Government to withdraw these Tory regulations which even the Tories have now deserted.*]

Many Labour Members are perplexed by why the Government are introducing the measure, which the Social Security Advisory Committee recommended against and which seems to be in direct conflict with the initiatives that the Government are rightly taking to encourage unemployed people to find work.

Mrs. Taylor: I think that I made it clear earlier that, when it comes to debating any such issues, there is a great deal of pressure on the House's time. We have discussions and consultations and, of course, I take them all into account. I cannot promise my hon. Friend the debate that she wants.

Mr. Graham Brady (Altrincham and Sale, West): Two weeks ago at business questions, I asked the Leader of the House to look into a situation in which the Foreign Secretary had knowingly or otherwise given an inaccurate response to a question that I had asked him in the Chamber. I took the precaution of tabling a written question. The answer confirmed, in the words of the Minister of State, Foreign and Commonwealth Office, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), that I did not receive an accurate response. About three hours ago, I received a letter from the Leader of the House, which simply says that she is satisfied that the Minister of State's answer accurately set out the position. That was not my point. My concern was that the Foreign Secretary had inaccurately answered my question, not whether his Minister of State has answered it.

I understand that, in 1956, Harold Macmillan described the life of a Foreign Secretary as for ever poised between a cliché and an indiscretion. It is clear that the Foreign Secretary has lost that poise. From his behaviour, it seems that he has also lost all respect for the House of Commons. Will the Leader of the House look again at the facts and ask the Foreign Secretary to come to the House to put the record straight?

Mrs. Taylor: I have nothing to add to what I said to the hon. Gentleman in my letter.

Mr. Bill O'Brien (Normanton): I am sure that my right hon. Friend is aware of the tragedy that struck in my constituency on 15 December, when three elderly constituents died in a fire in a private care home. Can we have a debate on fire precautions in private care homes? Such accommodation is not subject to fire inspections because of its size. I consider the event in my constituency a marker for what could happen in many other constituencies. The rules should be changed, and a debate would help us to achieve the changes for which people are asking.

Mrs. Taylor: I can well understand my hon. Friend's concern at the tragedy in his constituency. I cannot promise him a debate on fire precautions in the way that he suggests, but perhaps he would consider applying to you, Madam Speaker, for an Adjournment debate. For my part, I shall certainly bring his remarks to the attention of my right hon. and hon. Friends.

Mr. John Wilkinson (Ruislip-Northwood): In view of the widespread interest in foreign affairs, will the Leader of the House grant us an early debate on the subject to allow the Foreign Secretary an opportunity to explain his relations with the Minister responsible for foreign affairs in Cuba? The matter relates to early-day motion 671.

[*That this House warmly welcomes the visit of His Holiness the Pope to Cuba; and believes that his spiritual leadership and courageous personal example will be an inspiration to the people of Cuba now as they were to people behind the Iron Curtain during the dark days of the Cold War who similarly suffered too long under state-sponsored atheism and authoritarian Marxist government.*]

[Mr. John Wilkinson]

The early-day motion was tabled following the visit of His Holiness the Pope to the island and refers to the issues and hopes that the visit raised.

Mrs. Taylor: We cannot have a specific debate on that in the near future, but I shall draw the hon. Gentleman's remarks to Ministers' attention.

Mr. Christopher Leslie (Shipley): Given that the Government's policy to reduce value added tax on fuel is bringing many benefits to everyone across the country—to businesses, charities and pensioners—including 17,000 pensioners in my constituency, will my right hon. Friend find time for a debate on such benefits, and particularly the gains of reducing VAT on home insulation?

Mrs. Taylor: My hon. Friend raises an important topic, and one that is of benefit to many pensioners in his constituency and in mine, nearby. The fact that we kept our election pledge on VAT on fuel and reversed the Conservative party's trend of increasing it has been of great assistance to many, as are the payments to pensioners that are being made at present.

Mr. Donald Gorrie (Edinburgh, West): Yesterday, during the Scotland Bill's first day in Committee, many amendments were not discussed. I know that that often happens, but the Scotland Bill is a constitutional Bill of great importance. Is it possible, either through the Business Committee that is considering the matter, or in other ways, for people with more knowledge and skill than I have in such matters to devise a method whereby all amendments are properly considered—either through better timetabling or use of time in the House, or even by having a separate Committee to mop up the amendments that are not discussed? It is very unsatisfactory that some amendments to a major constitutional Bill are never considered.

Mrs. Taylor: I think that the Business Committee has done quite a good job. In fact, most hon. Members have been very happy with the progress that has been made. It is always difficult to satisfy every hon. Member's desire to participate on every occasion, but we have been working quite well so far.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend agree that, if we are to have a debate on short-term contracts and so on, we should first get it clear in our mind that the Leader of the Opposition is at the head of the list, and that the debate is called "Waiting for Portillo"? Next, the debate should be broad enough to ensure that we deal with Tory explanations for sacking Clive Ponting—that civil servant of yesteryear—and Sarah Tisdall. Let the Tories explain that. They should also explain why they sacked thousands of customs officers—civil servants—which resulted in havoc at all Britain's ports. If we are to have such a debate, let it be broad enough to relate to all those sackings, including, some time ago, that of the secretary agent in the Richmond offices of the Leader of the Opposition.

Mrs. Taylor: Fortunately, I have no responsibility for the agent at the Leader of the Opposition's offices. From what my hon. Friend says, he would need more than one day for the debate that he envisages. I am glad that he has raised some of those important points, including the one about customs officers and the fact that we have reversed the cuts on which the Conservative party embarked. It is gratifying to notice some very good drug hauls recently, which are partly as a result of having in place extremely diligent customs officers. I do not think that I can find time to debate all the issues that my hon. Friend mentioned.

Mr. Ian Bruce (South Dorset): Can the right hon. Lady arrange an early debate on the flow of information to Members of Parliament? She kindly answered a question in the House a few days ago about the time that it takes to obtain answers from Ministers to hon. Members' letters. She may have seen on the Order Paper that, yesterday, I tabled questions to 19 different Departments asking about their record on replying. She will also see two questions about the contract of employment of Mrs. Bullen.

As the Opposition—and, I suspect, Labour Members too—are having great difficulty in getting answers in a timely manner, will the right hon. Lady ensure that that happens? If we do not have a debate, will she at least use her best offices to ensure that she looks after the rights of the House ahead of the embarrassment of the Government?

Mrs. Taylor: The Government have a responsibility to answer questions in as short a time scale as possible, but hon. Members also have a responsibility to bear in mind the cost of answering parliamentary questions, and they should table responsible questions.

Sir Patrick Cormack (South Staffordshire): May I refer the right hon. Lady to the final part of her answer to my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard)? Nobody could possibly expect her to know about everything that emanates from the Government, but may I draw her attention to the fact that on 15 January the Department of the Environment, Transport and the Regions issued a press release saying that there would be a new tax on motoring—in effect, a car ownership tax—from 1 April, set at "about £25"?

That tax was not mentioned in the Chancellor's Budget statement in July, and the next Budget statement is not expected for some weeks. Will the right hon. Lady please give clarification, and an opportunity to debate the matter?

Mrs. Taylor: The hon. Gentleman says that the press release gave some idea of the nature of the tax, not that it was a precise proposal. Indeed, he used the word "about" in his description of it. I shall look into the matter, but the hon. Gentleman will recall that Transport questions are scheduled for next Tuesday, and it may be possible to raise it then. I shall make further inquiries about the precise wording of the press release that he asked me about.

Points of Order

5.2 pm

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): On a point of order, Madam Speaker. Yesterday the hon. Member for South-West Hertfordshire (Mr. Page) raised a point of order of which he had given me notice, about the fact that I had not accepted a request from him to discuss the Hertfordshire structure plan. I could not be in the House yesterday, as I was on a bilateral visit to the Netherlands on United Kingdom presidency business.

I have written to the hon. Gentleman today to explain the position. It is a long-standing practice that Ministers with responsibility in planning cases do not meet individuals, whether they are Members of the House or not, to discuss local planning issues, whether those concern individual applications or wider issues such as development plans, that may come before them for decision.

That is because any such meeting could be held to prejudice the Secretary of State's decision making and render decisions liable to challenge in the courts. That is why I declined the hon. Gentleman's request for a meeting to discuss the specific issues related to the Hertfordshire structure plan, as I would have declined, and consistently do decline, similar requests from Members of the House from all parties.

A request for a meeting about general policy issues, such as that which I received recently from a group of Labour Members on the green belt in general, is an entirely different matter. In the light of that, I have offered the hon. Gentleman a meeting to discuss general policy on the green belt.

Mr. Richard Page (South-West Hertfordshire) *rose—*

Madam Speaker: I am not allowing a debate, as the Minister spoke on a point of order, but the hon. Member for South–West Hertfordshire (Mr. Page) originally raised the matter and I recognise that fact.

Mr. Page: I accept the Minister's generous offer to debate the matter and the individual aspects of concern on planning, which I have raised several times before in my letters to him.

Mr. John Wilkinson (Ruislip-Northwood): Further to that point of order, Madam Speaker.

Madam Speaker: No, no further points of order. That was a specific point of order related to the incident—

Mr. Wilkinson: This is specifically related to the planning matter that my hon. Friend raised.

Madam Speaker: That has been dealt with. If it is a different point of order—

Mr. Wilkinson: It is not a different point; it is the same.

Madam Speaker: In that case, the Minister has made the point of order—

Mr. Wilkinson: It is the same point, Madam Speaker. I sought, on behalf of the London Green Belt Council, of which I am the elected president, to take a deputation to the Minister's parliamentary and Government colleague, the Under-Secretary of State for the Environment—

Madam Speaker: Order. I asked the hon. Gentleman whether it was another point of order and he insisted that it was not, but was related to the first point. Does the hon. Gentleman's point relate to Hertfordshire?

Mr. Wilkinson: It does indeed, Madam Speaker. It relates specifically to Hertfordshire county council's structure plan, about which the London Green Belt Council has serious reservations, and wanted to make the general points of policy that are important to our membership to the relevant Minister. On both occasions when I made a request in writing well in advance, we were refused, not on the specific grounds that the Minister has now given—that a meeting would prejudice the quasi-judicial position of the Minister—but with an obfuscatory answer that provided no clarification whatever.

Madam Speaker: I am pleased that the Minister has now been able to clarify his position on such matters.

Mr. Michael Howard (Folkestone and Hythe): On a point of order, Madam Speaker. Standing Order No. 22(4) provides that

"Where a Member has indicated that a question is for written answer on a named day the Minister shall cause an answer to be given to the Member on the date for which notice has been given".

On Monday this week, I tabled seven questions for answer today by the Foreign Secretary. They are all simple factual questions, easily answered, yet I have received no answer. May I ask, Madam Speaker, what steps you can take to enforce the Standing Orders of the House?

Madam Speaker: Not having been given any indication that the right hon. and learned Gentleman intended to raise that point of order, I want an opportunity to look at the Standing Order. I am sure that he is correct about it, because he seems to have it in front of him, and I would like to do the same. I will let him know as soon as I have been able to look at it and at the questions that he put, and make inquiries.

Mr. Dennis Skinner (Bolsover) *rose—*

Madam Speaker: Is it a point of order?

Mr. Skinner: Yes, Madam Speaker. When you examine that business, will you take into account the fact that, during the past 18 years of Tory government, there were literally hundreds of occasions when Tory Ministers refused to answer questions on time? Let us have a level playing field and not give the impression that, somehow, something new has occurred, when the same thing happened over and over again. It was done even by that recidivist, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), when he was Home Secretary.

Madam Speaker: I am always grateful for advice and guidance.

Orders of the Day

Scotland Bill

[2ND ALLOTTED DAY]

Considered in Committee [Progress, 28 January].

MR MICHAEL LORD *in the Chair]*

Clause 18

PRESIDING OFFICER

5.6 pm

Mr. Donald Gorrie (Edinburgh, West): I beg to move amendment No. 36, in clause 18, page 8, line 42, after 'deputies', insert

'or such other number of deputies as the Parliament may determine.'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 196, in page 8, line 42, after 'deputies', insert

', provided that the election of the Presiding Officer is carried by the votes of not less than two thirds of the total number of seats for members of the Parliament and, within each region by the votes of not less than two thirds of the number of constituency members and not less than two thirds of the number of regional members of the Parliament.'.

No. 13, in page 8, line 42, at end insert—

'(1A) The Parliament may change the title "Presiding Officer" to such other title as it considers appropriate.'.

Government amendment No. 218.

No. 14, in clause 19, page 9, line 15, after 'Parliament', insert

', who may be known as the Clerk of the Parliament or by such other title as the Parliament considers appropriate.'.

No. 145, in clause 19, page 9, line 16, leave out 'Corporate Body' and insert 'Estate'.

No. 197, in clause 20, clause 20, page 9, line 23, leave out 'Corporate Body' and insert 'Estate'.

No. 146, in clause 20, page 9, line 24, leave out first 'corporation' and insert 'Estate'.

No. 147, in clause 20, page 9, line 24, leave out second 'corporation' and insert 'Estate'.

No. 148, in clause 20, page 9, line 25, leave out 'corporation' and insert 'Estate'.

No. 149, in clause 20, page 9, line 27, leave out 'corporation' and insert 'Estate'.

No. 150, in clause 20, page 9, line 31, leave out 'corporation' and insert 'Estate'.

No. 151, in clause 20, page 9, line 35, leave out 'corporation' and insert 'Estate'.

No. 152, in clause 20, page 9, line 36, leave out 'corporation's' and insert 'Estate's.

No. 153, in clause 20, page 9, line 38, leave out 'corporation' and insert 'Estate'.

No. 154, in clause 20, page 9, line 40, leave out 'corporation' and insert 'Estate'.

No. 155, in clause 20, page 9, line 42, leave out 'corporation' and insert 'Estate'.

No. 156, in clause 20, page 10, line 1, leave out 'corporation' and insert 'Estate'.

No. 157, in clause 20, page 10, line 3, leave out 'corporation' and insert 'Estate'.

No. 158, in clause 20, page 10, line 6, leave out 'corporation' and insert 'Estate'.

No. 45, in clause 41, clause 41, page 18, line 5, leave out 'First Minister' and insert 'Scottish Premier'.

No. 85, in clause 41, page 18, line 5, leave out 'First' and insert 'Chief'.

No. 15, in clause 41, page 18, line 10, at end add—

'(3) The Parliament may change the terms "Scottish Executive" and "First Minister" to such other terms as it considers appropriate.'.

Mr. Gorrie: As well as amendment No. 36, I shall speak to amendments Nos. 13, 14 and 15. They all have the same purpose, which is to enable the Scottish Parliament to have the flexibility, once established, to change certain names. It is reasonable to set out the names before the Parliament starts, so that it at least has a starting point.

However, if the Parliament is to be a worthwhile organisation, it must be able to decide whether it needs more than two Deputy Presiding Officers, whether it likes the title "Presiding Officer" or wishes to use some other title, whether it wishes to change the title "Clerk of the Parliament" and feels that it should have some other title. It should also be able to decide whether it likes the titles "Scottish Executive" and "First Minister".

It is an essential minor point, to show the validity of the Parliament, that it should have the facility to change those titles. Some of us were disappointed yesterday by the statement in which the Secretary of State made it clear that the Parliament would not be as waterproof in the devolved areas as the general public in Scotland had been led to believe.

Perhaps it is a token, but it is an important token, that the Parliament should at least have the ability to decide the titles of the various people and the numbers of people holding the various posts. There is considerable unhappiness in Scotland about the dictatorial way in which the site of the Parliament has been decided, and now we find that the Parliament will not have the powers that many people were led during the referendum campaign to believe that it would have. At the very least, it should have the capacity to make some of those minor changes, and I hope that the United Kingdom Parliament will see that it is essential to allow the Scottish Parliament to have that power.

Mr. Tam Dalyell (Linlithgow): I want to register the hope that we will not spend too much time on these amendments, because there are very important matters to deal with on clauses 28 and 29, and we may get into great difficulty on the guillotine. I concur with the hon. Member for Edinburgh, West (Mr. Gorrie): surely to heavens we can leave these matters to the Scottish Parliament when it is set up; it is surely its business to decide on titles and on the way in which it wants to work.

Mr. Michael Ancram (Devizes): I agree with the hon. Gentleman, and we do not want to spend much time on these amendments, but certain of them must be spoken to.

We tabled amendment No. 196 essentially because the new Parliament will have a new political ethos, and the Presiding Officer will have considerable powers; one need only look at clause 31 to see the extent of those powers.

It would be proper for the Presiding Officer to have the broadest possible endorsement, not only of the Parliament as a whole but by region and by category of Member, especially because, with the list system, if we are not careful, party considerations could come into play.

I think that we will all agree that the new Parliament will not have the traditions of the House, which effectively trains its Members to accept that, if they take the Chair, as you have, Mr. Lord, they are above and beyond the normal party politics. That tradition may eventually grow in the new Parliament, but it is important that the Presiding Officer should have the widest possible respect and support from the beginning. The proposal is not unprecedented. The framework document for Northern Ireland contained the same provision.

I tabled other amendments that may have puzzled hon. Members. They would replace the words "Corporate Body" or "corporation" with the word "Estate". "Corporate Body" has a Victorian ring to it, and I wanted something that was more Scottish and appropriate to the new body. The word that I came up with may come from the 18th century, but it is Scottish and constitutional. It should be spelt "Estaite", but I was informed by the Table Office that that was not a spelling that was recognised by the House, so to get the amendments tabled, I had to spell it in the more modern and English form. I wanted to use a little imagination to find something more exciting than the idea of a corporate body.

Mr. James Wallace (Orkney and Shetland): I am fascinated to hear about that ruling. Did those who advised the right hon. Gentleman cite a ruling from Madam Speaker or a previous Speaker on what determines spelling that may be used in the House? Surely, in the Parliament of the United Kingdom, Scots spelling is as legitimate as English.

Mr. Ancram: We will deal with the Scottish language on amendment No. 118. When the Table Office staff tell me that I cannot table an amendment in a certain form, and I am up against the deadline, I normally take their advice, as I did on this occasion.

5.15 pm

Mr. Dennis Canavan (Falkirk, West): Amendment No. 45 proposes that the head of the Scottish Administration should be called the Scottish Premier, not the First Minister. "Premier" is simpler—for a start, it has half the syllables—and would cause less confusion, because "First Minister" and "Prime Minister" are almost identical. There could be confusion if, for example, the Prime Minister of the United Kingdom visited the First Minister in Scotland. Scots are familiar with the word "premier", as we talk about the premier division and premier quality.

Mr. Nick Hawkins (Surrey Heath): With amendment No. 45, the hon. Gentleman is in danger of leading to more confusion. Those of us who are interested in sport and listen to the results on a Saturday afternoon expect, whenever we hear the words "Scottish premier", to hear "division" immediately after. It would not be wise to confuse the electorate, who are far more interested in sport than in politics, by changing "First Minister", which is at least new and different, to something that everyone associates with football.

Mr. Canavan: The man tipped to become the first First Minister—not a phrase that trips off the tongue as easily as "the first Premier"—is my right hon. Friend the Secretary of State for Scotland. I am sure that we would all agree that he is in the premier division and of premier quality, although there is nothing divisive about him.

Whoever gets the job, be it my right hon. Friend or somebody else—it might be a right hon. Lady—should have a title that is in keeping with the dignity and status of the office. "Premier" is French for first, so it might be indicative of the old alliance between Scotland and France if we referred to the leader as "Le Premier" or "La Première".

The term is also used in many Commonwealth countries, including Australia and Canada, so it is not unfamiliar to Parliament, which set up dominion status for former parts of the empire, some of which eventually became independent states. The term "Scottish Premier" sounds more distinctive and prestigious, but, if my hon. Friend the Minister cannot accept the amendment, I hope that he will at least consider allowing the Scottish Parliament to decide such matters, as opposed to our going on about them endlessly in Committee.

Mr. Alex Salmond (Banff and Buchan): "Scottish Premier" is also the name of a well-known brand of beef products in the north-east of Scotland, so I suppose that, if the First Minister was not in his place in the Scottish Parliament, people would shout, "Where's the beef?"

The right hon. Member for Devizes (Mr. Ancram) informed us with a straight face that the Scottish Parliament might be vulnerable to party intrigue and division, whereas this Parliament has such marvellous long-standing traditions that such matters never enter hon. Members' heads.

It is best not to take many of the Tory contributions to this debate too seriously—that is the right attitude to strike on the evidence of yesterday's debate—but underlying what the right hon. Gentleman said is an extraordinarily arrogant assumption that somehow the Scots Parliament must be protected from itself and from the Scottish people, and that rural Scotland must be protected from urban Scotland. The fact that the Conservative party cannot get elected in rural or urban Scotland seems totally to have escaped him.

Mr. Ancram: The hon. Gentleman spends a lot of his time enjoying himself by attacking the Tory party. I wish to make a serious suggestion. In a Scottish Parliament, the broadest possible support for the first Presiding Officer might be a good thing. I am surprised to hear him suggest that it is not.

Mr. Salmond: I was talking about what underlay the amendment. The House heard the right hon. Gentleman suggest that somehow the traditions of this House meant that things would be conducted in a perfectly orderly manner, but that the Scottish Parliament was an institution

[Mr. Salmond]

without those traditions. Therefore, we would have to write into its Standing Orders at this stage some protection—the same language and logic we heard yesterday, when the Tories said that they would protect rural Scotland. Rural Scotland has fundamentally rejected the Conservative party over the past 20 years. The right hon. Gentleman said that I enjoy myself attacking the Tory party—with some success, I might add. Banff and Buchan has not a single Conservative councillor, and we have to import Tories.

Mr. Ancram: Just wait.

Mr. Salmond: I have been waiting for some time, and I suspect that we will wait some time more for a Conservative comeback. The great difficulty for the Conservatives in Scotland is the Conservatives who sit on the Opposition Front Bench in this House. Every time they make a speech—with the insulting and condescending attitudes that they represent—they put back their colleagues in Scotland. They know it, and their colleagues in Scotland know it.

It is important for this Committee to take note of what the hon. Member for Edinburgh, West (Mr. Gorrie) said. We all may have ideas about what title is best, be it First Minister, Premier or Prime Minister. It may be that we should think about another title for the Members of the Parliament—whether they should be MSPs or Commissioners of the Scottish Parliament. I note what the right hon. Member for Devizes said about not getting the word "estaite" into his amendments. It is a strange institution which will accept Norman French but not the Scots language in its amendments.

The fundamental point is that we are enabling the Scottish Parliament to get on with its business. The note struck by the hon. Member for Edinburgh, West—reflected in a large number of speeches—is that we should leave these matters to the Scottish Parliament when it is up and running. If it wants to change the titles, change them it shall; basically, nothing we say or do in this place will make any difference.

An excellent meeting of the consultative group to discuss the Standing Orders of the Scottish Parliament was marred only by the sole Conservative contribution, which seemed to be a last-ditch defence of the right to have 20 or 30 directorships while simultaneously serving as a Member of the Scottish Parliament—another attitude that will get short shrift from the people of Scotland.

Basically, it was a good meeting—there was a good feeling at the first meeting of the consultative group. I hope that the Minister feels able to give some indication to the hon. Member for Edinburgh, West that that attitude—of letting the Scottish Parliament decide these things—will be reflected in the Government's attitude today.

Mr. John McAllion (Dundee, East): First, I recommend to my hon. Friend the Minister that he reject amendment No. 196, tabled by the right hon. Member for Devizes (Mr. Ancram). It is an absurd proposition that a Speaker can only be elected on the basis not just of two thirds of the Members of the Parliament, but of two thirds of all the constituency Members and two thirds of the regional list Members in each of the eight regions across Scotland. If the Tory party had applied that formula to its own elections, it might have done a lot of good; the Conservative party would not have its present leader.

It would be almost impossible to elect anyone on that basis. I can think of no figure—with the possible exception of the Secretary of State for Scotland—who could command such widespread support throughout Scotland. In reality, amendment No. 196 is a wrecking amendment, which gives the lie to the idea that the official Opposition are being in any sense constructive in their approach to the Bill.

Mr. Ancram: The hon. Gentleman is making a great fuss about this. Why did the Labour party accept such a system for the proposed Assembly in Northern Ireland in the framework document?

Mr. McAllion: I was quite unaware that my party had accepted it. If I had known, I would have said that it was an absurd proposition. It seems nonsense to me, particularly in a Parliament which will have not four parties, but six, seven or eight. That would give tremendous influence to smaller parties, which could block any agreement because of their strength in a particular part of Scotland. The Tories expect to be a very small party, embedded in only one little part of Scotland. [HON. MEMBERS: "Where?"] Certainly not in my part of Scotland, but there must be parts of Scotland where they vote Tory. There are 500,000 of them somewhere; I do not know where they are all distributed.

I want to recommend to my hon. Friend the Minister the amendment tabled in the name of the hon. Member for Edinburgh, West (Mr. Gorrie). My hon. Friend will recall that, when I was appointed to the Scottish Select Committee, the entire Committee was invited to the brand new civil service office in Leith to be shown the ropes by all the Scottish Office civil servants. During that very useful day, one of the civil servants responsible for drafting the Bill made the point that Westminster would, of course, have to draft Standing Orders, which would be there for the Parliament to use on its first day.

However, those Standing Orders would be drafted in such a way as to allow the Parliament itself to shape the kind of Parliament which the Scottish Members wanted. They would not be proscriptive Standing Orders, and the Scottish Parliament would be left free to decide for itself what it should call the presiding Minister, how many deputies there should be, how the Speaker should be elected, and so on.

My hon. Friend the Minister may point out that I have put my name to an amendment which seeks to tell the Parliament to call him or her not the First Minister but the Scottish Premier. Obviously, the suggestion by my hon. Friend the Member for Falkirk, West (Mr. Canavan) and myself is not consistent with the White Paper—which we supported in general—but the White Paper is not consistent with the convention document, "Scotland's Parliament, Scotland's Right," which states that the convention wanted the Speaker of the Parliament to be called the Speaker and the Head of Government to be called the Chief Minister. Perhaps my hon. Friend will explain why he has departed from the agreement in the convention document. He changed the proposal in the White Paper, and is continuing to do so in the Bill.

I understand that there could be confusion if the Heads of Government in Scotland and in the rest of the UK were both called Prime Minister, as people might not know to whom they were referring. I am happy for this House to retain the use of the term "Prime Minister". In the early 18th century, it was a very unofficial term—in fact, it was regarded as odious, and Sir Robert Walpole and Lord North repudiated it. If the British Parliament wishes to carry on with an odious title for its Head of Government, it is free to do so. I would like to see a better term for the Scottish Parliament, and that is why I believe that Scottish Premier is the best way forward.

Mrs. Ray Michie (Argyll and Bute): The hon. Gentleman may recall that, when the Secretary of State launched the White Paper in the House, I asked whether the term "First Minister" was written in tablets of stone. The right hon. Gentleman said that it was a form of words used in the White Paper, giving the impression that, thereafter, we could choose the term to use.

Mr. McAllion: I am greatly encouraged by the hon. Lady's intervention, and I shall now give the reason why I think the title should be Scottish Premier. Perhaps those who get to the Scottish Parliament should take note of what I say here, in case I do not get there myself.

"Scottish Premier" is a shortened version of Premier Minister, which can be defined as Prime Minister or Head of Government. That would end the confusion, and would mean that the Scottish Premier would not be seen in way as secondary to the British Prime Minister. If there were a suggestion that the Prime Minister was "over" the Scottish Premier, it would be unfortunate.

My hon. Friend the Member for Falkirk, West mentioned Canada and Australia. I am concerned because, in Canada and Australia, the federal Head of Government is called the Prime Minister and the Heads of the state Governments are called Premiers. There is a clear indication that the Prime Minister is above the Premiers. I would not want that to be the case in Scotland. I want the Scottish Premier to be so called on the basis of the auld alliance, with the French interpretation of that term—that the Scottish Premier is in every sense equal to the British Prime Minister for the areas for which he is responsible.

Sir Teddy Taylor (Rochford and Southend, East): I hope that we can resolve all the issues mentioned in the debate. I tabled amendment No. 85, which suggests that instead of First Minister, we should call the new chap the Chief Minister. That is a sensible compromise, and would be a major step forward.

I seriously suggest that the Government should not accept amendment No. 36, which would give the devolved Parliament the right to make such decisions itself. Hon. Members should be aware that it is a real possibility, as I have always suggested, that one of the strange, unusual parties—or perhaps even the Scottish National party—might get control and use names that would give the wrong impression.

I hope that hon. Members who are celebrating in advance the great delights of the Scottish Parliament appreciate that terrible problems will almost inevitably arise. The hon. Member for Edinburgh, West (Mr. Gorrie) rightly said that people were misled in the referendum about the powers of the assembly. The wholly wrong impression was given that a new form of self-government was coming in that would give unique power to the Scottish people to make their own decisions. Those who study the Bill know that it is a load of codswallop, that the powers are astonishingly limited, and that there will be less money because the cost of the assembly will have to be deducted. I hope that hon. Members understand some of the immediate problems that will arise.

5.30 pm

On the First or Chief Minister, what will happen when a Secretary of State from a different party uses powers in clause 33 to direct the Scottish Parliament that a Bill must be cancelled or that a Bill that it does not want must be introduced? Without a clear definition of the relationship between the First Minister and the Secretary of State, how would Members of the Scottish Parliament feel if the Secretary of State told the First or Chief Minister, "I am sorry that law you passed has to be cancelled, scrubbed, finished," or, "Whether you like it or not, I am going to demand that you pass this law."?

Secondly, there is the position of the Secretary of State. I see that one hon. Member is smiling, but it is a serious situation: hon. Members know that problems could arise if the First or Chief Minister and the Secretary of State came from different parties. We must consider the status of the First Minister compared with that of the Secretary of State. The Bill envisages a direct relationship between the devolved Administration and the sovereign. That presumably means that the Secretary of State is no longer the sovereign's representative in Scotland.

The new Chief Minister will apparently have substantial powers. He will be the head of the Scottish Executive and Keeper of the Scottish Seal. He will have a direct relationship with the sovereign in the appointment of Ministers, junior Ministers, law officers, sheriffs and judges of the Court of Session, other than the Lord President, and the Lord Justice Clerk, in whose appointment he has a role directly with the Prime Minister.

Hon. Members think that everything will be great, but, as the hon. Member for Edinburgh, West said, the people of Scotland have been misled about the powers of the new assembly. The impression was given that its powers would be much greater. There will be problems with money because the costs of the new Parliament will come off the money that is already there. There will be trouble and difficulties. That is why it is important to clarify the role of the person in charge.

"First Minister" is not appropriate for a democratic assembly. What is wrong with "Chief Minister"? That achieves separation from the titles of "Prime Minister" and "Secretary of State". "Chief Minister" is a step forward. I hope that the Secretary of State will think carefully about my suggestion, which I make helpfully. I hope that he will play a part in not going along with what seems to be the general feeling in this place that everything will be great—that life will be a bed of roses and better in every respect for the people of Scotland.

As a former Scottish Member who now has no right to represent the people of Scotland directly but cares greatly about Scotland and its people, I hope that hon. Members know that what they think will be exciting and innovative could well turn out to be an horrendous democratic mess.

[Sir Teddy Taylor]

It could result in deterioration of services for Scotland and widespread conflict between the government in Edinburgh and the Administration in Westminster, especially if different parties are in charge. I hope that hon. Members will approach the Bill asking how they can try to resolve problems, not make them worse.

While I have been delighted at some of the contributions from both Government and Opposition Members, I have been horrified by Liberal Democrats' contributions, such as their comments yesterday about the need for plenty of farmers in the Scottish assembly to ensure that agriculture is well represented. I hope that the Liberal Democrats have made it clear that the Scottish Parliament will not control agriculture, and that to a large degree, this Parliament does not, either. I hope that the Government will accept my excellent, helpful and constructive suggestion in amendment No. 85, which is also supported by my hon. Friend the hon. Member for Aldridge-Brownhills (Mr. Shepherd).

Mr. Michael Connarty (Falkirk, East): I intend to support amendment No. 85 as a solution to the problem of the name, despite the intemperate contribution of the hon. Member for Rochford and Southend, East (Sir T. Taylor), who tabled it. He sought to portray the parliamentary process as determined by conflict, which it need not be.

Using the title "chief" rather than another does not necessarily lead to the conclusion that it should be a man. Many of the old Scottish clans, which used the word, "chief", were matriarchal rather than using the male line. "Chief Minister" resolves the problem. "First Minister" suggests that it is something less than the Prime Minister, when, in the Parliament of Scotland, that Minister will be the most important and should be called "Chief Minister". In a Scottish context, we should think about that seriously.

I reject the title "premier" because, like it or not, it is a French word. It has come into common usage. Sadly, as was pointed out earlier, the correct spelling of the word "estaite" has fallen out of use in English parliamentary language. "Premier" gives rise to problems, some of which are funny. My hon. Friend the hon. Member for Falkirk, West (Mr. Canavan) referred to the premier division, although it is actually the premier league. If there were a Division in the House, would we be in the Premier Division or the Opposition Division, with the premier or against the premier? The word would be the butt of many jokes. It would not be a good solution.

As my hon. Friend the Member for Dundee, East (Mr. McAllion) said, in Australia "premier" is a state title. I went to Australia recently with the Commonwealth Parliamentary Association. There, they clearly distinguish between the premier of a state and the Prime Minister of the country.

On the word "estaite", the right hon. Member for Devizes (Mr. Ancram) could have been a little bit more Scottish in his interpretation, and used the word "commonwealth". "Common weal" is the modern word "commonwealth". The concept of corporation is not attractive. We should have had another word. Commonwealth would have been appropriate. It would be wholly appropriate if the Scottish Parliament wished to refer to the common weal of the body.

There are many things to be debated, but I do not think that this is the Chamber that should decide them. That is the fundamental point. The hon. Member for Edinburgh, West (Mr. Gorrie) is right to say that it should be left to the Scottish Parliament to decide how it sees itself, how it reflects the will of the people, how the people see it and how it is to take on the decisions and wishes of the people of Scotland. Amendment No. 36 is about the powers of the Parliament.

The hon. Member for Rochford and Southend, East made an unnecessarily divisive speech. He argued that, should another party ever control this Parliament, the Secretary of State would wish to overrule the Parliament of Scotland. That shows that he has not understood the purpose of the Scottish Parliament, which is to embody in a parliamentary institution the will of the people and to show respect to the people. In contrast to what happened in the past 18 years—and unlike the former Member for Stirling—the Secretary of State would have to show respect for the will of the people as set out in the Bills before the Scottish Parliament.

That would be true regardless of party. If was not, it would be a recipe for the final break-up of the Union. If we had not devised the Bill and taken this route, the behaviour of the Conservatives over the past 18 years would have had only one outcome: the people of Scotland would have had to leave this United Kingdom to get respect. In this Parliament, we must show that respect.

I hope that hon. Members will reject amendment No. 196 because, as my hon. Friend the Member for Dundee, East so well put it, it is an unnecessary belt and braces, a veritable straitjacket for the Parliament. If it is necessary in the Parliament that people respect the other parties and accept votes decided by majority, the people will respect the democratic process. A two-thirds majority is not needed to ensure that the people adhere to the directions of the people who will look after the Parliament.

You are currently chairing this Committee, Mr. Lord. It does not matter that you may have been selected to serve by a process carried out behind closed doors; the fact is that when people are chosen to sit in the Chair, Members of Parliament show them the respect they deserve. I hope that the Government will, in some way, take on board amendment No. 36 and leave to the Scottish Parliament the powers that will enable it to take the final decision on matters of symbolic importance.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I must comment first on the wholly remarkable contribution made by the hon. Member for Rochford and Southend, East (Sir T. Taylor). It is useful to remember that something described as an horrendous democratic mess and codswallop is based on 1.8 million Scots supporting the proposals in a referendum—that is 74 per cent. of the 60 per cent. of Scots who took the trouble to vote. It is important to put the Bill into the wider context of that endorsement.

I recognise and understand the arguments advanced in respect of amendments Nos. 13 to 15. On the face of it, there are attractions in allowing the Parliament to decide for itself what it wishes to call its Presiding Officer, the First Minister, the Scottish Executive and the Clerk. However, the Government believe that consistency and certainty are essential for the Bill and, for future

legislation. The titles proposed are clear and unambiguous and suit the purpose. Therefore, I am not inclined to accept those amendments.

"Presiding Officer" was the title used in the White Paper "Scotland's Parliament". The title accurately describes the role of the individual concerned, even though it may lack the poetic aspects of "Speaker", which is used in this House.

Amendment No. 14 would allow the Scottish Parliament to call the Clerk of the Parliament by any title it feels appropriate. We chose the title of Clerk for the senior official of the Parliament as that is a widely used and clearly understood title. Individuals may refer to the Clerk informally by some other title, but it is important that in formal proceedings and in other formal dealings involving the Clerk, the office should be referred to in a clear and consistent way, which does not confuse the office with any other office or position and which ensures that everyone, not least the Clerk himself, knows where they stand. Therefore, we see little benefit in amendment No. 14.

The Government believe that the titles of the Scottish Executive and the First Minister need to be prescribed by statute to maintain consistency in references throughout the Bill and in future legislation. That will also relate to other formal documents through successive Sessions of the new Parliament. The Government are well aware of the speculation about what other titles might be used to describe the First Minister and his ministerial colleagues. We believe that the titles used in the Bill suit the purpose.

We recognise that the Scottish public may well develop their own description for the First Minister and members of the Scottish Executive—*[Laughter.]* In anticipation of laughter, I was going to say that some of the names they come up with may not be much to our liking. That said, the hon. Member for Banff and Buchan (Mr. Salmond) pointed out that what happens in Scotland will be entirely up to the Scottish press, Scottish media generally and the Scottish people. I recognise the arguments that hon. Members have advanced, but I am not persuaded by them.

The Government believe that the title "First Minister" describes the role clearly and avoids confusion with any other office holder. The Scottish Parliament may, for working purposes, add to the titles of the Scottish Ministers so as to distinguish them according to their respective portfolios. Thus, the Parliament could refer to a particular Scottish Minister as "The Scottish Minister for Housing" or "The Scottish Minister for Education" and so on. Such matters will be dealt with later by the Scottish Parliament. That provides some discretion. Such titles could be used in the day-to-day operation of the Parliament, but would have no formal legal status. Collectively, the members of the Scottish Executive will be known as the Scottish Ministers.

As regards amendment No. 36, the Government believe that one Presiding Officer and two deputies are more than capable of chairing Sessions of the Parliament and ensuring that business runs smoothly. I would ask the hon. Member for Edinburgh, West (Mr. Gorrie) to withdraw the amendment.

Mr. Connarty: I have taken a particular interest in the running of the Australian Parliament, where a much larger number of people are entitled to serve in the Chair. From talking to Members of that Parliament, I have learnt that it helps the smooth running of the Parliament to have large numbers of people rotating in that duty; it also helps to ensure that many Members gain experience of chairing the main Chamber. Have we looked further afield than this Parliament for examples?

M. McLeish: In respect of the Presiding Officer and the deputies, I think that the position that we have put forward is the best one. I assure my hon. Friend that we have looked long and hard at several other models and considered several other options. The chairing of Committees in the new Parliament is a matter that has yet to be addressed, but that need not delay our consideration of the Bill.

5.45 pm

Amendment No. 196 would make the election of the Presiding Officer unnecessarily complicated and clearly we cannot accept it. The Government believe that the Presiding Officer and his two deputies should be elected from among Members at a meeting of the Parliament, without fixing in the Bill the majority required. It will be in Members' interest to be present and vote at that election for their Presiding Officer, and a simple majority should be sufficient, although the Parliament itself could provide in its Standing Orders for a higher threshold.

The amendment would set a threshold for the Parliament, and indeed set it a very high level. It would effectively give a veto to a small number of Members in a particular region. I do not believe that there is a need to impose on the Parliament artificial thresholds in electing its own Presiding Officer. I again ask the Committee to reject the amendment. Some hon. Members have talked about the attractions of adopting the term "Speaker" to describe the Presiding Officer of the Scottish Parliament, but I invite the House to consider the genuine risk of confusion which could arise if both the Scottish Parliament and the UK Parliament used that term.

I am sure hon. Members will not be surprised when I say that the Government do not accept amendments Nos. 145 to 158 and No. 197. We have consistently made it clear that we envisage the Parliament as being modern, forward-looking, accessible and relevant to today's generation of people living in Scotland. I am not quite sure what is being driven at in the amendments, but I presume that it is a reflection of the term used in the pre-Union Parliament. It seems quite inappropriate to look back in time for old titles when we are looking forward to a new modern Parliament.

The Scottish Parliamentary Corporate Body—or the SPCB as it will no doubt be referred to—will look after the housekeeping and administration of the Parliament. Its concept is similar to the arrangements for this House under the House of Commons (Administration) Act 1978 which established the House of Commons Commission as a corporate body for the purposes of appointing staff of the House of Commons. The Parliamentary Corporate Bodies Act 1992 also established corporate officers for both Houses of Parliament with powers to hold property and enter into contracts for the respective Houses.

The functions of the SPCB will be wide and varied, ranging from representing the Parliament in legal matters to the organisation of the provision of services such as cleaning services. As the corporate body of the Parliament, the use of the title "corporation" is

[M. McLeish]

appropriate; it is a word recognisable to the public and it will be understood by those dealing with the corporation. "Estaite" on the other hand is neither appropriate nor easily understood in this context. The word estaite is an historical term formerly used in connection with the pre-Union Parliament. It actually referred to the constituents of that Parliament—the clergy, nobility and burgesses—not to its administrative functions. Arguably, there is a close analogy to the Members of the Scottish Parliament. The amendments are therefore misconceived as well as undesirable, and I ask the right hon. Member for Devizes (Mr. Ancram) not to press his amendments.

The purpose of amendment No. 218 is to allow a deputy to perform the functions of the Presiding Officer if that office is vacant or if the Presiding Officer is unable to act. As it stands, clause 18 requires the Standing Orders to make provision for a Member of the Parliament to exercise the Presiding Officer's functions if the post falls vacant during the period when Parliament is dissolved. However, that would not allow provision to be made covering a vacancy or incapacity that might arise when the Parliament is dissolved. My proposed amendment would allow the Presiding Officer's functions to be exercised by a deputy in such circumstances, as well as at other times when a vacancy or incapacity arises.

The amendment ensures that there is at all times someone who can exercise the Presiding Officer's functions and it also makes it clear that it should be an elected deputy rather than any other Member of the Parliament who should exercise those functions in the event of the Presiding Officer's incapacity or if the office of Presiding Officer is vacant. I commend the amendment to the House.

Mr. Gorrie: I am grateful to those hon. Members who have given support to the general thrust of our idea that the Scottish Parliament should be enabled to decide the matters that we have been discussing. There was support for the idea from hon. Members on both sides, although—as usual—none from Conservative Members. I take comfort in the fact that, whatever parents may choose to call their children and put on the baptismal certificate, when the child grows up he or she decides what he or she wishes to be called.

I was very entertained by the suggestions of the "auld alliance" about going in for French titles, but I was pleased that the hon. Member for Falkirk, West (Mr. Canavan) had not strayed as far as Italy; it would not be helpful to have the premier, or whatever, of Scotland described as a prima donna.

I believe that many hon. Members share my disappointment that the Government are persisting with their prescriptive attitude and preventing the sensible amendments to allow the Scottish Parliament to change the name officially as well as unofficially, but no one has ever prevented the Scottish public from saying anything about anything. In that spirit, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 218, page 9, line 6, leave out from beginning to 'if' in line 7 and insert

'The Presiding Officer's functions may be exercised by a deputy'.—*[Mr. McLeish.]*

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19

CLERK OF THE PARLIAMENT

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: When the Scottish Parliamentary Corporate Body starts the process of selecting a Clerk and Deputy Clerk, will they be head-hunted from those who have expertise in the House of Commons? *[Interruption.]* They will not necessarily, because there are experts in Edinburgh who have been working in devolution and who were Clerks in the House. Are they to be paid on the same basis as Clerks in the House?

Mr. McLeish: I think at this stage those details have not been worked out, but I reassure my hon. Friend that we are looking for both expertise and excellence. It will be up to the Parliament to seek the best person for the job, and my hon. Friend's comments show that he too wants that.

Mr. Dalyell: But timing is important, because presumably the Clerk and Deputy Clerk must be in place before the Parliament sits, in 1999.

Mr. McLeish: I think that the Government understand that. We are proceeding now to get the Bill on to the statute book. We have set up several committees to look at the nuts and bolts of the way in which the Parliament will work. Obviously, that level of detail—that type of very important issue—will be tackled at a very early day. If we are holding the elections on 6 May 1999, a tremendous amount of work must be done before then, and I think I can reassure my hon. Friend that attention will be paid to the matters that he has raised.

Mr. Dominic Grieve (Beaconsfield): I appreciate what the Minister says, but it goes further than that, does it not? Who will make the appointment? For instance, in Northern Ireland, as I noted when we visited Stormont, there is a Clerk of a potential Northern Ireland assembly, who has been in residence for many years. Will the appointment be made by the House, by Ministers? Will it be done by the Secretary of State for Scotland or left to the Scottish Parliament? In any case, it will have to be done well before the Parliament starts sitting.

Mr. McLeish: The obvious points have been made by my hon. Friend the Member for Linlithgow (Mr. Dalyell) and the hon. Member for Beaconsfield (Mr. Grieve), and of course they are appreciated. The Parliament is a serious business, and indeed the Parliament will establish the post of Clerk. We are anxious to pass the legislation. In parallel with that, we are setting up several consultative groups and committees to ensure that we discuss those details. There is no ambiguity, and no one sitting anywhere has a locus on that job at present. We accept that expertise is important; we want the best in the Scottish Parliament. That will be the objective.

Question put and agreed to.

Clause 19 ordered to stand part of the Bill.

Clause 20

SCOTTISH PARLIAMENTARY CORPORATE BODY

Mrs. Margaret Ewing (Moray): I beg to move amendment No. 118, in page 9, line 33, after 'purposes', insert

', including any simultaneous interpretation and translation staff and facilities required in order to give effect to paragraph 3A, of Schedule 3'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 119, in schedule 3, page 57, line 31, at end add—'*The Gaelic and the Scots Languages*—

3A.—The standing orders shall provide that any member of the Parliament shall be entitled to use the Gaelic or the Scots language in the proceedings of the Parliament (including its committees), in official documents, and in correspondence with constituents.'.

No. 35, in page 57, line 45, at end add—'*The Gaelic Language*—

6. The standing orders shall include provision for facilitating the use of the Gaelic language, where appropriate, in the proceedings and the publications of the Parliament.'.

Mrs. Ewing: I wish to speak to amendments Nos. 118 and 119, which stand in my name and those of my hon. Friends. I am pleased also to note that amendment No. 35, in the name of the hon. Member for Argyll and Bute (Mrs. Michie), is grouped with them.

It is important to start by pointing out that, throughout the many years that I have served in this place, there has been a very broad consensus, spanning both sides of the House, on the protection and enhancement of the Gaelic language and, indeed, the Scots language.

I am glad that the Under- ecretary of State for Scotland, the hon. Member for Western Isles (Mr. Macdonald), is on the Treasury Bench. I hope that, in view of that consensus, we shall receive from him tonight a response that takes account of the sentiments and principles that are contained in the amendments. It is vital that our first languages are seen as very important in a new Scottish Parliament. It is appropriate that we are discussing these issues during the season of Burns suppers, which many hon. Members will be well aware of. We are all stappit to the gunnells with haggis, bashed neeps and champit tatties, washed down with a good wee nip of uisge beatha. It is appropriate that we should be using these words at this stage because they are natural words to all Scottish Members.

I remember that, when I was a student at the university of Glasgow, where I read English language and literature, I found myself in a strange lecture in which the lecturer thought that he knew all the answers. He kept throwing out words at the students to see if we could understand what he was saying. I found myself in almost an isolationist position, because when he used phrases like "sneck the yett," or being "oot o kilter," or "It is a mochy day," I knew exactly what he meant. Those words were as natural to me as breathing.

It is wrong for us ever to feel like indulging in mockery against the use of good Scots words or the Gaelic language. An element of mockery came back to me from that class, as though I were a strange person from another planet because I understood those words—as though that was inappropriate.

Similar mockery has often greeted the Gaelic language. Many hon. Members know that my predecessor as parliamentary leader of the Scottish National party was the very much respected Donald Stewart, the then Member for the Western Isles. His much respected wife, Chrissie, who did a great deal of work in a political context, told me that, as a youngster, she was forced to wear a wooden necklace as a punishment for speaking her native Gaelic as her first language in school. That mockery, and such demeaning of a language, is unacceptable.

I do not claim to be a fluent Gaelic speaker or to be an expert on the language. I suspect that, like many others, I can say "slainte" and "slainte mhath" and manage to get through some conversations in the islands and other Gaelic-speaking areas—including Glasgow, where there are probably more Gaelic speakers than in some of the islands.

I would just say to the House, "De ma tha daoine ag iarraidh bruidhinn anns a Ghàidhlig," which means, "What if people want to speak Gaelic?"

The Second Deputy Chairman: Order. Before the hon. Lady goes further, perhaps I may read a brief extract from "Erskine May":

"Speeches must be made in English, but quotation in another language has been allowed on occasion, though a translation should be provided."

I trust that the hon. Lady will now give us the translation.

Mrs. Ewing: I actually gave a translation: "What if people want to speak Gaelic?" I think, Mr. Lord, that you have made my point, because, to the vast majority of people in Scotland, Gaelic is not a foreign language but their native language—their first language. Amendment No. 118 would not compel anyone to speak in Gaelic. The issue is the right of native Gaelic speakers to use their language, in a Scottish Parliament, with translation facilities available.

Mr. Ian Davidson (Glasgow, Pollok): Will the hon. Lady reconsider her statement that the vast majority of her fellow Scots can speak and understand Gaelic? That is not my impression. The vast majority of Scots may well be sympathetic to the position of those who can speak Gaelic and wish to continue to do so, but it is not correct to say that the vast majority can use it.

Mrs. Ewing: As the hon. Gentleman probably understands, that was a slight slip of the tongue. The vast majority of native Gaelic speakers expect it to be their right to communicate in Gaelic. I have stated clearly that I am not seeking any form of compulsion. The hon. Gentleman must know that in a constituency such as his, there are many, many native Gaelic speakers who want their language to be used in the Scottish Parliament.

The amendments do not seek any form of compulsion. Let me say to all the bluffelheids who do not understand either Scots or Gaelic that I will not force bluffelheids to learn Gaelic, or Gaels to learn either the Doric or the Gaelic. All I want is a recognition of all those languages in the proceedings of the new Scottish Parliament.

Mr. Connarty *rose*—

Mrs. Ewing: I give way to the bluffelheid.

Mr. Connarty: The hon. Lady started with a good argument for providing support for people who wish to

[Mr. Connarty]

use Gaelic—I see the case for using it in reply to constituents, for example—but to argue that people should have the facility to use Gaelic in the debates of a Parliament, the majority of whose Members will be non-Gaelic speakers and will not understand Gaelic, is to demean the entire case. If Members want to stand up, speak to others and convince them in a debate, as the hon. Lady is doing now, surely they must speak in a language that everyone understands, so that the discussion can proceed. It will only mystify the process if a Member is allowed to ring himself round with a language that no one else understands.

6 pm

Mrs. Ewing: The hon. Gentleman has shown that he has not read the amendments carefully. Had he done so, he would realise that his comments are irrelevant to the discussion. Other countries use such facilities. I am asking for a policy that ensures the reasonable use of Scotland's languages, which would require only a tiny share of the operating budget of the Scottish Parliament.

Parliaments around the world, both state legislatures—for example, in Switzerland, Ireland, Canada and India—and federal institutions such as regional Parliaments in Galicia and Catalonia, have adopted policies permitting the use of more than one language in legislative debates. I accept the complexities of achieving that, but I argue strongly that such facilities should be available to the Members of the Scottish Parliament and to their constituents when they wish to communicate with them.

That would not necessarily require all speeches to be translated into Gaelic or Scots. We all accept that English would probably be the main language in the Scottish Parliament. The cost of making available a translation facility for native Gaelic or Scots speakers, compared with the translation costs of the European Union as it expands, would be minimal. It is not much to ask.

The amendments seek simple and inexpensive ways to respect our languages. Any Member should have the right to use Gaelic or Scots in the proceedings of the Scottish Parliament, should she or he so choose. The Scottish Parliament should follow a formal policy of actively promoting the use of Gaelic and Scots in its documents, especially, but not exclusively, in documents intended for distribution to the public.

Miss Anne Begg (Aberdeen, South): I am a little confused. Will the hon. Lady clarify what she means by the Scots language? She has talked about the Doric and the dialect languages of Scotland. Is she referring to standard Scots, which does not yet exist, or exists only in history? What language will the simultaneous translation be in? Most people who live in Scotland do not speak a pure form of Scots. They may be able to read it, but they certainly cannot speak it.

Mrs. Ewing: The hon. Lady has opened a debate which has defied many people who have tried to write their PhD thesis on the definition of the Scots language. She and I, both representing seats in the north-east of Scotland, would recognise that there are words that are difficult to translate into English, but which have a particular significance for the people in our area. Lallans, the language from the borders, which was my father's language, is slightly different, but there are many nuances that are similar to the Doric. Such words encapsulate emotions and ideas, and the right to use them in a Scottish Parliament is extremely important to us. I hope that the hon. Lady will accept that.

Mr. Ancram: I am listening to the hon. Lady, and I understand that she is trying to provide for simultaneous translation machinery. How is it possible to simultaneously translate a word which, as she has just said, is incapable of translation into English? Also, how would she deal with the language of the Secretary of State for Scotland, who slips effortlessly between Scottish and English during most of his speeches in the House?

Mrs. Ewing: That is a really silly comment from the right hon. Gentleman, given his Scottish roots. He must be well aware of certain words used daily in the Scottish context that do not stand easy, direct or 100 per cent. effective translation, but are meaningful to people.

One of the few pleasures of working in this place for almost 18 years is to have listened to hon. Members from other areas of the United Kingdom, who have used particular words that were important to their areas and regions. All that I am asking for is the right of our people in Scotland to use words freely, without being interrupted by the First Minister, the Premier, or the Speaker. As we have heard, we are interrupted if we try to use words in Gaelic, Doric or Lallans because it is not the automatic language of this House.

Mr. Dominic Grieve (Beaconsfield) *rose—*

Mr. Eric Clarke (Midlothian) *rose—*

Mrs. Ewing: I am sorry. I am trying to be brief, because there are important issues coming up. I have set out my argument clearly.

Constituents should have the right to correspond with their MSPs in Gaelic or Scots without unreasonable delay. Gaelic and Scots should have high visibility in the Scottish Parliament—for example, on our notepaper and all the signs. There should be a structure for the provision and permanent employment of professional Gaelic and Scots translators. Simultaneous translation equipment should be available for MSPs who wish to use Gaelic or Scots. The Scottish equivalent of *Hansard*, which I assume we will have, should print any Gaelic or Scots spoken in the House, with the English translation of the text.

Over many years in the House, I have worked with the cross-party Gaelic group. I have worked with many people from different parties. We have always argued for the support of our languages and cultures, irrespective of which Government were in power. Many of us spent long hours arguing the case. Together, and with support from the European Union, we have achieved a great deal for the languages.

The amendments do not ask for anything unreasonable or unworkable. Past consensus and the aspirations for future consensus, about which we hear so much, can surely fuse in the amendments.

Policies to ensure that Scotland's traditional languages survive and flourish in the new millennium are essential. The opening of a new Parliament provides an historic opportunity to create an exciting role for our national languages in the life of our nation. A flexible approach that is open-minded, creative, realistic and practical is required. Sin e.

Mr. Dalyell: The hon. Member for Moray (Mrs. Ewing) has spoken passionately, seriously and sincerely. It being a serious amendment rather than a probing amendment, I make two points.

I was a member of the indirectly elected European Parliament and I can promise the hon. Lady that the costs of simultaneous translation are mind-boggling. Does the Minister agree with the hon. Lady that we are talking about minimal costs? Like every other Scottish Member, I have increasing constituency demands for Gaelic tuition in central Scotland which turns out to be expensive. As a result, I have discovered that there is a shortage of Gaelic teachers and, doubtless, translators.

Mr. Salmond: If the hon. Gentleman does the lottery or the football pools, he will be familiar with the concepts of permutations or combinations. In other words, if 15 languages are being translated into 15 other languages, that will require a lot of resources because it is 15^2. If one language is being translated, the costs will be much smaller. The European Parliament, which, by definition, has to translate many languages, is not a good comparison in terms of the costs of the amendment.

Mr. Dalyell: I was the one who said that speeches should be short because there are so many other matters with which to deal, so I just ask what the Government view is of the hon. Lady's claim that her amendment will give rise to only minimal costs. I do not know the answer.

Mrs. Ray Michie: I shall speak to amendment No. 35 standing in my name and that of my hon. Friends. It is similar in content, although perhaps more cautious, than that tabled by the hon. Member for Moray (Mrs. Ewing). I should first congratulate her on her gallant efforts in using the Gaelic language and the Scots tongue in the debate. I assume that she has carefully written out the correct spelling of what she said for the benefit of the *Official Report*.

My amendment would give a strong signal that the Scottish Parliament would seriously develop policies for the future of the language. It would give a lead by including in the Bill the words:

"provision for facilitating the use of the Gaelic language, where appropriate, in the proceedings and the publications of the Parliament.

The two words "where appropriate" are important, because, at this stage, I do not know, and I do not think that the Minister knows, how many Gaelic speakers there are likely to be in the Parliament. I hope that there will be a number, but, as the Under-Secretary of State for Scotland, the hon. Member for Western Isles (Mr. Macdonald), will not be there, there may not be too many. We need to nail the lie peddled by some, to which the hon. Member for Moray referred, that Gaelic will be forced down anyone's throat, Gael or non-Gael. Hours of compulsory evening classes for adults or mandatory teaching in schools are not on the agenda.

Nevertheless, it is incumbent on the Scottish Parliament to provide facilities for those who, for example, are called to give evidence, perhaps to a Committee, so that they can do so in their native tongue. That will not be a costly business. It may happen once every six months or so.

If the Parliament had facilities for simultaneous translation, representatives from the Gàidhealtachd or from Europe would be able to speak in their native tongue. Someone from Catalonia might prefer to speak in Catalan and would be able to do so.

I would expect a Parliament geared to the 21st century and using all the modern technologies available to be able to provide those facilities. We have heard from the Secretary of State how the Scottish Parliament will be modern, using high-tech communications, and so on.

This is an important matter because, as is said from time to time, this may be the last chance saloon for saving the language from gradually declining into oblivion. Whether we succeed only time will tell. I am sorry that the Minister for—

Mrs. Ewing: Gaelic.

Mrs. Michie:—Gaelic, the Minister for Education and Industry, Scottish Office, is not here because he gave strong indications of his support, particularly for the status of Gaelic.

I hope that Ministers will appreciate that I have not tried to complicate the Bill by including an amendment on the status of Gaelic, or the legal position of Gaelic as opposed to English, because that is a complicated matter. I hope that the Minister for Gaelic will come forward with ideas in the near future as he said.

Mr. Ancram: Given what the hon. Member for Edinburgh, West (Mr. Gorrie) said in the previous debate, if ever there was a matter that should be decided by the Scottish Parliament and not by this Committee, is it not this one?

6.15 pm

Mrs. Michie: The right hon. Gentleman is right, but we want to put this small measure in the Bill so that it shows that the Government have taken on board a concern for the future of Gaelic.

Good progress has been made in the past 10 years or so. The Minister for Gaelic paid tribute to the Conservative Government during the last 10 years because they did a lot to help the Gaelic language.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): Does the hon. Lady have any idea how many Gaelic speakers are not fluent and skilled in the English language? Who will decide what is appropriate? Does she have a definition of when it would be appropriate to use the Gaelic language. As far as I can see, the amendment is wide and would not be helpful to the Parliament.

Mrs. Michie: Only a few now speak Gaelic, but it is not so long ago that my husband went to school as a five-year-old not speaking a word of English. However, he became a consultant physician, so it was not a deterrent to him in the end.

[Mrs. Michie]

The hon. Lady says that the amendment is not helpful, but it would be helpful to people who speak Gaelic as their main language if they were to come to the Parliament. I am not saying that the proceedings in the Chamber should be conducted in Gaelic, but if such people were to speak to a Committee, they might wish to do so in their native language, not in a foreign tongue.

Ms Roseanna Cunningham (Perth): Does the hon. Lady agree that the attitude evinced by the hon. Member for Cumbernauld and Kilsyth (Mrs. McKenna) of "Let them speak English" is precisely why the speaking of Gaelic has declined and has the status that it has today?

Mrs. Michie: The hon. Lady makes a good point.

I acknowledge that good progress has been made. There are some excellent Gaelic-medium units in schools, jobs have been created in the media and there is an increasing awareness of the urgent need for more teachers able to teach through the medium of Gaelic. It has been established beyond doubt that children who are bilingual by the age of five, six or seven find it much easier to learn another language. The Minister for Gaelic, who also has responsibility for education, said recently that he was disturbed about the poor standard of language learning in Scottish schools; he should endorse the fact that those who are bilingual are more likely to learn other languages. I believe that, if the Bill were amended, it would give a strong signal.

There has been an expansion, too, in the Gaelic "economy" over the past decade, including jobs in education, broadcasting, publishing, administration, the arts, tourism, as well as in the various Gaelic agencies and, of course, the national Mod, which in 1995 attracted some 2,000 entries from home and abroad.

The amendments show the need for the Bill to contain a commitment to the language. Some will ask, "Why?"—

Mr. Ernie Ross (Dundee, West): Why?

Mrs. Michie: Because of its value and its worth, not just to Scotland but to the United Kingdom and Europe—indeed, the whole world; there are many Gaelic speakers in Canada, for example—and it has an historic obligation. I have paraphrased what the Minister for Gaelic said in the House.

Since the 18th century—indeed, since the Union of the Parliaments—Gaelic has suffered enormously. People in power methodically set about eradicating Gaelic culture and consciousness. In many schools and playgrounds, the mother tongue was forbidden. It has a wealth of literature, music, poetry and song. Its culture and tradition enhance and enrich the heart and soul of this nation. We would be Philistines if we allowed that to die. That is why I hope that the Minister will give a favourable response to the amendments. I look forward to his reply.

Mrs. McKenna: It is important to put on record my support for the Gaelic language. The last Gaelic language unit that the Minister opened was in my constituency, and I have long supported the provision of Gaelic for young children. At one time, there was a pre-school unit in my constituency. A neighbouring constituency still has one, and the children, on reaching school age, come to the unit within a school in my constituency, so I support the Gaelic language, and have long done so.

The point that I was making is that it will be appropriate for the Scottish Parliament to decide, as and when it feels necessary, to make provision for Gaelic, but there is absolutely no need for that at the moment. There is no need to amend the Bill.

Amendment No. 35 is not helpful, because it says "where appropriate." There is no specific guidance on what that means. It should be for Members of the Scottish Parliament to decide. The hon. Member for Perth (Ms Cunningham) said that I was saying, "Let them speak English." That is not the case. However, it is a fact, as the hon. Lady admitted, that few people speak only Gaelic. Once they get to school, there are probably no people who speak only Gaelic. I understand the point that she is making, but if Members of the Scottish Parliament, or people who come to address the Parliament, wish to speak in the Gaelic language, it should be a matter for the Scottish Parliament to decide, not this House.

Mr. Eric Clarke: I support the speaking of Gaelic. I encourage it, and if it is expensive, so be it. When I was youngster, I was annoyed that I was taught by teachers who told me—battered it into me—to speak properly—[HON. MEMBERS: "Proper."] Not proper, properly. One of those teachers was a highlander and a Gaelic speaker. She did not accept that, as far as we were concerned, we were speaking the Doric, the local language. I was bilingual. What I said at home and what I said in the playground were totally different from what I said to the teachers, because I learn the hard way—if we did not speak properly, we were thumped. *[Interruption.]* She might not have made a very good job of it.

On a practical matter, will hon. Members who go to the new Parliament have to be bilingual, as they are in Ireland and Canada? If so, that will cut back on recruitment for the majority of people who I hope will get back into Scotland, or for those who are in Scotland itself. I was on the national executive of the National Union of Mineworkers, with Welsh-speaking members who thought in Welsh and had to translate into English. It is easy to say that they are bilingual, but I am thinking of someone who used to have to think it out and then translate it in his head, and, of course, there was a delay. He was not a computer—

Mr. Canavan: Was that Scargill?

Mr. Clarke: No, I would never have understood what Scargill said. I am being facetious. He is a good friend of mine. I am still friendly with him. I jumped at the bait there.

We are not talking about a dialect; Gaelic is a language. I was thinking about the late Dai Francis, who was general secretary of the Welsh miners.

I sympathise with the hon. Member for Argyll and Bute (Mrs. Michie). I am sure that people who become Members of the Scottish Parliament will be sympathetic to Gaelic speakers. I certainly hope they will. I hope that she gets what she wants, but there will be practicalities and difficulties involved. It is really for the Scottish Parliament to sort it out.

Mr. Grieve: I do not want it to be thought that no Conservative has said anything on this subject, because I endorse every word that has said by the hon. Members for Argyll and Bute (Mrs. Michie) and for Cumbernauld and Kilsyth (Mrs. McKenna), who spoke about the beauty of the Gaelic language. Although I understand it extremely imperfectly, I enjoy hearing it spoken when I am up in Scotland. I certainly enjoy trying to pronounce correctly the names of the mountains that I climb.

It seems to me to be a matter for the Scottish Assembly to decide—

Mrs. Ewing: Scottish Parliament.

Mr. Grieve: I apologise to the hon. Lady. That is what comes from going from the Government of Wales Bill to the Scotland Bill. It is for the Scottish Parliament to decide.

I disagree with the point that was made about the Scottish tongue. My ancestors spoke Lallands, but having listened to a number of hon. Members—in particular the hon. Member for West Renfrewshire (Mr. Graham), who is not present—I have never had too much difficulty understanding what people from Scotland have to say. I can think of no occasion when someone speaking a Scots version of English in the House has ever been told that they are out of order. Indeed, the Secretary of State slips into "Scoticisms" frequently. I find it difficult to see the need for interpreters. It would simply be the case that in the Scottish Parliament, the note would be reproduced verbatim.

Mr. Salmond: On the subject of notes, both the Secretary of State and myself, and any other hon. Member who occasionally slips in Scots words, will get notes from the *Hansard* reporters. The hon. Gentleman might claim to understand the words that we use, but the *Hansard* writers have some difficulty with them.

Mr. Grieve: I am bound to say that, very occasionally, perhaps due to an excess of legalese in English, one gets a note from the *Hansard* writer who is unable to understand some use, or misuse, of the English language.

Mr. Salmond: That is just the hon. Gentleman.

Mr. Grieve: That may be so, but I have never considered that a serious problem. In these circumstances, I would leave that problem to the Scottish Parliament.

6.30 pm

Mr. McLeish: I must confess that I am not a Gaelic speaker. When I was a youngster, surviving in Fife and speaking English were major challenges, which I hope I tackled reasonably well.

The Scottish Office team can claim an historic first because nearly 33 per cent. of Ministers there now speak Gaelic. We shall need some simultaneous interpretation ourselves if there are further developments on that front.

The proposed regional member system will give us seven new Members from the highlands and islands. Clearly, the prospect of having more Gaelic speakers in the Parliament will be enhanced by that.

We sympathise with the spirit and most of the substance of the points made by the hon. Member for Moray (Mrs. Ewing). We already have in mind interpretation and translation facilities for occasions when a visiting foreign dignitary wishes to address the Parliament in his native tongue. That is important for the spirit of internationalism that we want to bring to the new politics in Scotland. We also recognise that some Members may wish to use Gaelic or Scots, and that translation facilities could be required in that context.

However, it would be best left to the Parliament, through the Scottish Parliamentary Corporate Body, to decide the staffing requirements, and to decide whether we shall need permanent translators and interpreters, and to what extent they should be provided. Should the Parliament decide that, where appropriate, its proceedings could be in Gaelic and Scots, or that Members could use Gaelic and Scots, the Standing Orders could make the appropriate provision, and the SPCB could make the necessary arrangements.

The Scottish Office supports use of the Gaelic language and is trying to promote it through education and broadcasting. It is providing £2.2 million in specific grants to education authorities for Gaelic-medium education. More than 1,700 pupils in 50 primary schools in Scotland receive Gaelic-medium education. In addition, more than 200 children in secondary schools receive some Gaelic-medium education.

This is not the time to discuss that policy, but we are happy to take on board the suggestions that have been made. The consultative steering group, which I chair and which has representatives from all parties, would like an early opportunity to consider this issue. In that spirit, I should like the hon. Member for Moray to make a contribution to that steering group. Although we cannot accept the amendment, I hope that in the spirit of consensus and co-operation that is being offered, we can work together and take the matter forward. I hope that the hon. Lady will withdraw the amendment, in which case we shall be happy to enter into dialogue at an early stage.

Mrs. Ewing: In the light of the Minister's comments, I am willing to ensure that substantial submissions are made to the Procedure Committee. They will be made not just by me, but by many organisations with a more extensive knowledge of the issue than I have.

It was important to raise this issue and to reassure people that the door is not being closed on the possibility of having those facilities in our new Scottish Parliament. I was interested to note that 33 per cent. of the Scottish Office team claim to speak Gaelic. In the light of the very good comments made by the hon. Member for Argyll and Bute (Mrs. Michie), there is a Gaelic saying:

"Not all the mischief lies with Bute; some of it is in Cumbrae hardby."

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 20 ordered to stand part of the Bill.

Schedule 2

SCOTTISH PARLIAMENTARY CORPORATE BODY

Question proposed, That this schedule be the second schedule to the Bill.

Mr. Dalyell: I wish to make a substantial point on this schedule in relation to the independence of Clerks. The schedule provides for the establishment of the Scottish Parliamentary Corporate Body, which is broadly modelled on the House of Commons Commission, established by the House of Commons (Administration) Act 1978. Schedule 2 makes further provision for the SPCB. It is uncontentious, except that the Clerks of the Parliament are referred to as "staff", while their opposite numbers at Westminster are referred to as "officers".

There are two issues within the schedule. First, unlike the House of Commons arrangements, the Clerk of the Parliament and Assistant Clerks are to be appointed by the SPCB under clause 19(2) and paragraph 3(1) of schedule 2. Under the 1978 Act, the Clerk, any Clerk Assistant, the Serjeant at Arms and the Speaker's personal staff are not appointed by the House of Commons Commission. In practice, the personal staff of the Speaker have the 1978 Act applied to them, although the Speaker retains the power to appoint such staff and to determine their tenure of office.

The Clerk of the House of Commons is appointed by the Crown for life, by letters patent; the Clerk Assistant is appointed by the Crown, under the sign manual, on the Speaker's recommendation, and is removable only upon an address of the House of Commons. The appointment of the Serjeant at Arms is a gift of the Queen under a warrant from the Lord Chamberlain, and the duties are prescribed by patent under the Great Seal. The significance of that is that the senior officers of the House of Commons have a degree of independence, which is an important consideration in giving advice on what may be politically contentious matters.

Are the Government convinced that the same independence is guaranteed at Holyrood? The background may be arcane, but the nub issue is the independence of the Clerks.

My second point is that, unlike the 1978 Act, no specific provision appears to have been made to apply employment legislation to those employed by the Scottish Parliamentary Corporate Body. Are those employed by the SPCB employed at the pleasure of the Crown, under general employment law, or are they subject to instructions given to the SPCB by the Scottish Parliament?

If the Minister wants to reflect on those complicated matters and give me an answer on Report, he will have no complaint from me.

Mr. McLeish: I agree with my hon. Friend the Member for Linlithgow (Mr. Dalyell) about the independence that is required, and I want to reassure him on that point. Paragraph 3(3) of schedule 2 says:

"It is for the corporation to determine the terms and conditions of appointment of the staff of the Parliament, including arrangements for the payment of pensions".

That is written into the Bill and that is what will happen.

On my hon. Friend's second question about employment conditions, I think that what he said will apply, but I should like to get some details on the matter before responding.

Question put and agreed to.

Schedule 2 agreed to.

Clause 21

STANDING ORDERS

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: Can the Government confirm that the sub judice rule will be the same in relation to proceedings of the Scottish Parliament as it is in the House of Commons? They may be unable to bind the Scottish Parliament because of Standing Orders. What are the Speaker's rights and privileges in relation to withdrawing the rights and privileges of a Member for a period of exclusion?

That question is not purely hypothetical. As the Secretary of State may recollect, when he was Parliamentary Private Secretary to the late Anthony Crosland and I was Parliamentary Private Secretary to the late Dick Crossman, I got into a great deal of trouble with the Privileges Committee over Porton, and chemical and biological weapons—even in those days. I got the rough end of the Privileges Committee. The question of exclusion has not just been whisked out of the air, and clause 21 gives us cause for reflection.

Mr. McLeish: We shall discuss sub judice next. Clearly, there will be a duty on the Scottish Parliament. There will also be a duty on the Parliament to ensure that exclusions are dealt with under Standing Orders. It is an important relationship, which must be defined, and that will be taken care of.

Question put and agreed to.

Clause 21 ordered to stand part of the Bill.

Schedule 3

STANDING ORDERS—FURTHER PROVISION

Mr. McLeish: I beg to move amendment No. 219, in schedule 3, page 57, line 17, after 'for', insert '(a)'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: Government amendments Nos. 220 and 221.

No. 34, in page 57, line 45, leave out 'Cornwall' and insert 'Rothesay'.

Mr. McLeish: The purpose of amendments Nos. 219 and 220 is to make it quite clear that the Scottish Parliament will be required to make provision in its Standing Orders for a sub judice rule.

Paragraph 1(1) of schedule 3 already requires the Parliament to include in its Standing Orders provision for preserving order in the proceedings of the Parliament, including provision for preventing conduct that would constitute a criminal offence or contempt of court.

In reviewing this schedule, the Government have concluded that it does not impose a sufficiently clear requirement on the Scottish Parliament to make provision for a sub judice rule. Without such a rule, the Presiding Officer could be left in considerable doubt as to whether to make a determination to the effect that discussion would be likely to constitute a contempt of court and should therefore be prevented. Discussion may be justified on the grounds that it is incidental to a discussion in good faith of public affairs, and that would make it difficult for the presiding officer to act unless he or she had all the details and circumstances of the particular case. For that reason, there is a serious risk that discussion would take place and that criminal proceedings would be prejudiced before the presiding officer was able to make his or her decision.

The Government are conscious that the solution to this problem must balance three factors: first, the legitimate discretion of the Parliament over the creation of its own Standing Orders; secondly, the importance of preventing public discussion of matters that would result in prejudicing court proceedings, thus damaging the workability of the judicial system in Scotland; and, thirdly, the need to maintain the right to freedom of speech in line with rights under the European convention on human rights.

We have concluded that the best way in which to deal with this point is to require the Scottish Parliament to establish Standing Orders relating to sub judice, but to leave those Standing Orders to be developed in line with those three considerations. Account will, no doubt, be taken of the sub judice resolution that applies to proceedings of the House of Commons.

Amendments Nos. 219 and 220 simply insert a requirement into paragraph 1(1) of schedule 3 that the Scottish Parliament must make provision in its Standing Orders for a sub judice rule. It will be left to the Parliament to determine the details of that rule. A responsible Parliament must make provision to ensure that proper discussion of public affairs does not prejudice court proceedings. The amendments will ensure that the Scottish Parliament has to make appropriate provision.

Amendment No. 221 will allow the Standing Orders to make provision for the withholding of rights and privileges, including salary and allowances, from any Member of the Scottish Parliament in respect of any period during which he or she is excluded under Standing Orders relating to the preservation of order.

6.45 pm

Mrs. Ray Michie: I want to speak to my amendment No. 34, which would alter the clause so that it refers to the Duke of Rothesay instead of to the Duke of Cornwall in the paragraph referring to Crown interests and the requirement of royal consent for a Bill. One of Prince Charles's titles is that of Duke of Rothesay, and it would be more appropriate for that Scottish title to be used instead of the title Duke of Cornwall. It would be a gesture of some sensitivity, as Rothesay will this year celebrate the fact that 600 years ago, in 1498, King Robert III conferred the title on his eldest son, David, and it has been borne by the sovereign's eldest son ever since. It would be a tribute to the town of Rothesay, which in 2001 celebrates 600 years as a royal burgh.

The title of Duke of Rothesay would also be a fitting tribute to the Prince of Wales. It is entirely appropriate that a Bill that re-establishes the Scottish Parliament should refer to the heir to the throne as the Duke of Rothesay. I do not know whether the Minister will accept the amendment, but it is only small, and he has not accepted any amendments so far. He may say that he cannot accept it because of the archaic rules on titles, lines of succession, and heirs and successors, about which I know little and understand even less. Rules can be altered, however, particularly archaic rules. I ask him to seek an audience with the Queen.

Mr. McLeish: And with the Keeper of the Seal.

Mrs. Michie: Indeed. The Minister should ask the Queen whether it is in her power to change the rules. It would not lead to the end of the House of Windsor or to the demise of the Scottish Office and all its Ministers, no matter how close they will be to Holyrood house.

I ask the Minister to give the amendment serious consideration. It would be better if the Bill referred to Prince Charles as the Duke of Rothesay. The town of Rothesay would be delighted if the Minister accepted the amendment.

Mr. McAllion: Will the Minister explain why there has to be any reference to the Duke of Cornwall, to the Duke of Rothesay or to Her Majesty the Queen? Why should the strengthening of democracy represented by the establishment of a Scottish Parliament be watered down by making Bills passed by that democratic Parliament subject to the assent of people who are unelected?

Mr. Dalyell: I think it pretty churlish of the hon. Member for Argyll and Bute (Mrs. Michie) not to mention all those famous conferences of the Scottish Labour party that have taken place at Rothesay. Those of us who have braved the boat back in choppy waters feel quite strongly—*[Interruption.]* I do not know what my right hon. Friend the Secretary of State just said sotto voce, but I think he remembers one of those occasions.

What prompted the Government to table amendment No. 221? I am not saying that the drafting was bad or defective, but I should like to know whether there was a reason for the afterthought. It is not an unimportant amendment.

Mr. Salmond: I associate myself with what was said by the hon. Member for Linlithgow (Mr. Dalyell). I think that both of us have been victims in the sense of having our rights and privileges withdrawn.

I am sure that the Scottish Parliament will appreciate that, if a Member's rights and privileges must be withdrawn—which they may well have to be—the matter must come before the whole Parliament rather than being disposed of by Whips, Committees or anything of that nature.

Amendment No. 220 refers to a sub judice rule. I know that amendment No. 221 deals with the question of rights and privileges, but I should like to hear from the Minister that the Parliament will have the right to be protected from defamation actions. That is an essential prerequisite for any Parliament.

The hon. Member for Linlithgow spoke of braving the waters. I am certain that he knows the exact latitude and longitude and the direction of the boat, as he knows all about naval vessels at sea. The Scottish National party is

[Mr. Salmond]

the party that most recently held an annual conference at Rothesay, and a tremendous place it was, too—and a tremendous conference.

Just over a year ago, we attended a ceremony marking the return of the Stone of Destiny. Numerous people of whom I had never heard were higher in the order of precedence than the Secretary of State for Scotland—or, for that matter, the Scottish First Minister-to-be—and certainly higher than any lowly Member of Parliament. There was for instance, the Gold Stick for Scotland, who I had always thought was the snooker player Mr. Hendry.

Mr. Dalyell: The Gold Stick in Waiting.

Mr. Salmond: The Gold Stick in Waiting as well. I learn something every day.

I wish that the hon. Member for Argyll and Bute (Mrs. Michie) had drafted her amendment No. 34 more widely, to establish whether the Scottish Parliament could dispose of some of these unnecessary titles of which no one has heard, and which should not clutter up the scene in case anyone mistakes their holders for people who have been elected or have a democratic mandate, or a right to carry a gold stick or anything else.

As for the Government amendments, I hope that the Minister can reassure us that he will not be sending all the bad boys and girls away for two weeks without due process, and that Parliament will be protected from defamation actions, as any genuinely inquisitorial Parliament must be.

Mr. Canavan: Will the Minister explain why schedule 3(5) is needed? Why would some Bills require the consent of Her Majesty, the Prince and Steward of Scotland or the Duke of Cornwall—who, I have now learnt, is also the Duke of Rothesay? I know who Her Majesty is, but who on earth is the Prince and Steward of Scotland? When did the people of Scotland ever elect any prince or steward for Scotland, and why does that person's consent have to be sought before a Scottish Bill becomes the law of the land?

Mr. McLeish: I can tell the hon. Member for Banff and Buchan (Mr. Salmond) that the MSPs will be covered in regard to defamation. I believe that we shall be having further discussions about privilege at a later stage.

Let me reply to the points made by my hon. Friend the Member for Linlithgow (Mr. Dalyell) about amendment No. 221. Clause 76 requires the Parliament to

"make provision for the payment of salaries to members of the Parliament",

but it does not expressly make provision for the withdrawal of any salary when a Member is excluded. In view of the powers that the Parliament has to make provision in the Standing Orders for excluding a Member, under schedule 3(1), it is considered that those powers should be supplemented by a general power providing that such a Member should lose his rights and privileges, including his salary. That reinforces the nature of exclusion as a punishment and a deterrent, and is similar to the powers relating to Members of this Parliament. Let me tell the hon. Member for Banff and Buchan, as a postscript, that it will be a matter for the Parliament; nothing will be done behind closed doors to the disadvantage of natural justice.

The speech of my hon. Friend the Member for Falkirk, West (Mr. Canavan) complemented that of the hon. Member for Argyll and Bute (Mrs. Michie), who made such a compelling case that it troubles me greatly to have to disappoint her. Of course we all celebrate the 500th anniversary of the first application of the title Duke of Rothesay to the sovereign's eldest son, but I am afraid that that is not a satisfactory basis on which to accept her amendment.

The provision in schedule 3(5) places Bills of the Scottish Parliament in the same position as Bills of the Westminster Parliament in terms of their requirement to obtain the consent of Her Majesty, the Prince and Steward of Scotland or the Duke of Cornwall when a provision in a Bill impacts on certain Crown interests. There is no duty in Westminster to obtain the consent of the Duke of Rothesay, and I therefore cannot accept the amendment, which would place an unnecessary duty on the Scottish Parliament. To delete the reference to Cornwall would remove that duty to obtain consent, and would subject Bills of a Scottish Parliament to different arrangements in respect of Crown interests from those pertaining at Westminster.

Mr. Wallace: What interests, if any, has the Duke of Cornwall in Scotland?

Mr. McLeish: The point is being made in relation to what exists, but also in relation to what could happen in the future.

Mr. Grieve: Could we not just refer to "the Duke of Cornwall and Rothesay"? I think that the hon. Member for Argyll and Bute (Mrs. Michie) had a point. I also appreciate the need to stay on a par with procedure in this Parliament, but I wondered whether the Minister would consider my suggestion, which would reflect the status of the heir to the throne in Scotland.

Mr. McLeish *rose—*

The Chairman: Order. I understood that the Minister was still making his speech, and had given way. Is that correct?

Mr. McLeish: I had finished my speech, Sir Alan.

A serious point is involved here. We are trying to achieve consistency in the submission of Bills. Of course we are talking about a similar person, but, ultimately, I do not think that it is for us to depart from the present arrangements, although there may be good historical and other reasons, which other hon. Members have advanced.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale) *rose—*

The Chairman: Order. The Minister has just sat down; is the hon. Gentleman trying to catch my eye?

Mr. Morgan: Yes, Sir Alan.

Instead of making an intervention, I shall make a very short speech.

It strikes me that, as the Duke of Rothesay is the Duke of Cornwall, it really does not matter which title is in the Bill, and I therefore do not understand why the Government are unhappy about using the words "Duke of Rothesay". Do they fear that at some future stage the two titles may separate, and not be held by the same person? That is an interesting diversion on which we could speculate, but I do not think it likely. As the Duke of Rothesay is the Duke of Cornwall, what on earth is wrong with using that title in the Bill?

Mr. Canavan: The situation is becoming more confusing as the debate continues. Since my earlier speech, I have been informed, albeit informally, that the Prince and Steward of Scotland is also the Prince of Wales, and the Duke of Cornwall, and the Duke of Rothesay. Why on earth should he get two mentions when even his mum gets only one—and now it is suggested that he should have three mentions?

Mr. Ancram: There is obviously some concern. The Minister is not known for being particularly flexible on occasions such as this, but on this occasion, will he take the proposal away and look at it?

Mr. McLeish: Some interesting comments have been made, but we are not inclined to accept amendment No. 34.

Mr. Salmond: The Minister is being rather inflexible. Several points have been made in the debate, and the Bill still has a few stages to go. Without giving a commitment, perhaps he and his officials will examine the matter. It does seem that there is rather a surfeit of titles for the Duke of Cornwall, and perhaps a slimming down or the addition of "Rothesay" will satisfy the concerned hon. Members. Perhaps the Minister will re-examine particularly the point made by the hon. Member for Argyll and Bute (Mrs. Michie).

Dr. Liam Fox (Woodspring): I fully appreciate the position that the Minister now finds himself in—he probably does not have a contingency note for the constitutional crisis now engulfing him. However, I believe that it is unnecessarily brittle to reject out of hand the comments of the hon. Member for Argyll and Bute (Mrs. Michie). To make matters easy for him—and if the hon. Lady does not press her amendment—the official Opposition will attempt to reintroduce it in the other place, to give the Government time to think about it.

Amendment agreed to.

Amendments made: No. 220, in page 57, line 18, at end insert

'and

(b) a sub judice rule.'.

No. 221, in page 57, in line 20, at end insert

'and for withdrawing his rights and privileges as a member for the period of his exclusion'.—*[Mr. McLeish.]*

7 pm

Mrs. Ewing: I beg to move amendment No. 74, in page 57, line 40, at end insert—

'(4) The standing orders shall include provision to allow members of the European Parliament to sit on any committee or sub-committee charged with the scrutiny of European Commission documents or European legislation.'.

The amendment is simple. I tell hon. Members who are interested in the European issue that there will be opportunities later in the Bill's passage to examine the complexities of the relationship between European institutions and the proposed Scottish Parliament, and that perhaps they should not try to fire all their ammunition now.

In moving the amendment, I am trying to discover what Ministers believe should be the link between Members of the European Parliament and Members of the Scottish Parliament. I am not saying in the amendment that MEPs should sit on Committees and have automatic voting rights, merely that they should be enabled to be in the Scottish Parliament and to assist any Committee that will be established to scrutinise European legislation. If the principle of involvement were conceded, I am sure that the Scottish Parliament could itself examine how such Committees might evolve.

I have studied other Parliaments and how their Members link in with Members of the European Parliament. I am specifically dealing with scrutiny committees—not policy committees—examining proposals from the Commission.

In Belgium, for example, the scrutiny committee consists of 10 MEPs and 10 MPs. In Denmark, MEPs can attend the scrutiny committee if they have a dual mandate. In Germany, in the Bundestag, 50 MPs are involved in scrutiny, 39 of whom are directly elected to the Bundestag and 11 of whom are MEPs. There is provision in the Bundesrat, composed of members from the various Länder, to allow MEPs to sit on scrutiny committees. In Greece, 31 members scrutinise European legislation, including 10 MEPs. Spain has provided for joint meetings.

In France, MEPs are invited to give evidence on technical measures. In Ireland and Italy, there is provision for MEPs attend such meetings. In Luxembourg, MEPs attend in an advisory capacity. There are regular meetings with MEPs in the Netherlands. Austria has no formal arrangements. Finland's MEPs are heard as experts. Portugal provides for regular meetings. In the United Kingdom, there are no formal arrangements and no direct links.

I accept that scrutiny committees work in different ways in different countries. As we establish the Scottish Parliament, we should consider how important Europe is to the electorate of Scotland, because many issues are now dealt with in European legislation.

With other hon. Members, I serve on the Select Committee on European Legislation. In one year, our Committee scrutinised 1,356 documents. Of those, 50 were recommended for debate—12 on the Floor of the House, and 38 in Standing Committees. That substantial amount of legislation—the gamut of European legislation—has an impact on the Scottish economy, on Scottish society and on the Scottish environment.

I should like us to consider the possibility of the Scottish Parliament immediately opening its doors to the expertise and knowledge of those who work within the European Parliament, enabling us to examine the impact of European proposals on our country of Scotland. That would be logical.

For a long time, MEPs have not had freedom of access or easy access in the House to telephones, for example, or to fax machines or to Brussels. It was a long and

[Mrs. Ewing]

hard-fought campaign. Hon. Members are now eligible for one trip per year on Commission business to either Brussels or Strasbourg. There is an opportunity for the Scottish Parliament to say, "Let's examine how other Parliaments in the European Union operate, and consider some of their ideas."

The amendment will not tie us into granting any rigorous rights or means of domination. It will merely open doors to ensure that those who are elected—only a month after the Scottish Parliament elections—by our electorate in Scotland are given the right to come to our Parliament and to be involved in discussions affecting us. That is the amendment's underpinning ethos.

The European Parliament is the most democratic of all European institutions. MEPs are not appointed or delegated—they are elected by the people. In a newly elected Scottish Parliament, we should involve those who are directly elected. The expertise that MEPs could bring to our scrutiny would be to the benefit of us all.

Mr. Dalyell: Having been a member of the Scrutiny Committee under the chairmanship of that clever man Julius Silverman, I find myself extremely sympathetic to the aims of the amendment moved by the hon. Member for Moray (Mrs. Ewing). Incidentally, gently and without malice, I think that she may have scored a little bit of parliamentary history or a parliamentary first. I doubt whether—in the whole history of this Parliament's 700 years or whatever it is—anyone has ever before proposed a "co-opt my mother-in-law" amendment. I do not know whether we should call it the "co-opt Winnie Ewing" amendment.

The Secretary of State for Scotland (Mr. Donald Dewar): My hon. Friend is supposed to be supporting the amendment.

Mr. Dalyell: I do not want to do it any harm, because I certainly do support it, having been a Member of the indirectly elected Parliament and also a member of the Scrutiny Committee. My only trouble is that, if we co-opt Members of the European Parliament, where will it end? Should Members of the European Parliament be co-opted to the Council, or vice versa? However, using Members of the European Parliament for European legislation is a special case. Speaking for myself, I should like to think that, if there is to be an assembly at Holyrood, David Martin, the distinguished MEP for Lothians, will be able to play a part in it. I support the amendment.

Mr. Bernard Jenkin (North Essex): I share the hon. Lady's warmth of feeling about the potential that Members of the European Parliament can offer the process of scrutiny. I, too, have sat on Scrutiny Committees. We are told that we have one of the best systems of pre-scrutiny of draft European legislation. To use a phrase in a foreign language, "Cela laisse un peu à désirer."

There is scant evidence that our deliberations have much influence on the process of drafting and negotiating European legislation. However, such proposals must be welcome if they create a community of ideas between different levels of government within the European Community.

We do not support the amendment, however, as we believe that it should be a matter for the Scottish Parliament. Just as we decide whether to bring Members of the European Parliament into our proceedings, that should be for the Scottish Parliament to decide, and not something that we should impose on it.

Mrs. McKenna: I sympathise with what the hon. Member for Moray (Mrs. Ewing) said, but her proposal is too prescriptive. The Standing Orders provide a framework within which the Scottish Parliament can operate, but many issues have been unexplored or misunderstood, as the Scottish Parliament will be in a much stronger position within the European Union than the Scottish National party has suggested.

For example, the Scottish Parliament will be able to appoint a Member to the Committee of the Regions. The Committee of the Regions comprises members of any parliamentary or Government organisation below the level of national Government. Clearly, the Scottish Parliament will fall into that category. As a result, when the Scottish Parliament is involved in pre-legislative consultation, it will be in a strong position. It will be able to make representations and to scrutinise European legislation as it is being prepared.

The amendment is far too prescriptive, as it leaves a host of possibilities in the relationship between the Scottish Parliament and Europe unexplored. The Parliament should have wider powers than the amendment would provide. I hope that it will be a listening and involved Parliament, that it will operate quite differently from this place, and that its Members will be invited to attend Committees and participate in decision making. I hope that the amendment will be withdrawn, because it should be a decision for the Scottish Parliament—once all the avenues have been explored, it should decide how it will operate.

Mr. Gorrie: We support the amendment tabled by the hon. Member for Moray (Mrs. Ewing). My hon. Friends and I have been airing other possibilities whereby the Scottish Parliament could experiment with Committees with full Members who were not Members of the Scottish Parliament. Instead of MSPs talking to deputations, people outside the Scottish Parliament who knew about or worked in a particular field—whether it was health, education or transport—as deliverers or users of services could join MSPs on Scrutiny Committees. The amendment is an extension of that.

We hope that the Scottish Parliament will experiment with much more flexible Committees than those in the House. Whether that is achieved through its Standing Orders or by accepting the hon. Lady's amendment, I believe that it would be a move in the right direction.

Mr. McLeish: Once again, we are sympathetic to the spirit and the concept of the amendment tabled by the hon. Member for Moray (Mrs. Ewing). We want to make the Scottish Parliament different, and everyone in Scotland has accepted that it should have different machinery and procedures. There has been particular emphasis on pre-legislation discussions before Bills are published, and great play has been made of the fact that European legislation should have much greater scrutiny than it does in the House.

The hon. Lady referred to Europe. We are learning from Europe as we develop policies for the Scottish Parliament. That is part of the work of the consultative steering group, and it is important that we accept that the spirit of doing things differently and learning from Europe is fundamental to what we want to achieve.

7.15 pm

There may be occasions when contributions by MEPs might help in the consideration of EU proposals. However, how best to achieve that is a matter that should be left to the Scottish Parliament to decide.

Hon. Members must appreciate that the Scottish Parliament's Committees and sub-Committees will be composed of MSPs. It is obviously right and proper that only elected Members should have the right to vote when Committees take decisions. I appreciate that the hon. Lady is not suggesting anything to the contrary. Special provision is made in the Bill for the case where the Lord Advocate and the Solicitor-General are not Members of the Scottish Parliament. However, that does not prevent the Parliament from deciding whether and how to make provision in its Standing Orders on arrangements for inviting non-Members of the Parliament to attend Committees and participate in their deliberations, so that the benefit of their knowledge and experience is available to the Parliament. Again, I anticipate broad agreement that that is a sensible and constructive proposal.

I suggest that the matter might be taken up by the all-party consultative steering group, which has been established to look at the detailed Standing Orders for the Scottish Parliament. The hon. Lady smiles, but that is a genuine expression of sympathy for the points that have been raised. We have the opportunity within the consultative steering group and subsequently within the Standing Orders of the new Parliament to establish a proper precedent and procedure.

In view of that, I should be grateful if the hon. Lady withdrew her amendment, so that we can discuss how best the matter can be taken forward in the forum that we have to examine the pre-Standing Order position, and in the Parliament itself when it is established.

Mrs. Ewing: I have listened with interest to the comments in this short debate, and I shall not detain the Committee for long. The hon. Member for Linlithgow (Mr. Dalyell) seems to be personalising almost every amendment. Last night we had the "Sean Connery enabling amendment" and tonight it has been the "co-opt my mother-in-law" amendment. I was not proposing co-opting my mother-in-law, although she would be most effective in any Committee dealing with European legislation. However, it was important to explore the proposal in the context of the Scottish Parliament.

The exchanges that I have had with the Secretary of State about derogations and who takes the ultimate decision, and the long letters that were sometimes very difficult to comprehend, suggest there is a need for co-ordination between elected MEPs and MSPs.

Mr. Dewar: Just to clarify a matter of some interest and importance, is it not true that the hon. Lady's mother-in-law has announced that she will not be a Member of the European Parliament after the next election?

Mrs. Ewing: The Secretary of State is not following matters carefully, because consultation is currently under way in my mother-in-law's constituency. I know that the Secretary of State has addressed the issue through the Highlands and Islands Convention. Because of the changes in the elections to the European Parliament in Scotland, whereby eight MEPs will represent Scotland, the Highlands and Islands Convention is having to address proper representation and co-operation. In the context of the Scottish Parliament, there could be an extension of that argument, on which he and I agree.

Dr. Fox: As a matter of interest, is the logic of the hon. Lady's case that there would be circumstances in which she would envisage benefit being achieved from co-opting Scottish Members here to Committees of the Scottish Parliament, for the same reasons that she has given in respect of European legislation?

Mrs. Ewing: That does not apply to the schedule. You would rule me out of order, Sir Alan, if I carried on. There is a case for the Scottish Parliament to consider new ways of dealing with the information that comes to it and bringing in expertise. None of us wants to be narrow on that. That was the attitude behind the amendment.

Although I shall seek the leave of the Committee to withdraw the amendment, the Minister of State is beginning to give the steering committee a lot of hard work. I gave a very short precis of how other Parliaments work with their MEPs. The steering committee may be in danger of taking issues away from the House and not bringing them back at an effective stage. Perhaps he could ensure that that is given serious consideration on Report. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 3, as amended, agreed to.

Clause 22

MEMBERS' INTERESTS

Dr. Fox: I beg to move amendment No. 159, in page 10, line 33, after 'person', insert

', organisation or trade union'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 160, in page 10, line 38, after 'person', insert

', organisation or trade union'.

Government amendment No. 222.

Dr. Fox: We want to get through a great deal of material this evening. I hope that the Committee will understand that the length of time that I take on the amendment does not detract from the seriousness with which we regard the issue.

The White Paper says that the Parliament must be open, responsive and accountable. It confirms that Standing Orders will cover Members' pecuniary interests. The Bill says that the Standing Orders must prohibit Members from advocating a matter

"on behalf of any person by any means specified"

or from urging any other Members to do so in return for payment or benefit.

[Dr. Fox]

I shall not detain the Committee by going over recent history, the traumas that Parliament has been through, and the measures that we put in place to deal with such matters, or mentioning any of the on-going sagas involving hon. Members on both sides. That is irrelevant. However, it is important that the Scottish Parliament should have an opportunity for clarity and transparency with the new measures to be put in place.

Given the current and past political culture in Scotland, the Minister should consider our amendment, which would add "organisation or trade union" after "person". We know about the close relationship between the trade unions and the Labour party, which remains the largest party in Scotland. The relationship is stronger in Midlothian and Sedgefield than in Islington, where the Labour party probably attracts the appropriate residents. Without the amendment, the Government may be open to the charge of having one rule for their friends and other rules for the rest.

Mr. Canavan: Does the definition of "organisation" include limited companies and lobbying organisations, from which many Tory Members of Parliament have accepted huge amounts of money to further their cause?

Dr. Fox: The hon. Gentleman belittles the debate. I do not want to get involved in the petty accusations that tend to bedevil such debates. I hope that it will be made clear from the outset that the definition includes companies and lobbying organisations. If the Government do not accept the amendment, I hope that they will come up with their own.

The House has always had a tradition that declarations of interest are not made during oral questions because of the time that that would take. Why do the Government think that there should be different arrangements for the Scottish Parliament?

I also wonder whether the Bill should include a provision to prevent or restrict participation in the proceedings of the Parliament by a Member with a registerable interest. Surely the important fact is that the Member should register and declare the interest. That should guarantee that the Parliament knows whose case he may be advocating. If that is transparent, I do not know why there is any need for a power to prevent or restrict.

Mr. Salmond: Let us say that a Member of this House declared that he was paid by Westminster Communications—a lobbying company with hundreds of clients. How would the House know for which, if any, of those hundreds of clients the Member was making a case?

Dr. Fox: The best way would be by asking questions openly in a democratic debate. I do not understand the benefit of preventing or restricting the participation of a Member. Declaring and registering an interest should be enough. There is a chance to avoid some of the pitfalls that we have had here in recent years. The Minister should take the opportunity to make matters clearer and more transparent from the outset. If he cannot accept our amendments, he should give a commitment to consider similar amendments to ensure that there is not one rule for one and another rule for others.

Mr. Dalyell: I hope that this is the right time to make these points. The Law Society of Scotland is of the view that important matters such as the Register of Members' Interests, being in primary legislation, should be subject to adequate parliamentary scrutiny, and should not be formulated in Standing Orders, which could be subject to simple amendment procedures. It is also concerned that the clause creates the framework for an offence provision but delegates the scope of that offence to the Scottish Parliament in its Standing Orders. Is it appropriate that the Standing Orders should contain provisions creating offences as provided for in subsection (6)?

Sir Robert Smith (West Aberdeenshire and Kincardine): We support the amendment, because the public's concern about paid advocacy extends beyond the individual to organisations of any description. We hope that the definition extends to private limited companies. People should not be advocating causes on behalf of a financial interest. They should represent the people whom they were elected to serve.

Will the Minister tell us the legal definition of "person"? It would also be helpful if the Conservatives could give us a definition of "organisation". There is some debate about the legal definition of "person". The book provided by the Scottish Office does not extend the definition, leaving the impression that a "person" is an individual. The public would like it extended to cover organisations and other bodies.

Mr. Salmond: For consistency, the Conservatives must withdraw the amendment. They have argued on other amendments for matters to be left to the Parliament. The issue can and should be dealt with in the Standing Orders of the Parliament. We had a brief preliminary discussion at the consultative committee, when the subject was raised obliquely. I am not sure whether anyone has the full answer, but we all recognise that the public believe that there is a huge problem in this place. That problem remains; it has by no means been settled or solved.

We should have a few guiding principles. Members of the Scottish Parliament should be full-time, not part-time. There is a case for someone with a family business still needing to be present in that business, but that is different from someone having 20, 25 or 30 directorships littered around. Even if those directorships are declared, the Member is still cheating his or her constituency and the public.

We had a debate about standards when some hon. Members were embroiled in what became known as the "cash for questions" scandal. One member of the Committee inquiring into that made a speech. It was regarded as acceptable—I checked the Register of Members' Interests—that he had almost 30 directorships.

There is a fairly narrow dividing line between cash for questions and that scandal, and somebody—albeit openly—declaring almost 30 directorships. The new Parliament will have to agree not only that everything should be declared, but a little more. People who have the privilege of serving a constituency should be expected to work full time and devote their time and energy to that job, not serve other interests.

I sympathise with those who represent voluntary organisations. Indeed, one of my colleagues represents one of the nurses' unions, for very little payment. There may be a case—I have mentioned two of them—for specifying such interests, to ensure that access to Members of Parliament for those who are in difficult circumstances and who are often dispossessed in society is declared. We cannot and must not have a range of allowances whereby people can cheerfully accept salary cheques from 30 or 40 different sources as well as picking up the pay of a Member of the Scottish Parliament.

I have two points for the hon. Member for Woodspring (Dr. Fox). First, given his previous arguments, should we not leave this matter to the Standing Orders of the Scottish Parliament? Secondly, I shall reverse an argument that I have been making. At times during the passage of the Bill, I have tried to protect the Scottish Conservative party from the English Conservative party. Given the contribution of the Scottish Conservative party representative on the consultative committee, I am not certain whether the Scottish Conservative party is fully on board with the spirit of non-advocacy and total declaration that has been presented from the Tory Front Bench. Perhaps the communication lines are not operating between Scotland and Westminster. I suggest that Conservative Front-Bench spokesmen inform their Scottish colleagues of the far more rigorous attitude being adopted—at last—by the Conservative party in Westminster.

7.30 pm

Mr. George Galloway (Glasgow, Kelvin): I sense that Committee members do not want to be detained for long on this matter. I had not intended to speak, but I am tempted to do so by a few of the points raised by the hon. Member for Banff and Buchan (Mr. Salmond). It may have been a slip of the tongue, but the hon. Member said that this Parliament has "a huge problem" of Members accepting cash for questions. I do not think that that is true. The problem of public perception of Parliament is bad enough, without that comment being allowed to pass unchallenged on to the record.

Mr. Salmond: If the hon. Gentleman checks the record, he will see that I mentioned cash for questions and said that Parliament had a huge problem in its public perception and standing as a result of the many incidents over the past few years, which have certainly created public disquiet and damaged the reputation of this place. I am surprised that the hon. Gentleman, of all people, does not recognise exactly what I am talking about.

Mr. Galloway: The hon. Gentleman should not be surprised, because, a couple of years ago, I was falsely accused on such matters, and entirely cleared by the Standards and Privileges Committee. I am extremely sensitive to such false or reckless allegations or imputations that we have a huge problem. I do not believe that we have a huge problem. In so far as we have a problem at all, it is certainly made worse by people carelessly, recklessly, tossing around such talk. [*Laughter.*] The hon. Gentleman laughs, but it is no laughing matter.

More importantly, the hon. Member for Banff and Buchan, rather contradictorily, raised the issue of Members' outside interests. He said that it is all right if a Member has a family business or a family farm, but it is not all right if a Member has directorships. He did not deal with the issue of newspaper columnists, for example. I declare an interest as a newspaper columnist—as is the hon. Gentleman.

Mr. Jenkin: Is he paid for it?

Mr. Galloway: I am certain that he is paid—but not as well as I.

Will Members of the Scottish Parliament be allowed to write columns for *The Herald* in Glasgow and remain MSPs? It is preposterous to say that they could not. Where do we draw the line—at newspaper columnists, farmers, participants in a family business? This fraught area deserves more careful consideration.

Mr. Wallace: Does the hon. Gentleman think that the line might be drawn by the electorate? Candidates should make it clear whether they intend to engage in any other activities, and voters will decide whether it should be dealt with.

Mr. Galloway: The hon. and learned Gentleman anticipated exactly what I was going to say. Who sits in the Scottish Parliament ought to be a matter for the electors. Electors are fully aware when a candidate goes before them of the profession, business interests and jobs in which the candidate will continue to be involved. If the electorate were not aware, it would be the job of the opposition parties to draw it to their attention. It is easy to take a cheap, populist line in this area, but if it is not thought through, very many people will be precluded from standing for the Parliament.

There is an argument with which we are all familiar. I heard it from a Conservative Member, who very persuasively made the point that, as a dentist, he had to keep his hand in. It was rather an apt pun, but it is absolutely accurate. I do not know whether he is stili an hon. Member.

Dr. Fox: I should point out to the hon. Gentleman that, as a former obstetrician, I would not like to go down that line.

Mr. Galloway: I shall not follow the hon. Gentleman down that line. *[Laughter.]* When one is in a hole, it is best to stop digging. *[Laughter.]* The hon. Member in question may have lost his seat in the interim.

Mr. Ancram: He is still with us.

Mr. Galloway: He is still with us.

The hon. Member in question made the point that politicians are here today and gone tomorrow, so it is good to have a trade on which to fall back. As I explained to the right hon. Gentleman last night, I am a jobbing politician. None the less, I think it important that people keep their hand in, in some trades, because, if they do not, they will lose the ability to practise them if they ever have to return to them.

Hon. Members may laugh, and it has been an amusing little exchange, but the point is valid. In some jobs and professions, people are required to continue work. There might even be some benefit in people having some limited outside interests which they can bring to bear in Parliament—as long as nothing is hidden from the elector

[Mr. Galloway]

and as long as the elector is not, to use the phrase of the hon. Member for Banff and Buchan, in any way cheated. I cannot see how electors would be cheated if total transparency were observed.

Mr. McLeish: I agree with my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) that we need balance. We are talking about a very important matter. It is set in the context of Westminster, but it concerns a huge public interest issue. We are trying to achieve a balance in laying down important requirements for the Parliament to pursue, and at the same time leaving it to develop in its Standing Orders the very details that will govern Members' interests. That is the right balance to strike.

We do not depart at all from openness and transparency. We want a Parliament that works normally and effectively, but one in which MSPs by their actions can illustrate a new way of working which reflects the new politics about which we have often talked. Of course, we will not have a chance to implement the new politics until Members are elected on 6 May 1999, powers begin to be transferred from Westminster and we become actively involved. Nobody should infer from the debate anything other than the seriousness with which the Government view the matter.

I shall make a few comments about the background to clause 22 before responding to the Opposition amendments and talking about our amendment, No. 222. The Government are committed to ensuring that the highest possible standards apply to elected members at whatever level. In the case of the Scottish Parliament, the provisions in clause 22 are intended to ensure that certain essential elements of the regulation of Members' interests are set in place. That is essential so that the Scottish electorate can have confidence that its representatives are not being unduly swayed by external influences.

The provision will therefore ensure that the Parliament provides for a register of Members' interests, which will be published and available for public inspection. Any Member who has a financial interest in a matter, or another interest of a type specified in the Standing Orders, must declare that interest before taking part in the proceedings of the Parliament. The Standing Orders must also prohibit Members from advocating any matter on behalf of a person in return for payment or benefit in kind.

The clause goes on to create a criminal offence—

Mr. Dalyell: Are the Standing Orders to be subject to simple amendment procedures?

Mr. McLeish: As I said earlier, we are laying down important requirements in statute on the face of the Bill. It will then be up to the Parliament itself to look at its Standing Orders and develop further the position on Members' interests. That is a wholly reasonable position for us to adopt at this stage, as I hope my hon. Friend will appreciate.

Dr. Fox: Will the Minister tell us the definition of the word "person" as used on the face of the Bill?

Mr. McLeish: I shall deal with that specifically when I deal with the amendments.

Clause 22 goes on to create a criminal offence where a Member is found to be guilty of contravening those Standing Orders.

The Bill establishes a framework that will be fleshed out in the Parliament's Standing Orders. That is an area that the Government—and, I am sure, the Parliament in due course—will want to keep under continuous review. It will wish to apply the best practice available, which will include taking account of the work in that area by the Nolan committee and the continuing activities of the Neill committee and the Joint Select Committee on Parliamentary Privilege.

The argument for Government amendment No. 222 is similar to that for amendment No. 221, which has just been accepted by the House. It reinforces the powers available to the Parliament to deal with Members excluded under subsection (5).

Amendments Nos. 159 and 160 seek to insert a reference to "organisation or trade union" into the relevant parts of subsection (4). That is the part of the clause that would prohibit a Member of the Parliament from advocating or initiating, either himself or by urging another Member to do so, any matter in return for payment or benefit in kind.

I have to tell the hon. Member for Woodspring (Dr. Fox) that his amendments are unnecessary. Clause 22(4) mentions only "any person", but I am advised that, in accordance with the normal rules for interpreting statutes, "person" includes a body of persons, corporate or unincorporate. The provision would therefore cover paid advocacy on behalf of any organisation or trade union, so it is not necessary to add the suggested words to the Bill. I therefore invite the hon. Gentleman to withdraw the amendment.

Dr. Fox: I am grateful to the Minister for that explanation, and also to the hon. Member for Glasgow, Kelvin (Mr. Galloway) for giving a balanced view of how registered interests ought to work in the Parliament. He is right to say that what we really require is transparency. I understand why the hon. Member for Banff and Buchan (Mr. Salmond) has his own interest in trying to blacken the name of this Parliament, but I do not think that there is a huge problem here, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 222, in page 10, line 41, at end insert

'and for withdrawing his rights and privileges as a member for the period of his exclusion'.—*[Mr. McLeish.]*

Question proposed, That the clause, as amended, stand part of the Bill.

Mr. Dalyell: My question may be more appropriate to this debate than to the previous one. It is: is it appropriate that Standing Orders should contain provisions creating offences as provided for in subsection (6)? I remind the Committee that that subsection reads as follows:

"Any Member of the Parliament who—

(a) takes part in any proceedings of the Parliament without having complied with, or in contravention of, any provision made in pursuance of subsections (1) to (3), or

(b) contravenes any provision made in pursuance of subsection (4),

is guilty of an offence."

I am advised by the Law Society that that is a matter of some substance.

Secondly, should the offence provisions apply to the Lord Advocate and the Solicitor General, given that they will not be taking part in proceedings, or in advocating or initiating any cause or matter on behalf of any person in the Parliament? The ministerial advisers will know that that question, too, came from the Law Society.

Thirdly, will there be any corresponding requirement for the Advocate General for Scotland to be registered in the register of interests at Westminster?

One could ask the question—although it may be more appropriate on clause 82—what happens if there are two strong-willed lawyers in the position of Lord Advocate and Advocate General? Obviously, that could be a difficult relationship.

Mr. McLeish: In the context of the points made earlier about balance, yes, we are happy about the provisions in subsection (6) that place that requirement on the Parliament. It is in pursuance of subsections (1) to (3), and the point is appropriate.

It is right to remember that we must lay down those important requirements for the Parliament. I think that the Committee would regard that subsection as vital for the overall conduct of the Standing Orders. It will, of course, be for the Parliament itself to develop further details within the Standing Orders covering a wide variety of Members' activities.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) referred to subsection (8). Again, we believe it highly appropriate that such measures should apply. The holders of the posts specified need not be external to the membership of the Parliament. As for the Advocate General's being on the Register in this House, I shall write to my hon. Friend on the subject.

Question put and agreed to.

Clause 22, as amended, ordered to stand part of the Bill.

Clause 23

POWER TO CALL FOR WITNESSES AND DOCUMENTS

7.45 pm

Mr. Bernard Jenkin (North Essex): I beg to move amendment No. 163, in page 11, line 8, after 'Parliament', insert 'by a two–thirds majority'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: Government amendments Nos. 223 and 224.

Amendment No. 43, in page 11, leave out lines 16 to 21.

Amendment No. 102, in page 11, leave out line 17.

Amendment No. 161, in page 11, leave out line 18.

Amendment No. 162, in page 11, line 21, at end insert—

'(3A) The power in subsection (1) is not exercisable in relation to a Minister of the Crown'.

Amendment No. 103, in page 11, leave out lines 23 and 24.

Government amendment No. 225.

Amendment No. 164, in page 11, line 25, leave out

'which exercises the judicial power of the State'.

Amendment No. 165, in page 11, line 29, after 'otherwise)', insert

'and if two thirds of more of its membership so resolve'.

Amendment No. 166, in page 12, line 3, after 'Scotland', add

'or in a court exercising jurisdiction in those parts of the United Kingdom in which the person resides or works'.

Government amendment No. 226.

Amendment No. 167, in clause 24, clause 24, page 12, line 8, after 'refuses', insert

'or fails without reasonable excuse,'.

Amendment No. 249, in clause 24, page 12, line 8, after 'refuses' insert

'or fails without reasonable cause.'.

Government amendment No. 227.

Amendment No. 168, in clause 25, clause 25, page 12, line 29, after 'oath', insert 'or affirmation'.

Government amendment No. 228.

Amendment No. 104, in clause 83, clause 83, page 38, line 21, at end insert—

'(3A) The Parliament shall be entitled to require any representative of a cross–border public body—

(a) to attend its proceedings for the purpose of giving evidence, or

(b) to produce documents in his custody or under his control,

in respect of matters within the responsibility of that body which relate to or affect Scotland.'.

New clause 2—*Power to request witnesses and documents*—

'(1) The Parliament may request any person—

(a) to attend its proceedings for the purpose of giving evidence, or

(b) to produce documents in his custody or under his control, relating to any of the matters mentioned in subsection (2).

(2) The matters to which subsection (1)(b) applies are reserved matters in so far as they affect Scotland.

(3) In the event of a person to whom this section applies declining to give evidence or produce documents, he shall inform the Clerk in writing of the reasons for his refusal.

(4) The power contained in subsection (1) may be exercised by a committee or sub–committee of the Parliament only if the committee or sub–committee is expressly authorised to do so (whether by standing orders or otherwise).

(5) The Clerk shall give the person in question notice in writing specifying—

(a) the time and place at which the person is invited to attend and the particular matters relating to which he is requested to give evidence, or

(b) the documents, or types of documents, which he is to produce, the date by which he is requested to produce them and the particular matters to which they relate.

(6) Such notice shall be given—

(a) in the case of an individual, by sending it, by registered post or the recorded delivery service, addressed to him at his usual or last known address or, where he has given an address for service, at that address, or

(b) in any other case, by sending it, by registered post or the recorded delivery service, addressed to the person at the person's registered or principal office.

(7) A person is not obliged under this section to answer any question or produce any document which he would be entitled to refuse to answer or produce in proceedings in a court in Scotland.'.

Mr. Jenkin: I shall endeavour to explain to the Committee what the amendments are about, for the benefit of those who do not understand—a category which, until a little while ago, included me.

We are referring the power to summon witnesses and documents. This Parliament's power to summon witnesses and documents is absolute; it is one of our absolute prerogatives. It is not recorded in any statute, but is something that we inherited, so to speak, from the Crown. It is referred to only in "Erskine May", which has no statutory authority but is one of the sources of our constitution.

The power is extremely draconian, and it is one that we rarely use. If the Scottish Parliament is to have analogous powers, they will have to be granted by this Parliament by statute. That is what the clause is principally about.

It is proposed that the Scottish Parliament's powers will be prescribed, rather than unlimited like the powers of this Parliament. The debate will be about what prescriptions and limits for those powers exist, and how they are likely to be applied.

The amendments reflect two main concerns: first, that the extremely draconian power should be exercised carefully, not lightly or wantonly; and secondly, that the power should not extend to summoning people and documents that are not the responsibility of the Scottish Parliament.

Amendment No. 163 would limit the use of the power to circumstances in which a two thirds majority of the Parliament votes to exercise it, and Amendment No. 165 would apply that principle to Committees. The exercise of the power could be left entirely to the Scottish Parliament's discretion, but it is rarely used at Westminster, mainly because, when people are invited to attend Parliament or a Committee, they regard it as a privilege and an opportunity to present their views. Even the most reluctant witnesses are encouraged to attend voluntarily by a Clerk merely saying that we have the power. Nevertheless, the power is available for use.

Making the power explicit in the Bill makes it seem a more everyday power than it should be. Our contention is simply that the draconian power should be used only when there is consensus in the Scottish Parliament. In this Parliament, it would be unlikely for even the majority party to require the attendance of a witness or require documents to be produced against the wishes of, for example, the main Opposition party. We want to reflect in the Bill, for the Scottish Parliament, that natural tendency to consensus.

Amendments Nos. 161, 162 and 164 are concerned with who should be subject to the power. Matters are not made any simpler for us by Government amendment No. 224. It appears that the Government want to trim the Parliament's right to summon Ministers of the Crown from the original intention as expressed in the Bill, because under the amendment Ministers would not be subject to compulsion on questions relating to functions exercisable under joint responsibility, but would still be subject to it on devolved matters in which they have a direct involvement.

I look forward to a full explanation of the reasons behind amendment No. 224 and of the distinctions intended in the wording. My fear is that the natural lines of accountability will still be blurred. The principle should surely be that United Kingdom Ministers are responsible and answerable to the United Kingdom Parliament, and that Scottish Ministers should be responsible to the Scottish Parliament.

Where their responsibilities overlap, we should not expect Scottish Ministers to be responsible to this Parliament or United Kingdom Ministers to be responsible to the Scottish Parliament. They must explain their functions and their relationships with each other to their own respective Parliaments.

Obviously, as we are a sovereign Parliament, we would have the power to summon Scottish Ministers to appear here; but I would suggest that we would want to use it extremely sparingly. Our intention in amendments Nos. 161 and 162 is to create clear lines of accountability, so that United Kingdom Ministers are not automatically expected to be answerable to the Scottish Parliament for what they do in the United Kingdom Government, although of course one would expect them to make themselves available as a resource for informing debate in the Scottish Parliament and to give evidence and information there when asked to do so. I should be interested in the Government's view of that principle.

Amendment No. 164 is designed to widen the exclusion of those acting in a judicial capacity. I am interested to see that—perhaps in the spirit of the new politics, which is finally beginning to touch the Conservative party—the Liberal Democrats are supporting our amendment.

It is obvious that judges should not be called to account to a legislature for their decisions, but the same surely applies to those who act in a judicial or quasi-judicial capacity, even if it is not a state capacity: for example, the heads of self-regulatory organisations; ombudsmen of private industries; arbitrators, who might be dealing with contracts or insurance matters; and—this may be a matter dear to the hearts of Liberal Democrats—the Church courts, which are non-state courts but have a judicial capacity none the less.

Amendments Nos. 167 and 168 are intended as clarifications and suggested improvements. The former would tighten the requirement for people to attend if summoned, and the latter would allow for an affirmation as an alternative to an oath.

The Government, I fear, have the luxury of a middle course, because the amendments tabled by the Scottish National party suggest that anyone in the United Kingdom should be subject to the power. That reminds us that we are dealing with United Kingdom legislation that has the force of law in England, Wales and Northern Ireland as well as Scotland. The nationalists would like to make any person in the United Kingdom who is concerned with the functions set out under subsection (2) subject to summons by the Scottish Parliament. One might say, "They would say that, wouldn't they?"

Judging by amendment No. 43, the hon. Member for Falkirk, West (Mr. Canavan) shares our view that Ministers of the Crown, who are answerable to the United Kingdom Parliament, should be immune from compulsion to attend the Scottish Parliament. If he does not, I should be interested to hear what he says.

Mr. Canavan: I listened carefully to the hon. Member for North Essex (Mr. Jenkin). Yet again, we have heard

a clear implication from the Tory Front Bench that the Scottish Parliament cannot be trusted with the powers proposed for it both in the White Paper and in the Bill. The hon. Gentleman admitted that Westminster has unlimited and untrammelled powers to summon any person or to call for any papers. The powers are not limited at all in statute, and apparently derive in some mystical way from the Crown; but the Scottish Parliament's powers to summon people and call for papers are clearly defined in the Bill. Yet the Tories somehow cannot stomach that, and say that a majority of two thirds of the Parliament is needed before the powers are used.

Mr. Jenkin: The distinction is that, whereas this Parliament has absolute power, we are delegating powers to the Scottish Parliament. It is incumbent on us to make it clear in the Bill how we expect those powers to be used. We heard from the Secretary of State yesterday about supremacy, and he made it clear that this Parliament remains sovereign. Therefore, although we are delegating powers for which the Scottish Parliament will be responsible, we remain indirectly responsible for the way in which they are exercised. In that respect, it is not an insult to the Scottish Parliament to suggest that this Parliament remains sovereign and ultimately responsible for exercising the powers of the Scottish Parliament. It is a practical fact that, if the Scottish Parliament were to misuse its powers, the democratically elected representatives of the Scottish people might well come here to ask us to address the situation.

8 pm

Mr. Canavan: It is not a true delegation of powers to give a body certain powers while making so many conditions and ifs and buts that the body itself wonders whether it can use them. What lies at the heart of the matter is the Tories' love of and trust in this place and their distrust of the proposed Scottish Parliament. They imply that Members of the Scottish Parliament will not be responsible enough to use those powers in a reasonable manner. To describe the powers as "draconian" frankly shows either a misunderstanding or a misuse of the English language.

Mr. Jenkin: The hon. Gentleman is directing his argument towards me, but the Secretary of State drafted the clause; we are merely proposing one or two amendments to it. It is the Secretary of State who has all sorts of limits as to how the powers should be used. The hon. Gentleman should have his argument with the Secretary of State. The Secretary of State and the Opposition are arguing this point from the same perspective, but the hon. Gentleman is, frankly, arguing from a nationalist perspective—he is saying that the Scottish Parliament should exercise absolute discretion.

Mr. Canavan: The Secretary of State can speak for himself, as can the Minister, and I am sure that my right hon. Friend would state that the Bill proposes a reasonable limitation. The Opposition are proposing to shackle the Scottish Parliament absolutely—not just on this matter but on many others.

I wish to refer to amendment No. 43, standing in my name and that of my hon. Friend the Member for Dundee, East (Mr. McAllion). Clause 23(3) proposes to give a form of exemption or immunity to certain people so that they cannot be summoned to appear before the Scottish Parliament or any of its Committees. I am not too happy about that, as it could lead to a situation in which the efforts of the Scottish Parliament and its Committees to uncover the truth or to pursue justice in certain cases could be thwarted.

The Scottish Parliament could decide to set up a Committee of Inquiry into someone who had allegedly perpetrated a great injustice against the people of Scotland. The Committee might decide to summon the person or people allegedly responsible. However, those people might simply cross the border to England, or go to Wales. From my reading of clause 23(3), I understand that the Scottish Parliament could do nothing about that, unless the person or people were covered by the condition referred to at the end of clause 23(3).

The Scottish Parliament should, in certain circumstances, have powers to call Ministers of the Crown. My hon. Friend the Minister is, unquestionably, a Minister of the Crown. Could he define what is meant in the Bill by a "Minister of the Crown"? The Bill proposes that Ministers in the Scottish Administration should also have Crown approval. Does that make them Ministers of the Crown also? If so, it is absurd that Ministers of the Crown—especially Ministers in the Scots Administration—should be exempt from being summoned before the Scottish Parliament or its Committees.

The Bill proposes that UK Ministers will continue to have certain powers relating to Scotland on certain reserved matters, but also—this is important—on matters for which there is some joint or shared responsibility. I am not absolutely certain that the wording of my amendment is correct, but I would like to try to clarify that grey area of shared responsibility between this Parliament and the Scottish Parliament, and between the UK Government and the Scottish Administration.

The Scottish Parliament and the Scottish Administration will be responsible for industrial development and inward investment. However, the Department of Trade and Industry will retain some responsibility for these matters within a general framework covering the whole of the United Kingdom. There may be legitimate circumstances in which the Scottish Parliament could be able to summon a Minister and/or civil servants from the DTI to clarify matters on a subject under inquiry by the Scottish Parliament or one of its Committees.

Mr. John Swinney (North Tayside): After the Bill's enactment, a number of concordats will be created to regulate areas where the Scottish Parliament and the Westminster Parliament will have some interest. Does the hon. Gentleman think that that would be a legitimate area in which the Scottish Parliament would have an interest in examining—in a wider sphere than simply the activities of the Scottish Parliament—the way in which other parties were influencing areas of policy, which might involve asking UK Ministers to appear before the Committees of the Scottish Parliament?

Mr. Canavan: That is precisely the point I am trying to make. The grey areas are not all that well defined, but there are areas where there will be joint responsibility. In the circumstances, the Scottish Parliament should have the power and the opportunity to summon UK Ministers, as well as Ministers from the Scottish Administration.

[Mr. Canavan]

The Select Committees in this place will retain their right to summon virtually anyone. They can summon a Scottish Office Minister, the Scottish First Minister, civil servants from the Scottish Administration, people from north of the border and people from other parts of the UK. I fail to see why there should not be some degree of that ability in the Scottish Parliament.

I am not asking for complete reciprocation, because we are not talking about a completely independent state and a Parliament serving it. However, there are areas of joint responsibility, and I am not sure whether clause 23(3) covers all such circumstances. It states that the power is not exercisable in relation to a person

"unless he discharges functions relating to matters within subsection (2)",

which refers to "devolved matters" and

"matters in relation to which statutory functions are exercisable by the Scottish Ministers."

Does the phrase

"unless he discharges functions relating to matters within subsection (2)"

cover the categories in paragraphs (a), (b) and (c) of subsection (3), or does it cover only the category in paragraph (c), a person in Crown employment? Could a person outside Scotland or a Minister of the Crown who is a UK Minister who discharges functions relating to matters within subsection (2) be summoned by the Scottish Parliament or one of its Committees?

I note that the present tense is used in line 21 of clause 23:

"unless he discharges functions relating to matters within subsection (2)."

What about someone who used to discharge a function, such as a former UK Minister or a former civil servant? We have had cases in this Parliament that have involved more than summoning members or civil servants of the existing Administration.

When I was on the Foreign Affairs Committee's inquiry into the Belgrano, Francis Pym came. We did not have to summon him, but, if he had refused to come, we could have. Geoffrey Howe is another former Secretary of State who has been summoned. In the inquiry into the Pergau dam, George Younger came to give evidence as a former Secretary of State. I am not sure that line 21 of clause 23 would be enough to cover such circumstances, because it uses the present tense. It should say:

"unless he discharges or used to discharge functions relating to matters within subsection (2)."

That is why I have tabled the amendment.

I should be grateful if my hon. Friend the Minister replied on those points because it is very important that the Scottish Parliament and its Committees have adequate powers to summon people and call for papers to uncover the truth and give helpful reports to the Scottish Parliament and to the people of Scotland. That should include, in certain circumstances, calling people from south of the border, including UK Ministers and civil servants.

Ms Roseanna Cunningham: I have listened with interest to the debate. I am sorry that we have had yet another example of what I can only describe as an emergent Anglo-Saxon supremacist lobby that seems to see everything in terms of asserting its supremacy over us poor folk north of the border who clearly will not be capable of dealing with such nasty, complicated issues.

It is evident from the number of amendments tabled to clause 23 that there is concern about several aspects. If the Conservative Front-Bench team had examined it more carefully they might have seen why. It appears to be a retreat from what was contained in the White Paper. That gave rise to several of the amendments and to new clause 2.

The issue of clause 23 arose on Second Reading when we discussed the reservation of broadcasting. My attention was directed to it by the hon. Member for Kilmarnock and Loudoun (Mr. Browne), who is a colleague of my mine in another capacity in the Faculty of Advocates. I am sorry that he is not in his seat; he was here briefly earlier. Later in that debate, he graciously accepted that he was wrong in some of his comments, but he wanted to point out that I was equally wrong. I freely admit that, so focused was I on broadcasting, that I was partially wrong, although only in so far as I had not appreciated the extent to which the legislation differed from the White Paper on cross-border public bodies. I am grateful to him, although he may wish that he had kept quiet.

I want to discuss amendments Nos. 102 to 104, which deal with the power of the Parliament, especially in relation to cross-border public bodies, which I suspect may become a vexed question when the Parliament is in operation. Amendment No. 103 aims to open up a discussion on the precise meaning of clause 23(4)(a) in the context of the whole clause. We recognise that Government amendments Nos. 224 and 226 turn previous negatives into positives, but I am not sure that, in reality, they change much. The Government's attention may also have been drawn to clause 23 by the Second Reading debate.

8.15 pm

Government amendment No. 225 is tortuous in the extreme; it not only sheds no new light but further obscures matters. Clause 23(4)(a) states that the power in subsection (1) is not exercisable in relation to

"a person discharging functions of any body whose functions relate only to reserved matters".

What is that meant to do in the context of subsection (2)? Amendment No. 225 would make it read:

"That power is not exercisable in relation to a person discharging functions of any body whose functions relate only to reserved matters in connection with the discharge by him of those functions."

That further obscures the matter.

Mr. Grieve: Does the hon. Lady agree that it would be helpful to hear from the Minister what he thinks his amendments are intended to do, so that we know where the Government want to go before we decide to what parts we might object? I find the amendments hard to follow.

Ms Cunningham: I expect that the Minister will have some comments to make.

I have three questions. First, why was it felt that clause 23(4)(a) had to be inserted, especially as clause 23(2)(a) already confines the power to devolved matters? Secondly, what does Government amendment No. 225 mean? I simply do not understand it. It would not win any plain English awards in its totality. I shall not enter into what the Scots or Gaelic might be.

Amendment No. 225 may be aimed at an individual with more than one capacity—one devolved and one reserved—so that, if he was called about the one, he could not be questioned about the other by the sneaky people who will be elected to the Scottish Parliament. It is not clear. Perhaps the Minister could give examples of the sort of people that the provision is meant to catch. I cannot see what the Government are so nervous about. Clause 23, with clauses 83, 84 and 85 as drafted, seems to be designed to give a narrow interpretation of the people whom the Scottish Parliament can call before it.

On the comments of the hon. Member for North Essex (Mr. Jenkin), an independent Parliament would of course have no jurisdiction to summon people from outwith its borders to give evidence on the activities of a body affects Scotland. We are all well aware of the international dimension and the fact that many things happen outside a state's boundaries that can profoundly affect what happens within them.

There really is not much that we can do. Much as we might like to have President Clinton called here to explain his activities in Iraq or elsewhere, we know we cannot do that. However, as the Government are so fond of reminding us, the Scottish Parliament is not an independent Parliament, but a devolved Parliament, so I do not understand what objection there can be to our calling from outside Scotland those people who operate in some capacity that directly affects Scotland, albeit not necessarily in purely devolved matters.

Amendment No. 104 builds on the sentiments contained in paragraph 2.11 of the White Paper, albeit inserting the word "require" rather than "invite", so that people cannot simply refuse to come. The Scottish Parliament will be hedged about with restrictions vis-a-vis representatives from bodies dealing with reserved matters, even where those bodies have an enormous impact on Scotland which is of social or economic significance—the phrase used in the White Paper. We shall return to aspects of this question when the Committee reaches clauses 83 to 85, so I shall not stray too far.

However, I shall quote the entirety of paragraph 2.11, because it is important that people are reminded of what was promised in the White Paper. It says:

> "In certain reserved areas the activities of other UK/GB bodies which are accountable to the UK Parliament will continue to be significant in the economic or social life of Scotland, and therefore likely to be of interest to the Scottish Parliament. The Government propose that the Scottish Parliament should be able to invite the submission of reports and the presentation of oral evidence before its committees from bodies operating in reserved areas in relation to their activities in or affecting Scotland."

The White Paper goes on to list some examples of those bodies:

> "energy regulators such as the Office of Electricity Regulation and the Office of Gas Supply; the Office of Passenger Rail Franchising and the Office of the Rail Regulator; the Health and Safety Commission; the Commission for Racial Equality and the Equal Opportunities Commission; the Employment Service and the Benefits Agency; broadcasting and telecommunication organisations such as the BBC and the Independent Television Commission; and the Post Office."

Between the White Paper and the Bill being published, that has all disappeared. The promises made in paragraph 2.11 are not allowed for in clause 23 or in clause 83. None of the examples given in the White Paper of cross-border public bodies have found their way into annexe E of the guidance notes, which is the indicative list of what the Government regard as cross-border public bodies. Therefore, we face a gaping hole in what was promised.

I note, in passing, that the Scottish Law Commission does appear in annexe E as a cross-border public body, which is an interesting concept. Under the legislation as it stands, the Scottish Parliament would be unable to require a representative from the Scottish Law Commission to appear before it and give any sort of evidence. At the same time, two bodies named in the White Paper are conspicuously absent from the annexe E list—the broadcasting bodies, the BBC and the ITC, which triggered my contribution on Second Reading. Obviously, I shall return to that subject when the Committee debates the amendments to clause 83 and schedule 5.

I want to know where precisely we can find the commitment given in paragraph 2.11 of the White paper implemented in the legislation. Why have the Government turned their backs on their promise?

Mr. McAllion: I hope that, when the hon. Member for Perth (Ms Cunningham) made her allegation that Anglo-Saxon supremacists sat on the Government Benches, she excluded me from their number.

Ms Cunningham: Absolutely.

Mr. McAllion: If there is one thing no one can accuse me of, it is of being an Anglo-Saxon anything. No doubt the Opposition Front Benchers will accuse me of making a nationalist contribution to the debate; but I would remind the House that all hon. Members are nationalists of one sort or another. There are all sorts in the House: English nationalists, such as the hon. Member for North Essex (Mr. Jenkin), who speaks for the Conservative party on Scottish affairs; British nationalists, which probably encompasses the majority of hon. Members; Welsh nationalists; Scottish nationalists in the Scottish National party and the Labour party; Irish nationalists—

Mrs. Maria Fyfe (Glasgow, Maryhill): Glasgow nationalists.

Mr. McAllion:—and Glasgow nationalists who sit next to me. "Nationalist" is used as a term of abuse by the official Opposition, but it is a loose term and often used inaccurately. I wish that the official Opposition would use it with greater precision, so that people could understand that nationalism is something which every party in this country believes in—it is just a question of which sort of nationalism a party supports.

[Mr. McAllion]

During earlier debates, a whole series of amendments were rejected—especially by Labour Members—on the basis that they were too prescriptive and were trying to tell the Scottish Parliament how it should run its business. It was said that we should leave the Scottish Parliament to decide for itself how it should conduct its own affairs. I agree with that view, but clause 23, especially lines 11 to 21, is highly prescriptive about what the Scottish Parliament can do in pursuit of its own devolved affairs. That is where I find the problem lies.

The hon. Member for North Essex described the powers in clause 23 as draconian, but they are not draconian if one is exempted, and lines 11 to 21 ensure that a whole swathe of people are exempted from the powers that should be available to the Scottish Parliament to summon documents and witnesses to give evidence before their Committees on devolved issues.

The first category of exemptions is "a person outside Scotland". That is a very wide definition—there are all sorts of people outside Scotland whom the Scottish Parliament might ask to produce documents or to appear as witnesses in inquiries into devolved matters. As far as I know, Mr. Sean Connery would fall into the category of a person outside Scotland. Perhaps he intends to remain a person outside Scotland, but he certainly takes a close interest in Scottish affairs and Scottish politics—indeed, he takes a close interest in the Scottish National party and its funding. In inquiries into the way in which political parties are funded in Scotland, the Scottish Parliament might well want to summon him as a witness; but, as a person outside Scotland, he will be able to tell them to get lost. I do not think that that is a clever position for us to get ourselves into. The same would apply to Hong Kong drug traffickers, who have been known to fund the Conservative party in Scotland.

Mr. Salmond: Mr. Sean Connery would be delighted to appear before a Scottish Parliament, either as a witness or perhaps in another capacity.

Mr. McAllion: I take it that by "in another capacity" the hon. Gentleman means as a Member of the Scottish Parliament. Clause 4, which sets out the details of who can stand as a candidate, does not say that one actually has to live in Scotland. I suppose that it would be possible for Mr. Sean Connery to stand for a Scottish Parliament as an SNP candidate, get elected and then, because there is no requirement that MSPs should stay in Scotland, he could still be beyond the power of the Scottish Parliament to require him to attend and give evidence before one of its Committees. It is nonsense.

In an earlier debate, we discovered that Her Majesty the Queen and the Duke of Cornwall, the Duke of Rothesay, the Prince and Steward of Scotland, both of whom can be described as persons outside Scotland and who have the Crown interest which requires the Scottish Parliament to seek their approval before its Bills can become law, cannot be required to come before a Scottish Committee and give evidence on why the Crown interest requires them to give their assent to Scottish Bills before they can become law. The whole thing is complete nonsense.

I am especially worried about the part of the clause that says that

"a Minister of the Crown, or . . . a person in Crown employment"

does not have to come before the Scottish Parliament's Committees. That is a serious issue.

Let us consider the financing of a Scottish Parliament. The bulk of the Scottish Parliament's expenditure will come from the Westminster Parliament through the Scottish block grant, which is determined under the Barnett-Goschen formula. We were continually told in debates in the House that that formula would be subject to review as soon as the Scottish Parliament was set up and the Westminster Parliament began to realise how much power had been given away to the Scottish Parliament.

In fact, we were told that the formula would be subject to radical review and that that review would be carried out in Westminster by UK Ministers and civil servants. They would decide how the Barnett-Goschen formula should be altered, which would have huge implications for the Scottish Parliament, and the settlement would be imposed on the Scottish Parliament.

On page 27 of "Scotland's Parliament, Scotland's Right", the Scottish Constitutional Convention recognised that the Barnett-Goschen formula would have to be reviewed. However, it was established in the convention that that review would have to be conducted jointly by the Scottish Parliament and the Westminster Parliament.

If the Committee in a Scottish Parliament that is responsible for financial matters cannot summon any Treasury Minister, cannot ask for any Treasury documents and cannot ask any Treasury civil servant to appear before it to take part in an investigation into how the Barnett-Goschen formula might be reviewed, that is a very sorry state of affairs indeed, and one which we should not be legislating for.

Mr. Wallace *rose—*

Mr. Swinney *rose—*

8.30 pm

Mr. McAllion: I give way to the hon. and learned Member for Orkney and Shetland (Mr. Wallace).

Mr. Wallace: Perhaps the Minister will clarify this when he replies to the debate. The hon. Gentleman may have put it too widely when he said that the Scottish Parliament could not ask. I suspect that a Scottish Parliament could request. What it cannot do is to compel, with all the accompanying criminal sanctions. I agree with the hon. Gentleman that, if there were to be a debate in the Scottish Parliament on the future of the Barnett-Goschen formula, it would be very helpful indeed to have the attendance of Treasury Ministers and officials, but I believe that it would be permissible for them to come, although they could not be compelled under threat of criminal sanction.

Mr. McAllion: I hope that that would be the case, but I do not have a great deal of confidence. If one watches closely the way in which these debates are conducted, one sees that hon. Members continually assert the supremacy and the sovereignty of this Parliament over the Scottish Parliament. They, and they alone, will decide the funding and the finance of the Scottish Parliament through the

Scottish block. I do not know whether the Scottish Parliament can request them to produce documents and to give evidence in person.

I do not want to alarm Ministers, but they will not always be there. At some time, there will be a Tory party back in power and back in office in this country, and then there could be real problems.

Mr. John Hayes (South Holland and The Deepings) *rose—*

Mr. Grieve *rose—*

Mr. McAllion: I give way to the hon. Member for South Holland and The Deepings (Mr. Hayes).

Mr. Hayes: I am grateful to the hon. Member for Dundee—West, is it?

Mr. McAllion: East.

Mr. Hayes: East, yes. I only said that to annoy the hon. Gentleman, actually. The hon. Gentleman has mentioned supremacy, but, as we tried to explain earlier in Committee—I intervened on the hon. Gentleman then—the whole nature of sovereignty is the implied supremacy that sovereignty grants. When it comes to delegation of political power—I would go as far as to say division; there is some semantic difference between my right hon. Friend the Member for Devizes (Mr. Ancram) and me in this, but the principle is the same—one can divide political power but not sovereignty, because sovereignty implies supremacy. The hon. Gentleman does not seem to understand that, given the comments that he has made on previous days in Committee and tonight.

Hon. Members: Speech.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. The hon. Gentleman must sit down.

Mr. McAllion: I suspect that my hon. Friend the Member for Dundee, West (Mr. Ross) will be more upset at my being described as the hon. Member for Dundee, West than I was, if the truth be known.

The hon. Member for South Holland and The Deepings does not grasp the reality of sovereignty in the modern world. His is a public school idea of sovereignty—nanny and the housemaster and headmaster. There can be only one headmaster in the school, and so on. It need not be like that in the real world: different groups can share sovereignty.

When we are setting up a Scottish Parliament, we must establish its right to conduct its affairs, just as the Westminster Parliament can conduct its affairs. Surely the Scottish Parliament must have the right to summon witnesses, and require documents to be provided, when they affect the Scottish Parliament's interests. That is the key.

Mr. Hayes *rose—*

Mr. Grieve *rose—*

Mr. Swinney *rose—*

Mr. McAllion: I give way to the hon. Gentleman with the glasses.

Mr. Grieve *rose—*

Mr. Swinney: I thought it was me.

Mr. Grieve: In the House, we have a merger of the Executive and the legislature, so Ministers of the Crown belong to the party that commands the majority. Therefore, only in exceptional circumstances would a power to summon Ministers before the House be exercised. When one has a separate legislature, two different parties may be in power—one in each place. Does the hon. Gentleman agree that, in those circumstances, Ministers of the Crown at Westminster may require some protection from being summoned arbitrarily to—

The First Deputy Chairman: Order. Interventions must be brief.

Mr. Canavan: Sit down.

The First Deputy Chairman: Please take a seat. Interventions must be brief. We cannot have a speech. The hon. Member for Dundee, East (Mr. McAllion) is addressing the Committee.

Mr. McAllion: The hon. Gentleman does not grasp the significance of the issue. We are trying to set up a constitutional settlement that will allow a Scottish Parliament to continue to function within the United Kingdom in tandem with a Parliament at Westminster. I agree that party politics can wreck that relationship, and I accept that, if one of the parties decides to wreck that relationship, it will lead to the severing of the United Kingdom. However, I know that my party is not out to wreck that relationship; and I should have thought that the Conservatives, of all people, would not be out to wreck the Union.

Of course, members of the Scottish National party are out to wreck the Union; they have every right to wreck it, because they believe in independence. They should not be condemned for that—it is a different point of view, and when the Scottish people accept their argument, every Labour Member will accept the argument as well, because we are democrats. We accept that, if we lose the argument, we have to move with the people. I wish that the Conservative party would understand that and begin to move with the times as well and stop tabling wrecking amendments, as Conservative Members have done tonight.

[Mr. McAllion]

I have great sympathy with the arguments made by the hon. Member for Perth (Ms Cunningham) about broadcasting, because there are serious anxieties about it. Earlier, we had a debate about whether the Scottish Parliament should facilitate the use of Gaelic as a language in the Scottish Parliament. If Gaelic is to survive, it must be encouraged on television and radio; yet broadcasting is a matter reserved for the Westminster Parliament.

The Scottish Parliament may set up a Committee to promote the use of Gaelic. It would have no power to require people from the BBC or ITV or BBC radio to produce documents or to appear as witnesses to talk about how they treat Gaelic in their broadcasting. That is very serious.

There is also the question of listed events. The Scottish cup final is very dear to many of us, although it is a long time since Celtic won it. It matters to many people in Scotland. Some time, the BBC and ITV may decide that they do not want the cup final to continue to be a listed event—that it costs too much and must be dropped, to go to Sky Television. The Scottish Parliament would be unable to summon anyone from the BBC to hold them to account for that decision. That cannot be right.

We must start thinking seriously about the implications of the way in which we keep trying to hedge the Scottish Parliament in with qualifying clauses—especially clause 23.

Finally, I say to my hon. Friend the Minister, in all sincerity, that one of my great hopes for the Scottish Parliament is that its Committee structure will not mirror that in Westminster. Our Committee structure makes a mockery of Committees. Our Select Committees are very good—they are successful, in the main, and they work well—but the Standing Committees are a joke. Committee members from the Government party are told, "Do not speak. Sit there; answer your mail. You need not even listen—just vote on the amendments." Opposition Members waste time all day, talking nonsense, simply trying to reach some sort of agreement. Most Committee members know nothing about the Bill that they are speaking about.

I hope that a Scottish Parliament will set up hybrid Committees, which are Select Committees and Standing Committees, and deal with the legislation within their remit. The Committee members would become expert on their subject. Not just the Executive, but those Committees, should have the right to initiate legislation. The Chairman of the Committee, if he could achieve a majority on the Committee, could do so as well.

Such Committees will be essential to the success of the Scottish Parliament, and they will set precedents which I believe the Westminster Parliament will belatedly have to follow because the Scottish Parliament is so good. In those circumstances, we cannot hem in the Committees by denying them the powers that every ordinary Committee at Westminster has.

I plead with Ministers to think again about lines 11 to 21 of clause 23, and about the whole clause. It is too prescriptive and hems in the Scottish Parliament far too much.

Mr. Wallace: Clause 23 is important, not least because those of us who were involved in the constitutional convention, and who argued the case for a Scottish Parliament in the referendum campaign, hope that the Parliament will lean heavily on a Committee structure. We want Committees to go out and take evidence; we want pre-legislative Committees; we want Committees that will try to give substance to our avowal that the Parliament would include the people of Scotland. We said that it would be inclusive and consultative, and the Committees' powers will make an important contribution to that.

I do not agree with amendment No. 163, which was moved by the hon. Member for North Essex (Mr. Jenkin), or with the reasons that he gave for it—the idea that a two-thirds majority was necessary before the Parliament could exercise the powers to compel witnesses or seek the production of documents. Especially if power was exercised by Committees, Parliament might never get off the mark if it constantly had to put together two-thirds majorities.

If the Committees are working as we expect, the one-party concern expressed by the hon. Member for North Essex would have no basis. The Committees should work on a cross-party basis. The experience in this House, especially in Select Committees, is that, when they do so, they are far more effective than when they become narrowly partisan.

The hon. Member for North Essex said that the powers were not appropriate because they were far too draconian. He pointed to the fact that in this House people seized the opportunity to give evidence to Select Committees, and that the powers were there as a backstop. That is precisely what is proposed. I do not believe that powers of compulsion would regularly be used. The important point is that they should exist.

If we accept, for the purposes of the debate, that power is devolved, it must be expressly set down in the Bill that the Scottish Parliament has the power to compel witnesses and to compel the production of documents, or it could be challenged by anyone who did not turn up. I do not believe that, because it is written into the Bill, the powers would regularly be used.

I support amendment No. 164, although I do not interpret it in the same way as the hon. Member for North Essex. It would not necessarily exempt regulators, as he said. My hon. and learned Friend the Member for North-East Fife (Mr. Campbell) and I signed up to it because it is a probing amendment to find out what was meant by the phrase

"exercises the judicial power of the State."

Would the provision apply, for example, to members of a children's hearing, who exercise quasi-judicial powers? Would a judge of the European Court of Human Rights or of the International Court of Justice be covered by it? Can the Minister tell us more precisely what is meant by that phrase?

Mr. Dalyell: This is rather an important matter affecting, for instance, Judge David Edward. As he is based at The Hague, is he outside or not?

Mr. Wallace: That is extremely pertinent. Judge David Edward would be resident in Scotland and in other respects could come within the ambit of the powers. That is why it would be helpful if the Minister could specify the scope of the provision.

Amendment No. 249 provides the defence of reasonable excuse if a person fails to answer a question posed by the Parliament under the powers permitted. As there are sanctions attached, some defence should be available if there is reasonable excuse. I hope that the Minister will be minded to consider the amendment.

New clause 2 reflects the points made by the hon. Member for Perth (Ms Cunningham) with regard to the fulfilment of the Government's commitment in paragraph 2.11 of the White Paper. That is a helpful paragraph, which acknowledges that there will be reserved areas where activities are carried on that have a direct effect on Scotland.

The White Paper provided that the Scottish Parliament would be entitled to invite the submission of reports and the presentation of oral evidence by various bodies. As the hon. Lady read out the list, hon. Members could readily recognise how relevant those might be—the work of the Post Office, for example, and the Health and Safety Commission. Rail franchising has particular relevance, given the history of rail privatisation and its effect on Scotland, with the proposed withdrawal of sleepers and Motorail. The Scottish Parliament would have been keen for evidence to be given by the Office of Passenger Rail Franchising and the Office of the Rail Regulator.

In broadcasting, the merger of Grampian Television and STV recently took place. Under the terms of the franchise, Grampian has requirements in relation to local content in its news broadcasting. The Independent Television Commission is required to enforce those requirements. I am not suggesting for a moment that Grampian will not continue to fulfil them, but if there were a concern that it was falling short, it would be helpful if the ITC could give evidence to the Parliament.

8.45 pm

New clause 2 reflects the terms of the White Paper, which states:

"the Scottish Parliament should be able to invite the submission of reports and the presentation of oral evidence before its committees".

New clause 2 does not make that a requirement, but allows the Parliament to request the attendance of a person or the production of documents in reserved areas.

The only potential sanction is that, if a person declined that request, he would be required to inform the Clerk of the Parliament in writing of the reasons for that refusal. We are not trying to impose any legal sanctions, but it is a legitimate political point to require the person to explain his refusal. It would be a matter for political debate, but it would not mean that the Parliament was trying to exert power over reserved subjects.

The rest of the new clause is modelled on clause 23. I hope that it will commend itself to the Minister. If the present wording does not do so, I hope that he will tell us whether it is covered by a provision elsewhere in the Bill, which has escaped the notice of my hon. and learned Friend, the hon. Lady and myself, or whether, at a later stage in the passage of the Bill—new clause 2 will not be voted on until much later, if it comes to a vote—the Government intend to table a clause to give substance to the valuable provisions set out in paragraph 2.11 of the White Paper.

Mr. Dalyell: I freely confess that I was one of those who supported the Government decision to take the Bill on the Floor of the House, but I hope that colleagues are beginning to realise how it came about that, in 1978–79, debates took 47 days on the Floor of the House. Contrary to general mythology, there was not much filibustering, but there were many, many problems. Time is receding, and I can only hope for injury time for important clauses.

Few things are more important than the exercise of the judicial power of the state. I shall be brief on amendments Nos. 164 and 167. Clause 23(4) provides:

"That power is not exercisable in relation to. . .

a judge of any court or a member of any tribunal which exercises the judicial power of the State."

I repeat the question that was put by the hon. and learned Member for Orkney and Shetland (Mr. Wallace). It is an urgent question concerning the children's hearings. Do they exercise the judicial power of the state? The point was made about Judge David Edward. What about the courts of the Church of Scotland—for example, the kirk sessions? They are courts, but appear not to be exercising state power. Perhaps the Minister could comment on that.

Amendment No. 167 provides a reasonable excuse defence in relation to a failure to answer a question posed by the Parliament under the powers permitted under clause 23. Although Parliament is being treated as a court, and solicitors will be able to claim legal professional privilege, there is in general no public interest defence that would apply to a Select Committee of the House of Commons, unless it is anticipated that public interest would be within the bounds of a reasonable excuse to refuse or fail to attend proceedings. There is, however, no reasonable excuse provision in respect of answering questions by the Parliament, and the amendment takes account of that issue.

Do the terms of clause 24(1)(b) constitute a strict liability offence? Is there no defence to a charge of failing to answer the Parliament's questions? In any case, for a defence provision, the terms are vague. Who is entitled to ask questions and demand an answer? Is it a Member of the Holyrood Parliament? Is it the Lord Advocate, the Solicitor-General or a Clerk of the Parliament? All those questions must be answered, because of the imprecise wording.

If Select Committees are to be effective, they may have to have different rules for those tight situations when witnesses have no intention of answering. I attended both sittings when Sir Leon Brittan and Sir Robert Armstrong, as he was then, appeared before the Select Committee on Trade and Industry. If the rules had been different, the House of Commons might have got a bit further on those occasions. Therefore, this is not just a theoretical question; it is a very real question about the effectiveness of a parliament.

Mr. Tim Collins (Westmorland and Lonsdale): The hon. Member for Dundee, East (Mr. McAllion) said that clause 23(3) was too wide, but I think that it is too narrow.

Why is there no specific mention in clauses 23 or 24 of the status of ordinary Members of this United Kingdom Parliament? Are we or are we not covered by the powers that are being given to the Scottish Parliament to have people summoned before it? It may be said that this United Kingdom Parliament will, by definition, have responsibility only for reserved powers, but we all know from our postbags that we are often asked to intervene with a range of public and private bodies, national and

[Mr. Tim Collins]

international, which have no direct accountability to the House. I have had letters in my postbag this week asking me to intervene with the Governments of Iran, Indonesia and Tunisia.

It is hardly surprising that we must expect that Members of the United Kingdom Parliament, particularly Scottish Members of this Parliament, will be invited to opine upon, write letters to or perhaps intervene directly in affairs that are reserved under the Act for the Scottish Parliament.

Is there any prospect that Members of this Parliament could under any circumstances be summoned before the Scottish Parliament under these provisions? We have talked about Ministers of the Crown, but what about ordinary Back-Bench Members? In particular, what are the implications for parliamentary privilege? Nothing in clauses 23 or 24 specifically exempts Members of the United Kingdom Parliament from addressing matters relevant to the Scottish Parliament or says whether, if we raise matters on the Floor of the House, we might be summoned before the Scottish Parliament when we next visit Scotland. I should like a clear answer, please, to those questions.

Mr. McLeish: This has been a good debate and I shall try to answer most, if not all, of the questions that have been put.

Mr. Ancram: It will be the first time.

Mr. McLeish: I hope that the right hon. Gentleman will listen to my reply. He may enjoy the experience.

The amendments to the clauses relating to the Parliament's powers to call for witnesses and documents address the issue from a number of different standpoints. It may be helpful if I first make three points to clarify the intention of the provisions.

First, the purpose of these provisions is to give the Scottish Parliament the right to require oral and written evidence relating to devolved or executively devolved matters. That is the basic principle underlying these provisions. Those outside Scotland and Ministers and civil servants of the United Kingdom Government can be summoned only if they have responsibilities for devolved or executively devolved matters, and they can be summoned only to speak about those matters. Those are, of course, the matters for which the Scottish Parliament will be responsible. We take the view that it should not have powers of compulsion in relation to matters where it does not have responsibility.

Secondly, some of the amendments tabled suggest some confusion about the definition of a cross-border public body. I remind hon. Members that cross-border public bodies are bodies which have functions in or as regards Scotland in relation to devolved matters as well as other functions. Those other functions may relate to reserved matters in Scotland or to matters elsewhere in the United Kingdom. They are not bodies that deal with reserved matters only.

Mr. Jenkin: Will the Minister clarify what exactly is meant by the term "relating to Scotland"? For example, the Scottish Parliament has a responsibility for foreign policy because it is free to discuss foreign policy. Therefore, could it summon the Foreign Secretary to give evidence on the question of, say, foreign policy as it affects Scotland?

Mr. McLeish: I shall deal with that point in a minute. The legislative competence is at Westminster. The Foreign Secretary could be invited, but not summoned.

Thirdly, those who are responsible only for reserved matters cannot be summoned in connection with those matters. They can, however, be invited to attend and to submit documents in relation to reserved matters. There is nothing in the Bill to prevent the Scottish Parliament from inviting evidence about anything from anyone, and that is as it should be. I hope that that captures some of the concerns expressed by hon. Members in relation to matters in which the Parliament might be involved.

Mr. Canavan: I accept that people can be invited rather than summoned, but some people might want to refuse the invitation. If someone in England or Wales had been trying to bribe a Member of the Scottish Parliament, the appropriate Committee of the Scottish Parliament might want to summon that person to give evidence before it. If he refused to come, we would have no powers to force him to do so.

Mr. McLeish: There is a distinction, on which I shall expand, between the devolved matter and the reserved matter. It is important to establish that as a principle. We are keen to have a common-sense, balanced view of the Parliament's responsibilities in devolved matters. The central principle is the distinction between reserved and devolved matters. My hon. Friend will see that as I develop my contribution.

Mr. Wallace: The Minister is seeking to answer the point about calling witnesses over matters that are reserved powers, but which have an impact in Scotland. Does he agree that there is nothing in the legislation to make it clear that Parliament can do that by the very nature of it being a request? Might not it be helpful if the existence of that power were put beyond doubt? It would be helpful if it were in the Bill.

Mr. McLeish: We take the opposite view. Many matters raised in debate could be put into the Bill. Parliament can invite anyone to contribute on anything to the Parliament. On that basis, it is assumed that that will happen. We see no particular need to write that into the Bill.

Ms Roseanna Cunningham: I am interested in what the Minister says, and I am glad to hear it in so far as it goes because, as I understand it, the Minister is saying that anyone can invite anyone, and explicit permission is not needed to do so. The issue concerns not so much the invitation, as the response to the invitation. Would the Scottish Parliament prefer to invite or compel the Director-General of the BBC to explain his decision on "Panorama"?

Mr. McLeish: There clearly cannot be an element of compulsion to what is merely an invitation. If a person who is part of an organisation does not respond to an invitation, clearly the Parliament cannot discipline that

person. The BBC is not regarded as a cross-border public body because, in terms of the regulatory framework, legislative competence is based at Westminster.

Mr. Salmond: Anybody can invite anybody to do anything. Any hon. Member has the power of invitation. The Minister is right to say that it does not need to be written into legislation, but if the Scottish Parliament has competence—if the Minister wants to stay faithful to the White Paper, he must recognise that the question from my hon. Friend the Member for Perth (Ms Cunningham) is perfectly apposite—it should be able to compel an organisation such as the BBC, with interests in Scotland, as mentioned in the White Paper, to give evidence in so far as those interests affect the Scottish people and what the Parliament will be discussing.

Mr. McLeish: That is simply not what should happen. We seem to be stuck on a point about inviting anyone on anything. That power will be available to the Parliament, but that is not the important issue behind clause 23. If I could make some progress, I could start to address some of the issues that were raised.

The power to require evidence should relate directly to the Parliament's responsibilities and to those who are accountable to it for exercising them. That seems straightforward and there is an element of common sense in that. Those who are not formally accountable to the Parliament, however, will be able to attend and give evidence, assuming that they are willing to do so.

9 pm

I should like to consider the Government amendments to clauses 23 and 24, and to schedule 4. These are in line with the principles that I have just noted. I shall then respond to the amendments proposed by other right hon. and hon. Members.

Amendments Nos. 223, 224 and 225 will clarify the matters in relation to which the Scottish Parliament can exercise its power of summons, and in particular the circumstances in which Ministers of the United Kingdom Government and their civil servants may be summoned.

Amendment No. 224 is the main amendment of the group. Its purpose is to amend clause 23(3). It was not intended that the clause should enable the Parliament to summon United Kingdom Ministers and their civil servants unless they, rather than the Scottish Executive, were responsible for functions concerning devolved matters. As the clause stands, however, it would enable the Parliament to compel the attendance of Ministers of the Crown, and United Kingdom civil servants, where they were exercising functions that they were permitted to exercise concurrently with the Scottish Ministers—for example, the Secretary of State for Trade and Industry is permitted under clause 52(f) of the Bill to continue to provide financial assistance to industry in Scotland, such as by giving grants to particular industry sectors.

To subject United Kingdom Ministers and civil servants to the Scottish Parliament's power of summons in such cases constitutes a form of double accountability. Ministers of the Crown and United Kingdom civil servants exercising these functions will use resources voted by the United Kingdom Parliament and should be accountable to it and not to the Scottish Parliament. The Scottish Parliament will, however, be able to—I use the phrase again—invite them to attend.

The amendment also clarifies a related point by providing that United Kingdom Ministers and their civil servants cannot be summoned before the Scottish Parliament just because it is provided in, say, an executive devolution order under clause 59 that the Scottish Ministers must be consulted or their agreement sought about the exercise of a function by a United Kingdom Minister that concerns a reserved matter.

Mr. Salmond: Let us take as an example the concordat that the Minister and his hon. Friends are seeking to arrange between the Scottish Office, Locate in Scotland and the Department of Trade and Industry. If the Scottish Parliament wanted to examine the concordat to see whether it met its requirements, it would certainly want to summon its own Ministers, but would it not also want to summon the other half of the bargain—Department of Trade and Industry Ministers? Why is that summons not allowed on the face of the Bill?

Mr. McLeish: Returning to first principles, the concordats will be concluded between Scottish and Westminster Ministers. I just explained that one of those groups will be covered. The fundamental point is that there will be an opportunity for the Scottish Parliament to invite hon. Members of the Westminster Parliament to participate in the Scottish Parliament if they want to accept the invitation. There is no summoning. It is clear that, in terms of the split between devolved and reserved powers, double accountability should not exist.

Mr. Swinney: May I put another scenario to the Minister, where a one-way street might be difficult? The hon. Member for Dundee, East (Mr. McAllion) mentioned revising the Parliament's funding mechanism. If, in the circumstances, this House were to proceed with a review of the need for public expenditure, as the Treasury Select Committee suggested the House might wish to do in the future, the Westminster Parliament would be able to compel Scottish Members to make representations, but the Scottish Parliament would not be able to compel Westminster Ministers to take account of the fact that there were imbalances in spending in the rest of the United Kingdom, but not in Scotland. That would be totally unfair.

Mr. McLeish: The Government are not trying to conceal anything—we have been open. The point is obvious in terms of devolved and reserved powers, and invitations and summonses. I cannot be clearer in response to the point made by the hon. Member for Perth (Ms Cunningham) a few minutes ago.

Government amendment No. 225 seeks to amend subsection (4) to make it clear that the power to summon does not apply to a person in connection with discharging functions of a body that is concerned only with reserved matters. It takes account of the fact that someone might have two sets of responsibilities—one reserved and one devolved—or that the Parliament might want to call someone living in Scotland in connection with a devolved matter.

Mr. McAllion: I accept the distinction that my hon. Friend has drawn between reserved and devolved powers. He will remember, however, that the Labour party, under the Scottish Constitutional Convention, gave

[Mr. McAllion]

a commitment to a joint review of the Barnett-Goschen formula between the Scottish and Westminster Parliaments. It seems to be a serious watering down of that commitment to say that the Scottish Parliament should not have the power to summon Treasury Ministers so that they can take part, on an equal basis with the Westminster Parliament, in the joint review of the Barnett-Goschen formula.

Mr. McLeish: I do not want to get involved in a substantive discussion about the Barnett formula. The matter is simply not on the agenda, politically or in terms of the Bill. Where reserved matters are being discussing at Westminster, the Scottish Parliament will have the right to invite, not to summon. It is as clear-cut as that.

Mr. Swinney: The Minister is distinguishing between devolved and reserved powers. If the distinction is so clear, why do we have so many concordats to cover the grey areas, which seem to be the matters on which the Scottish Parliament should have the right to question UK Ministers and to compel them to answer?

Mr. McLeish: I am not aware that the matters that we are discussing are littered with concordats. I do not want to go over the points that hon. Members have raised.

The purpose of Government amendments Nos. 226 to 228 is to remove any doubt about when procurators fiscal may decline, in proceedings of the Scottish Parliament, to answer questions or produce documents relating to particular criminal cases.

Clause 26(3) enables the Lord Advocate or the Solicitor-General for Scotland to decline to answer questions or produce documents relating to the operation of the criminal prosecution system in a particular case if he considers that answering the question or producing the document might prejudice criminal proceedings in that case, or that it would otherwise be contrary to the public interest. In proceedings in this House, the Law Officers may also decline to answer questions on similar grounds.

The problem that we have encountered is whether that provision would entitle a procurator fiscal to decline to answer on the same grounds. In solemn proceedings, a procurator fiscal acts on behalf of, and in the name of, the Lord Advocate and would be entitled, under clause 26, to refuse to answer questions about any prosecution decisions on the basis that the Lord Advocate had instructed him not to answer. It would then be for the Parliament to decide whether to summon the Lord Advocate to pursue the matter.

However, there is room for doubt about whether a procurator fiscal would be so protected in respect of other proceedings, such as summary proceedings or petition procedure, where complaints run in the name of the procurator fiscal and prosecution decisions are taken by the procurator fiscal rather than in the name of, or by, the Lord Advocate. The amendments remove the scope for doubt.

Government amendment No. 226 adds subsection (9) to clause 23, to provide that a procurator fiscal in proceedings of the Scottish Parliament may decline to answer any question or produce any document relating to the operation of the criminal prosecution system in a particular case where the Lord Advocate considers that prejudice might be caused in that case, or that to do so would otherwise be contrary to the public interest, and has authorised him to decline to do so. If the Parliament is not satisfied, it can, of course, call the Lord Advocate to appear before it.

Amendment No. 43, tabled by my hon. Friend the Member for Falkirk, West (Mr. Canavan), would extend the Parliament's power to call for witnesses and documents in relation to devolved matters to include UK Ministers, and public servants and persons generally outside Scotland. In the Government's view that would go too far.

Under the clause as it stands, United Kingdom Ministers and civil servants may be required to give evidence if they have responsibilities relating to devolved matters concerning Scotland, or executively devolved matters. The same applies to anyone else outside Scotland who has such responsibilities. My hon. Friend's amendment would enable the Parliament to summon anyone, wherever they lived in the United Kingdom, irrespective of whether or not they had responsibilities relating to devolved matters. I hope that my hon. Friend will agree that the clause strikes the right balance, and I ask him not to press his amendment.

Amendments Nos. 163 and 165 would require the Parliament, and its Committees, to vote by a two-thirds majority before exercising the power of summons. In our view, the way in which the Parliament reaches a decision to use the power should be a matter for the Parliament itself. It is not appropriate for the Bill to impose such a requirement.

The Government cannot accept amendments Nos. 161 and 162. The right hon. Member for Devizes (Mr. Ancram) does not want the Scottish Parliament to be able to call Ministers of the Crown to give evidence to the Scottish Parliament in any circumstances. That would not be right. The Scottish Parliament should be able to call for evidence from Ministers of the Crown who discharge functions in relation to fully or executively devolved matters in Scotland. Such a situation may arise if a United Kingdom Minister continues to discharge functions relating to a public body in Scotland that is concerned with devolved as well as reserved matters, and which has been listed under an order under clause 83. We shall obviously deal with that procedure later. On that basis, I would ask the right hon. Gentleman not to press those amendments.

Amendment No. 164 seeks to delete the reference in clause 23(4) to the exercise of the judicial power of the state. The phrase is self-explanatory: it refers to those courts and tribunals whose functions are judicial in character. There are bodies called tribunals that do not exercise the judicial power of the state—a phrase previously used in legislation—and they ought not to be excluded from the Parliament's power to summon persons to give evidence. Given that clarification, I would ask the right hon. Gentleman not to press his amendment.

Mr. Wallace: Will the Minister clarify the position of children's hearings? Are they covered by this clause?

Mr. McLeish: My judgment is that they are not covered by this subsection, but I shall write to the hon. Gentleman on that point.

Mr. Dalyell: Is a judge of the European Court of Justice, the European Court of Human Rights or the

International Court of Justice a judge of a court that exercises the judicial power of the state? My hon. Friend may want to say something about the Church of Scotland courts.

Mr. McLeish: On my hon. Friend's first point, I think that such a judge would be excluded. I shall extend him the courtesy of sending him details on that point, and on the other matter of the Church of Scotland.

Mr. Jenkin: Will the Minister send a copy to the Opposition?

Mr. McLeish: Of course, as a courtesy, the letters will be copied to the Opposition.

The Opposition raised the issue of the judicial power of the state, but the phrase is self-explanatory. However, I have agreed to provide letters of clarification on outstanding points, which I hope will deal with the matter.

Amendment No. 166 would add to subsection (8) a reference to a court in that part of the United Kingdom in which the person lives or works. At present, the clause affords a person who is required to give evidence or produce documents the same opportunity to refuse to answer a question or to produce a document as he would have if he were in court in Scotland. Given that the legal system in Scotland differs from that in other parts of the UK, not surprisingly the privileges recognised there are not identical to those recognised in Scottish courts. We do not consider that it would be either helpful or appropriate for the Scottish Parliament in its proceedings to attempt to recognise rights and privileges available in courts in other parts of the United Kingdom.

Amendments Nos. 167 and 249 would amend the provision that makes it an offence for a person not to answer a question put to him when he is attending proceedings of the Parliament. Although clause 24 provides that it is an offence to refuse to answer a question, a person is not obliged to answer questions unless they are about devolved or executively devolved matters.

Mr. Salmond: We discussed the matter of the concordat being examined by Committees in the Scottish and Westminster Parliaments. The Scottish Parliament will be allowed to summon its Trade and Industry Minister, but, under existing powers, the Select Committee on Trade and Industry in the Westminster Parliament will be able to summon both United Kingdom Department of Trade and Industry Ministers and the Scottish Minister. That is not fair, and it is a weakening of what was understood to be the commitment. I recommend that the Minister thinks again.

Mr. McLeish: It is not a weakening of the commitment in relation to anything that we have said, including what was said in the White Paper. This brings us back to the central point that I have made in answering hon. Members' questions about matters reserved and matters devolved. When a concordat has been reached between Ministers at Holyrood and Ministers at Westminster, it should be about co-operation, and it will be about dialogue. Let me make it clear, however, that the Minister involved in the Westminster Parliament can be invited, but cannot be summoned.

Mr. Swinney: The Minister talks of the advantage of basing concordats on dialogue and discussion, but how can there be a discussion if someone refuses to turn up?

Mr. McLeish: It is a question of first principles. I am in danger of repeating myself a great deal, but it is no great secret that, in relation to the concordat and the dialogue, the Scottish Executive—the Minister—will be accountable and responsible to the Scottish Parliament. At Westminster, the Minister involved in the discussions will be responsible to Westminster—and, of course, to Scottish Members of Parliament at Westminster who are participating in the continuing work of the House of Commons.

9.15 pm

Mr. Dalyell: May I ask a rather important question about amendment No.167? Do the terms of clause 24(1)(b) constitute—

The First Deputy Chairman: Order. I am worried about the hon. Gentleman's interventions. He seems to be reading items on to the record, which is not in the spirit of interventions. Interventions are supposed to relate to matters that a Minister has raised.

Mr. Dalyell: I have been asking very precise questions relating to the amendment. I was going to ask whether there was no defence to a charge of failing to answer the Parliament's questions. Moreover, I am told that the question of who is entitled to make demands for an answer is of some legal importance. Will that person be a Member of the Scottish Parliament, the Clerk of the Parliament, a Minister in the Parliament or someone else?

Mr. McLeish: I am about to come to that.

Under clause 23, the notice requiring a person to attend must set out the matters relating to which he is required to give evidence. A witness is not guilty of an offence if he refuses to answer a question about something else. Clause 23 also says that a person is not obliged to answer a question that he would be entitled to refuse to answer in a court in Scotland—for example, if he might incriminate himself. I trust that, following that explanation, hon. Members will agree that the only reasonable excuses or causes that a person might have for not answering a question are already covered, and that the amendments are therefore unnecessary.

As for amendment No.168, under the provisions of the Oaths Act 1978, a person who objects to being sworn in has the right to make a solemn affirmation rather than take an oath. Accordingly, no express provision is required in the Bill. In the light of those explanations, I invite those concerned not to press amendments Nos.161 to 168 and amendment No. 249.

I think that amendments Nos.102 to 104 should also be rejected. I doubt whether, as drafted, they will achieve what those who tabled them wish—to empower the Parliament to compel Ministers of the Crown and representatives from "reserved matters" bodies, such as broadcasters, to give evidence about reserved matters. It would be wrong for the Parliament to have such a power.

[Mr. McLeish]

Clause 23(1) and clause 23 (2) specify the matters in relation to which the Parliament should be able to compel the attendance of witnesses and the production of documents. Those matters can be summarised as fully or executively devolved matters. They are the matters for which the Parliament and the Scottish Executive will be responsible. As I said, the Parliament should not have powers of compulsion in relation to matters over which it has no responsibility.

Even if the amendments were acceptable—which they are not—such persons would still be caught by the conditions in subsections (1) and (2) that any person can be compelled to give evidence and produce documents only about fully or executively devolved matters. I should stress that the fact that a function in a reserved area is relevant to a devolved function does not mean that it relates to it in terms of the Bill. I therefore hope that those amendments will not be pressed.

New clause 2 would confer an express power on the Scottish Parliament to request the attendance of witnesses and submission of documents on reserved matters as they affect Scotland. I tell the hon. and learned Member for Orkney and Shetland (Mr. Wallace), in the spirit of his speech, that such a provision is not necessary. There is nothing in the Bill to prevent the Scottish Parliament from inviting evidence about anything from anyone. I am repeating a point that I made earlier, but it is worth restating.

New clause 2 would limit the Parliament's powers by erecting a requirement that the evidence or documents requested should be on matters affecting Scotland. I envisage circumstances in which the Scottish Parliament would want to debate or investigate events overseas that, although of interest and concern in Scotland, could not be said to affect it. I hope that the hon. and learned Member for Orkney and Shetland will agree that the new clause is unnecessary and that its precise wording is undesirable. I ask him not to press it.

Mr. Jenkin: We have had a most interesting and useful debate, which has clarified the issues surrounding clause 23. I listened carefully to what the Minister said about the amendments tabled by Conservative Members and, because of his explanation of the clause and the Government's amendments to it, we shall not press any of our amendments.

I particularly welcome the tighter restrictions that amendment No. 224 will impose in the clause, thereby neatly avoiding what the Minister called the "problem of double accountability", which was the main concern of our amendments. I believe that he has responsibly addressed the issue. He is, of course, aware that the Scottish National party and others are looking for a row on the issue. Specifically, there are those who will deliberately misunderstand the nature and scope of concordats, how they will be negotiated and what they mean. I assure him that he will have our support in ensuring that those matters are dealt with responsibly.

The Minister made it clear that United Kingdom Ministers can be summoned only on issues for which the Scottish Parliament is responsible. It can invite evidence from anyone, but it cannot compel the Foreign Secretary to give evidence on foreign affairs. From what the Minister was saying, I do not believe that the Parliament could compel the Chancellor of the Exchequer to give evidence on the Barnett formula or on arrangements that the UK Parliament was making—he seemed to confirm that—to determine Scotland's need and Scotland's block grant. He confirmed that the Scottish Parliament would not be able to summon people from the BBC about a programme broadcast in Scotland.

We regard those assurances as properly consistent with Ministers' comments in the White Paper. Those matters should be held to account on behalf of the people of the United Kingdom, and are therefore properly the responsibility of the United Kingdom Parliament. It seems absurd for someone now to say that democracy is somehow being denied because those matters will not be dancing to the tune of what we hope will be a minority in the Scottish Parliament.

I listened carefully to the speeches in the debate. The Secretary of State dealt well with the intervention of the hon. Member for Perth (Ms Cunningham).

I tell the hon. Member for Dundee, East (Mr. McAllion) that those who supported devolution on the basis of this Parliament not being sovereign are destined to be disappointed. Both today's debate and yesterday's debate have been clear on that point. If the relationship between the Westminster Parliament and the Scottish Parliament goes wrong, Conservative Members will be the last to blame. We warned that exactly that type of misunderstanding would lead to the possibility of a breakdown in the relationship.

The hon. Member for Dundee, East had an opportunity to vote for the status quo—so that Scotland's influence was maximised in the House, and so that the favourable number of Scottish Members could negotiate on the favourable funding formula that he now wants to protect—using the full powers of the Secretary of State and the full complement of Scottish Members.

In the light of the decision taken by the Scottish people, it is to the Government's credit that they are dealing with those matters rationally and responsibly. Where appropriate, we shall give them support. We welcome Government amendment No. 224.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 223, in page 11, line 14, at beginning insert 'other'.

No. 224, in page 11, line 16, leave out subsection (3) and insert—

'(3) The power in subsection (1) is exercisable in relation to a person outside Scotland only in connection with the discharge by him of functions relating to matters within subsection (2).

(3A) That power is exercisable in relation to—

(a) a Minister of the Crown, or

(b) a person in Crown employment, within the meaning of section 191(3) of the Employment Rights Act 1996, other than a person mentioned in section 47(2) of this Act,

only in connection with the discharge by him of functions relating to matters within subsection (2) which are not functions mentioned in subsection (3B).

(3B) Those functions are—

(a) functions exercisable in or as regards Scotland by a Minister of the Crown as well as by the Scottish Ministers, and

(b) in relation to matters within subsection (2)(b), functions exercisable by a Minister of the Crown with the agreement of, or after consultation with, the Scottish Ministers.'.

No. 225, in page 11, line 24, after 'matters', insert

'in connection with the discharge by him of those functions'.

No. 226, in page 12, line 3, at end insert—

'(9) A procurator fiscal is not obliged under this section to answer any question or produce any document relating to the operation of the system of criminal prosecution in any particular case if the Lord Advocate—

(a) considers that answering the question or producing the document might prejudice criminal proceedings in that case or would otherwise be contrary to the public interest, and

(b) has authorised the procurator fiscal to decline to answer the question or produce the document on that ground.'.—*[Mr. McFall.]*

Clause 23, as amended, ordered to stand part of the Bill.

Clause 24

WITNESSES AND DOCUMENTS: OFFENCES

Amendment made: No. 227, in page 12, line 15, after '23(8)', insert 'and (9)'.—*[Mr. McFall.]*

Clause 24, as amended, ordered to stand part of the Bill.

Clauses 25 and 26 ordered to stand part of the Bill.

Clause 27

ACTS OF THE SCOTTISH PARLIAMENT

Amendment proposed: No. 23, in page 13, line 31, at end add

'in relation to reserved matters'.—*[Mr. Salmond.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 24, Noes 239.

Division No. 144] **[9.27 pm**

AYES

Ballard, Mrs Jackie
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Campbell, Menzies *(NE Fife)*
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Ewing, Mrs Margaret
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Heath, David *(Somerton & Frome)*
Michie, Mrs Ray *(Argyll & Bute)*
Morgan, Alasdair *(Galloway)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Swinney, John
Tonge, Dr Jenny
Wallace, James
Willis, Phil

Tellers for the Ayes:
Mr. Andrew Welsh and
Mr. Donald Gorrie.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Peter *(E Surrey)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Ancram, Rt Hon Michael
Anderson, Janet *(Rossendale)*
Arbuthnot, James
Atkins, Charlotte
Austin, John
Banks, Tony
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bercow, John
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Boswell, Tim
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Butler, Mrs Christine
Byers, Stephen
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coffey, Ms Ann
Collins, Tim
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Dalyell, Tam
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Evans, Nigel
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Forth, Rt Hon Eric
Foulkes, George
Fox, Dr Liam
Fyfe, Maria
Galbraith, Sam
Gale, Roger
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Godman, Norman A
Godsiff, Roger
Gordon, Mrs Eileen
Green, Damian
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hammond, Philip
Hanson, David
Heal, Mrs Sylvia
Heald, Oliver
Healey, John
Heppell, John
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkin, Bernard
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Lansley, Andrew
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Murphy, Denis *(Wansbeck)*

Murphy, Jim *(Eastwood)*
Murphy, Paul *(Torfaen)*
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Paterson, Owen
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Raynsford, Nick
Reid, Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sayeed, Jonathan
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Swayne, Desmond
Syms, Robert
Taylor, Ms Dari *(Stockton S)*
Taylor, John M *(Solihull)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Touhig, Don
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Widdecombe, Rt Hon Miss Ann
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Wise, Audrey
Wood, Mike
Woolas, Phil
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. John McFall.

Question accordingly negatived.

Clause 27 ordered to stand part of the Bill.

Clause 28

LEGISLATIVE COMPETENCE

Mr. Wallace: I beg to move amendment No. 8, in page 13, line 32, leave out 'so far as' and insert

'only to the extent that'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 170, in page 13, line 32, leave out 'so far as' and insert 'to the extent that'.

No. 173, in page 14, line 3, at end insert—

'(f) it is incompatible with any international treaty obligation'.

No. 171, in page 14, leave out lines 15 to 18.

No. 172, in page 14, leave out lines 19 to 22.

Mr. Wallace: I shall try to be brief, because the important function of this group of amendments is to give the Minister the opportunity to reply, and perhaps to explain precisely what the clause means.

Amendment No. 8 would leave out the words "so far as" and replace them with the words:

"only to the extent that".

If so amended, clause 28(1) would read:

"An Act of the Scottish Parliament is not law only to the extent that any provision of the Act is outside the legislative competence of the Parliament."

The purpose of that is to make it clear that, if an Act had 20 sections, one of which went beyond the legislative competence of the Parliament, the whole Act would not fall. Instead, it would not be operative only to the extent of that one section. *[Interruption.]*

The First Deputy Chairman: Order. May we have a bit more quiet in the Chamber, please?

Mr. Wallace: I am sure that my explanation accords with what was intended, and if we could have that on the record, it would be helpful. The Secretary of State laughs, but he knows that there may be someone somewhere down the line who would try to suggest otherwise—and no doubt would make a small fortune from doing so.

Our other aim is to try to elicit some elaboration of the provisions of the clause. As I understand it, if, for example, an amendment to Scots private law trespassed on, or had implications for, a reserved subject, so long as it did not materially go too far, it would be allowed, despite the fact that the subject was reserved.

The wording, however, is not entirely transparent, and our understanding is not helped by the notes on clauses, which say:

"Subsection (6) makes clear that a provision does not relate to a reserved matter merely because it makes provision for purposes relating to devolved matters which incidentally affect reserved matters. It is intended that this should give statutory effect to the common law doctrine of respection."

I do not know whether my hon. and learned Friend the Member for North–East Fife (Mr. Campbell) knows what "respection" means, but I am sure that I do not.

Mr. Menzies Campbell (North-East Fife): In St. Andrews we think of nothing else.

Mr. Wallace: Quite so. But seriously, the Committee would be helped if we could be given some elaboration of what was intended. I think that the provision was intended to be helpful, and I am sure that the Minister of State, or even the Secretary of State, would be delighted to tell the Committee how helpful it is.

Mr. Salmond: Like the hon. and learned Member for Orkney and Shetland (Mr. Wallace), I am looking for assistance from the Minister. As the hon. and learned Gentleman said, subsection (6) reads:

"A provision does not relate to reserved matters merely because it makes provision for purposes relating to devolved matters which incidentally affects reserved matters unless it makes modifications of Scots private law or Scots criminal law, or of any enactment, as it applies to reserved matters."

I have gone through many Bills and there are always some clauses that cause difficulty, but that is one of the most confusing subsections that I have come across. I know that the Minister of State has such matters under his full command and will be able to elucidate and elaborate—*[Interruption.]*—thanks to the Secretary of State? That simply proves how difficult the clause is, because we are calling in the heavy artillery to try to elucidate. The Committee would be grateful if we could be given a fairly concise description.

We are talking about matters of competence. We saw in the previous vote the Labour and Conservative parties join each other in the Lobby, delighted with the idea that they could box in the Scottish Parliament but leave it open to the Westminster Parliament to intrude on devolved matters.

We have also had a debate on competence this evening, in which the Conservative party was delighted with the idea that the Scots Parliament could not summon a United Kingdom Minister, but a United Kingdom Parliament could summon a Scots Minister. To many of us it looks as if we are seeing the beginning of a one-way street—a retreat from understandings and commitments.

I hope that, in his explanation of clause 28(6), the Secretary of State will be able to give us some reassurance on wider matters of competence, which are causing many of us considerable concern.

9.45 pm

Dr. Fox: Amendment No. 170 was suggested by the Law Society. Its reasoning was that subsection (1) appears to provide that the provisions of an Act of the Scottish Parliament may not be severable, in that, if any provision of an Act is outside the legislative competence of the Scottish Parliament, the Act is not law. Its feeling was that, if the Scottish Parliament were to enact a miscellaneous provisions Act, the legislation could be challenged, not on the section issued but on another totally unrelated section, as not being legislatively competent. If the Secretary of State is unable to reply immediately, we would welcome a written answer.

Amendment No. 173 is consistent with clause 33. It would be more logical to put the provision in clause 28, because clause 33 gives the Secretary of State discretion to make the decision, and the amendment would state at this part of the Bill that the matter does not lie within the legislative competence of the Parliament. That would be a neater arrangement.

I, too, do not think that the clause will win the plain English award this year. If the hon. and learned Member for Orkney and Shetland (Mr. Wallace) found it impenetrable, the Secretary of State can imagine what a non-lawyer made of it. In subsection (4), it seems as though the legislation is competent if it deals with reserved matters, in which case the Bill would bring Scottish law into line with United Kingdom law. I wonder whether that interpretation is correct.

Subsection (5) allows the Scottish Parliament to make "incidental or consequential" amendments to United Kingdom law where it relates to devolved matters. What does the Secretary of State have in mind? Can he give us examples of when that would happen? Why is it necessary, and does it not make nonsense of the concept of legislative competence in the clause?

Many of us found it difficult to understand the clause, so I look forward to the Secretary of State's detailed explanations.

Mrs. Fyfe: I am glad to know that I am not the only Member of Parliament who finds the clause puzzling. I should be very grateful for some clarification, especially as the clause relates to schedule 5, on which I have tabled some amendments.

Equal opportunities is a reserved power, except for a couple of minor modifications set out in the Bill; but would it be acceptable if the Scottish Parliament wanted to legislate on equal opportunities in relation to its own devolved powers? I am not sure whether the Bill as it stands means that the Westminster Parliament would legislate on everything to do with equal opportunities, even though it could not enforce equal opportunities in relation to powers that are devolved to the Scottish Parliament. We need clarity about that before we debate schedule 5.

Mr. Dalyell: Subsection (8) says:

> "An Act of the Scottish Parliament may modify a provision made by or under an Act of Parliament, whenever passed or made, if the modification is otherwise within its legislative competence."

The phrase "whenever passed or made" suggests that a Scottish Act can modify even an Act of Parliament passed subsequent to the enactment of the Bill. Given the mutually exclusive approach to vires, is it not difficult to imagine where it would be competent for both bodies to legislate and for the subsection to be applicable?

A narrow possibility is that the answer is the minor area of overlap mentioned earlier in the clause, but a wider possibility is that the subsection permits the Scottish Parliament to respond when Westminster uses its overriding power under clause 27(7). Surely that could set up the possibility of endless oscillation between the two Parliaments, which would be difficult to resolve. Will my right hon. Friend comment on what might be endless oscillation?

Mr. Dewar: My hon. Friend the Member for Linlithgow (Mr. Dalyell) could never be accused of endless oscillation. He goes forward with a steady pace, fixing his beam on one objective, and pursuing it relentlessly.

I shall deal briefly with amendments Nos. 8 and 170, which have the enormous advantage of being simple and understandable. I can confirm to the hon. and learned Member for Orkney and Shetland (Mr. Wallace) that his understanding of our intention is correct. Very simply, if there is a challenge to the vires of a provision in an Act of the Scottish Parliament, and if that is upheld, clearly the specific provision falls, but not the rest of the Act. That is the clarity which we are all anxious to establish. The argument is whether the phrase "so far as" is the proper way to do it.

I have never made myself out to be a draftsman—occasionally a barrack-room lawyer, but never a draftsman. I am advised—and I wish to take the advice that I have been given—that this is the right way to do it. Clearly, that is the interpretation that would be put upon it, and the interpretation that is intended. I hope that the hon. and learned Gentleman will not want to pursue that matter.

I am rather telescoping all the amendments, because we have only a few minutes to go. I wish to refer to some amendments which I concede are not quite so easy. Amendment No. 173 is sensible, the hon. Member for Woodspring (Dr. Fox) suggested, because it puts in the matter of international treaty obligations at a more convenient point. I am advised, and I think that the Committee will follow the argument, that it would be wrong to treat this as a vires matter.

The courts are not normally in a position to assess the compatibility of our domestic law with our international obligations unless those international obligations have

[Mr. Dewar]

been incorporated into our law. There are a number of international obligations which are not in that position. I accept that the position will, to some extent, be simplified when rights under the European convention on human rights and certain other matters of European Community law are imported into our law, but there will still be extensive areas which would not be justiciable, and therefore not suitable for the vires provision.

I do not need to stress to the House that I do not expect that machinery to be used in these particular circumstances. I would expect a Scottish Parliament—as with the UK Parliament—to recognise that, if we have international treaty obligations, our domestic law must not infringe and defy those obligations. If we accepted the amendment tabled by the hon. Member for Woodspring—in a fair and probing spirit—and if we did get such a case, we might be in a situation in which we had no fail-safe arrangement of the kind anticipated. I have simplified the matter, but, for that reason, I invite him to withdraw that amendment.

We now come to one or two amendments which are a little more complex. Perhaps it would be appropriate if I said a word or two about the impact of clause 28. I must tell the House—not in a patronising or mocking spirit—that it is a difficult clause. It took me a long time to begin to see the shape of it through the technicalities of the language, which are complex and make easy reading difficult—there is no doubt about that.

The hon. and learned Member for Orkney and Shetland gave us the benefit of the doubt by assuming that the clause is intended to be helpful, and I think it will be helpful. A lot of genuine political argument has been—I will not say raging—present in the Chamber about what the Bill is essentially trying to do. This is another example where we have tried to make sure that there is a proper balance of responsibility between Westminster and the Parliament in Edinburgh.

There is an understandable tendency for the hon. Member for Banff and Buchan (Mr. Salmond) to establish criteria for the propriety of the Bill or its virtue which can be met only by a total independence solution. That is unfortunate, because he is a man of some skill, who, I have no doubt, read the White Paper many times before he came to his decision to advocate a yes vote. I recognise that he had reservations and would have liked the scheme to go further, but it is not proper for him now to come forward and establish his reservations as the test, as he consistently tries to do.

We are the ones who have tried throughout to be consistent, which means that we have had on occasion to defend principles that are important in terms of the proper responsibilities of this House. We are determined that we will continue to do so, because that is what Scotland endorsed in the referendum—if we are to take the White Paper seriously, as we are constantly encouraged to do.

Mr. Salmond: The right hon. Gentleman's argument is plainly wrong. In the vote that we have just had, we were supported by the hon. Member for Orkney and Shetland (Mr. Wallace). It is legitimate for him to support that, given his position. It is clear that many Labour Members were disturbed by the nature of our last debate and the idea of a one-way relationship. It is untrue to suggest that it is only from an independence viewpoint that people are detecting a retreat from aspects of powers which it was widely assumed would be given to a Scottish Parliament.

Mr. Dewar: This is where I deeply disagree with the hon. Gentleman. He says that we are retreating from principles that were widely assumed. Anyone who read the White Paper carefully can see that we are delivering exactly on it. I shall not strain your patience, Mr. Martin, by re-fighting the battles of the past couple of hours, in which I was not involved, but it is clear that there are areas that are the responsibility of the Westminster Parliament. Scotland is represented in that Parliament.

Those areas of responsibility will have to watched from a Scottish point of view. They will be watched by Scottish Mps. Westminster Ministers will be accountable to them, as they are to representatives of other parts of the kingdom. Similarly, there are areas of responsibility where we will arm the Scottish Parliament with all the full powers of the Westminster Parliament. It is for those areas that it will be entrusted with responsibility when the Bill reaches the statute book.

Let me move to the theory of clause 28. I may be reaching more difficult ground, but it is in a sense a departure from the neat division to which we have been applying our minds in recent times. That division assumed that, by and large, there would be a reserved area of responsibility and the rest, which would be devolved to the Scottish Parliament.

In the area for which the Scottish Parliament is responsible, its writ runs, and it has the right to legislate. However, there will be terms in respect of which, if we had made the boundary absolute and held to it hard, we would have run up against the fact that there were areas of devolved responsibility where legislation would impact on reserved areas.

If we took an inflexible and pedantic view, we could argue that it would not be possible to use the power in the devolved areas, and could legislate on that basis. In so doing—I endorse the word that was fortunately happened on by the hon. Member for Orkney and Shetland (Mr. Wallace)—we would be trespassing on the reserved areas. That would have created a difficulty that we were anxious to meet.

I do not recommend it for a relaxing Sunday afternoon, but clauses 28 and 33 must be taken together. They are complex, linguistically dense, provisions, but they are designed to ensure that, if a Scottish Parliament legislates properly in devolved areas of responsibility but trespasses on the reserved areas, we can ensure that it can be done, subject to a number of safeguards and definitions. Obviously, we cannot have people riding as if on a border foray of yesteryear into the territory of the other Parliament, but we must deal with the area covering the debatable lands, to continue the historic metaphor, without having a declaration of legislative civil war. That is the story of clauses 28 and 33. I hope that that explanation is helpful.

Amendment No. 171 deals with the common law doctrine of respection. It recognises that legislative provision does not relate to a reserved matter merely because it makes provision for purposes relating to devolved matters that incidentally affect reserved matters. That is the general principle that I have been trying to enunciate for circumstances where there is an incidental

effect on a reserved matter. As long as there is a steady thrust within the devolved principles and the effect is purely incidental and consequential, it can survive that test.

I think it was either my hon. Friend the Member for Linlithgow or the hon. Member for Woodspring who raised the point, but, in the same way, we are applying the test that there should be proper cohesion—in other words, not that we are bringing Scots law into line with English law, but that the impact is even and equivalent on both sides of the border as between reserved and devolved powers. That is right and helpful.

What subsection (6) does and why it should not be taken out is that it provides the legislation—

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [28 January], put forthwith the Question already proposed from the Chair.*

Question, That the amendment be made, *put and negatived.*

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 28 ordered to stand part of the Bill.

Schedule 4

PROVISIONS OF THE ACT NOT PROTECTED FROM MODIFICATION

Amendment made: No. 228, in page 58, line 31, at end insert—

'procurators fiscal,'.—*[Mr. McFall.]*

Schedule 4, as amended, agreed to.

Clause 29

RESERVED MATTERS

Amendments made: No. 229, in page 14, line 35, leave out 'Subordinate legislation may' and insert

'Her Majesty may by Order in Council'.

No. 230, in page 14, line 36, leave out

'the person making the legislation'

and insert 'She'.

No. 231, in page 14, line 37, leave out 'subordinate legislation' and insert 'Order'.—*[Mr. McFall.]*

Clause 29, as amended, ordered to stand part of the Bill.

Clauses 30 to 40 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—[*Mr. McFall.*]

Committee report progress; to sit again tomorrow.

Mr. Dalyell: On a point of order, Mr. Deputy Speaker. I think that your predecessors in the Chair, the Chairman of Ways and Means and the Second Deputy Chairman, would agree that, in the past five or so hours, there has been no time wasting or filibustering by any hon. Member on either side of the House, and that all the discussion was relevant and serious.

In the circumstances, surely it is deeply unsatisfactory—I shall not use the word "travesty" or anything of that kind—that crucial clauses of this constitutional Bill, covering matters such as changes to the list of reserved powers, scrutiny of Bills in relation to legislative competence and, for heaven's sake, the power of Secretary of State to intervene, have gone undiscussed in the House of Commons. That cannot be right.

I do not doubt for a moment that the business managers produced the schedule in good faith. However, I doubt that they anticipated that there would be a statement of 55 minutes by the Prime Minister on the events of 1972, in addition to business questions. I suppose that I am asking, is there no possibility of injury time of some kind if this happens again? I realise that these clauses have been overtaken, but none of us can be proud of the fact that the House of Commons has not looked at crucial clauses on a constitutional issue.

Mr. Deputy Speaker: The occupant of the Chair is in the hands of the House in these matters, because Committee stages are programmed. It is therefore up to the Committee to use the time wisely. I do have some sympathy with what the hon. Gentleman has to say, because he may recall that, last night, I made the point that, if people spent a certain amount of time on one set of amendments or clauses, other matters would be neglected—but these are matters for the Committee, and I am sure that the Committee has heard what the hon. Gentleman has had to say.

Fireworks Bill [*Money*]

Queen's recommendation having been signified—

Motion made, and Question proposed:

That, for the purposes of any Act resulting from the Fireworks Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenses incurred by a Minister of the Crown or government department in consequence of any provision of the Act, and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other Act, and

(2) the making of payments into the Consolidated Fund.—*[Mr. McFall.]*

10.6 pm

Mr. Eric Forth (Bromley and Chislehurst): I hope that it will by no means be controversial if I say that money resolutions attaching to private Members' Bills if anything deserve more consideration than those attaching to Government or public Bills; that is because of their origin and contents. I hope that we shall be treated to an explanation of the implications of the money resolution before us, and of those that we are to discuss later tonight. I say that especially with regard to the Fireworks Bill, because several elements in the Bill would give rise to expenditure about which the House should be told before we are asked to proceed further with these measures.

For example, clause 5 refers to prohibition of the supply, purchase and possession of fireworks of a specified description. I assume, although I confess that I am not acquainted with the details of the Bill, that that provision refers to functions of the type usually carried out by a trading standards officer—I can think of no one else who would perform them. Immediately, there is the clear implication that the number of trading standards officers would need to be increased to implement that part of the Bill.

The Bill also refers to prohibiting persons who are not satisfactorily trained or experienced in the use of fireworks, and are not covered by accident insurance, from purchasing or possessing fireworks. That also causes us to consider who would be in a position to police the Bill. It may indeed be the police, if not trading standards officers.

Clause 7 mentions licensed premises. The implication is that, if fireworks can be supplied or used only in licensed premises, someone, somewhere, must be policing—in the broadest sense of the word—the premises that are to be used.

Throughout the Bill runs the assumption that its rather tight regulatory provisions will be policed—I know not whether by trading standards officers, as I have suggested, or by Customs and Excise officers. If that is the case, and depending on the extent to which it is the case, the Bill clearly has substantial spending implications.

Mr. Andrew Rowe (Faversham and Mid-Kent): As my right hon. Friend will have seen, considerable penalties are to be levied on people who contravene the provisions of the Bill, which implies some public education or training programme for the citizen. No doubt, for example, there will be an increase in the number of people working in the citizens advice bureaux so that advice may be given before Guy Fawkes; that will end up as a charge on local authority finance.

Mr. Forth: I am grateful to my hon. Friend for making that point. Not only is he right to point out a possible increase in the number of people, say, in the advice bureaux, but he implies that there would have to be an advertising effort. This Government, like the previous Government, are keen to inform people about the implications of legislation of this kind, especially if people will be subject to a financial penalty or something worse. Therefore, there is an implication in the Bill of a likely expenditure on informing the public of its provisions and possible penalties.

That would be bad enough, but there is still the matter of compensation. However, I can find no reference to it in the Bill. I assume that we will get a detailed explanation of the matter before the House is asked to approve the money Resolution. Will the Government tell us what compensation is envisaged for small retailers carrying stocks of fireworks in good faith, that may overnight be rendered illegal by the provisions of the Bill?

Those are the smallest of businesses, family businesses and community businesses, which have stocked up with fireworks. Those are perfectly in order within the existing regulations, but may be quickly rendered illegal and subject to penalties by the Bill. Before we can contemplate approving the money resolution, we need to know how much money might be involved in the payment of compensation to those small retailers as a direct result of the Bill.

I am merely sketching out the possibilities. Goodness knows what would be involved, were I to go into detail, which I suspect that the House may not want at this stage. I simply wanted to give a flavour of the difficulties that I see arising from the Bill, however well-intentioned it may be. Numbers of police, trading standards officers and staff in citizens advice bureaux may have to be increased, and there will be expenditure on informing the public. As if to rub salt in the wound, under the heading "Financial effects of the Bill", we are told:

"The financial effects of the Bill will depend on the content of such regulations and cannot at this stage be predicted."

That is not good enough. It is not good enough for legislation, particularly private Members' Bills, to be brought before the House and for us to be asked to give a blank cheque or a rubber stamp. When we come to the next items on the agenda—after we have thoroughly considered this one—hon. Members will see that the same argument applies with even more force. Time and again, under the heading money resolutions, the House is asked to vote indeterminate or unspecified sums for unspecified purposes contained in private Members' Bills.

Mr. Deputy Speaker: Order. At this stage we are debating a money resolution—singular. We are not dealing with money resolutions, just the money resolution before us, relating to the Fireworks Bill.

Mr. Forth: Indeed, Mr. Martin. I am grateful for that guidance. I had strayed a little because I wanted to reinforce the point about the additional importance, as I

saw it, in private Members' Bills generally for us to be fully aware of and properly to scrutinise the money implications.

Mr. Rowe: My right hon. Friend is right to consider general matters, but there is a particular matter that requires comment. Under the heading, "Effect of the Bill on public service manpower", it is stated:

"The Bill will have no effect on central government staff numbers."

However, clause 10 includes provision

"for the Secretary of State to recognise or license bodies for the purpose of providing training in the use of fireworks."

Unless—

Mr. Deputy Speaker: Order. I must be firm. We are discussing the money resolution, not the Bill.

Mr. Forth: I imagine that my hon. Friend was implying that the provision of additional training personnel would have financial implications. *[Interruption.]* We need guidance on whether and how far the increased numbers of personnel—police, trading standards officers, training personnel or whatever—have financial implications. It is no good implying—

Mr. Deputy Speaker: Order. I must appeal to Members on the Treasury Bench to be quiet when an hon. Member is addressing the House.

Mr. Forth: I am grateful, Mr. Deputy Speaker. I assume that Members on the Treasury Bench are discussing the detailed response to the questions that my hon. Friends and I have raised. I look forward, therefore, to a more detailed and comprehensive reply as a result of their discussions, which I forgive.

I hope that I have persuaded the House that it is a key part of the Opposition's responsibilities properly to scrutinise such measures and to seek an explanation at this stage of what is in the Government's mind when they are asking us to vote this money before we proceed to approve it. That is what I am asking for in order that I may make my own judgment.

Mr. Robert Syms (Poole): I have similar concerns. If this measure has a monetary effect, will the Government compensate Poole borough council, which has a capping limit?

Mr. Forth: My hon. Friend raises an important point—the implication for local authorities of this measure. After all, trading standards officers are employees of local authorities, and many of the other enforcement mechanisms hinted at in the Bill will also fall to local authorities. In so far as they are capped, that suggests that at the very least there would have to be a reordering of priorities within local authorities. Which of the other local authorities' activities will have to be curtailed in order for them to implement the Bill? There may not be an increase in expenditure—I am grateful to my hon. Friend for pointing that out: it may simply be that schools will have to be closed or refuse not to be collected in order for the legislation to be enforced.

There, in brief terms, are some of the questions that occur to me about which I want to be satisfied before I even consider giving the money resolution my consent.

10.18 pm

The Minister for Competition and Consumer Affairs (Mr. Nigel Griffiths): People who know the Conservative Government's record on fireworks will know that the right hon. Member for Bromley and Chislehurst (Mr. Forth) should hang his head in shame. Some five years ago, he stood at this Dispatch Box in my job and did absolutely nothing to promote firework safety.

The right hon. Gentleman and his predecessors presided over a doubling of the number of fireworks injuries. The sad fact is that even in 1998 the Opposition have not learnt that money is not everything. We have had a tirade from the right hon. Gentleman, sadly supported by the new hon. Member for Poole (Mr. Syms), who I hope will learn better—

Mr. Owen Paterson (North Shropshire): On a point of order, Mr. Deputy Speaker. I understand from your ruling that we are discussing the money aspect of the Bill, not the merits of the Bill. May we ask that the Minister addresses the money aspect?

Mr. Deputy Speaker: That is a valid point. The Minister should keep his remarks to the money resolution.

Mr. Griffiths: All my remarks were concentrated on money—on an Opposition who know the price of everything and the value of nothing.

If the right hon. Gentleman, when he was adding up the so-called costs of the measure, had done as I did in the last firework campaign and visited people in hospital who had lost their fingers through firework injuries, he would not be talking now of the burdens of money. No amount of money will compensate the young man whom I visited in the midlands who has lost his fingers. He lost his fingers because the right hon. Gentleman and his colleagues not only did nothing but did not care. They counted the pennies on everything and did not mind the fact that people were at risk because of their abysmal policies. The right hon. Gentleman has made it clear that the Opposition simply do not care about safety. They care only about the cost. They should hang their heads in shame. We, as the Government, are proud of the measures that we have taken.

Question put and agreed to.

Resolved,

That, for the purposes of any Act resulting from the Fireworks Bill, it is expedient to authorise—

(1) the payment out of money provided by Parliament of—

(a) any expenses incurred by a Minister of the Crown or government department in consequence of any provision of the Act, and

(b) any increase attributable to the Act in the sums payable out of money so provided under any other Act, and

(2) the making of payments into the Consolidated Fund.

Stoke Mandeville Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McFall.]*

10.21 pm

Mr. David Lidington (Aylesbury): I am grateful to Madam Speaker for allowing me this opportunity to initiate a short debate on the future of Stoke Mandeville hospital in my constituency.

Stoke Mandeville is known nationally and internationally as the home of the national spinal injuries centre, but to people living in Aylesbury and the surrounding areas it is much more than that. It is a medium-sized acute hospital which serves the local population with a wide range of medical services. Its patients come from Buckinghamshire and parts of Bedfordshire, Hertfordshire and Oxfordshire. The hospital also provides specialist services in plastic surgery and ophthalmics to patients from other parts of the country.

Many men and women are treated at Stoke Mandeville. Each year it treats about 32,000 in-patients. Some 140,000 people attend as out-patients, and about 44,000 people attend the accident and emergency unit. The need for the hospital is not diminishing—far from it. Its catchment area is growing significantly. That is particularly true of Aylesbury, where significant new residential development is planned over the next two decades, but it is also true of some of the smaller settlements served by Stoke Mandeville, such as Princes Risborough, in my constituency, and Haddenham, in the constituency of my hon. Friend the Member for Buckingham (Mr. Bercow).

There is strong local support for Stoke Mandeville and the work that it carries out. That will, perhaps, be signified tomorrow when, I am delighted to say, the Prime Minister's wife will visit the hospital to open the new computerised tomography scanner, which has been made possible by money raised through voluntary contributions and donations from local people.

If I feel strongly about the future of Stoke, it is not just because it is of vital importance to the people whom I represent but because it is my local hospital, the hospital where my four sons were born, and on which I and my family personally rely. Its medical reputation is high, but that is not matched by the quality of the buildings.

Stoke was originally built in 1942 to provide temporary wartime accommodation, and those wartime units are still substantially in use today. Since then, there has been piecemeal development of variable quality, but it has included some first-class modern facilities, notably the maternity unit, which is probably the part of the hospital with which I have become most familiar over the past few years.

One result of the piecemeal development is that we now have a hospital which sprawls over 90 acres of land. It is larger than most teaching hospitals in the country, probably in western Europe. Many of the buildings are obsolete, and the site and the buildings are inefficient. The costs of treatment at Stoke are inflated by the overheads: maintenance, heating, cleaning and others, which are needed because of the inefficiency and the obsolescence of the buildings.

There is not only financial inefficiency but clinical inefficiency. That is, perhaps, best illustrated by the example of the paediatric unit, which is a third of a mile from the main operating theatres. It takes a minimum of several minutes to take a sick child from paediatrics to theatre, or to bring in staff or emergency equipment to the paediatric unit from elsewhere.

It is to the hospital's credit that, despite those handicaps, it has met both its financial and patient charter obligations year on year. I place on the record a tribute to all the hospital staff for that achievement. It is worth noting that the chief executive of Stoke Mandeville was asked by the regional office to chair the Anglia-Oxford working party on cutting waiting lists and ending bed blocking. Stoke's success in delivering high-quality medical care has been recognised by the NHS at regional level.

The need for redevelopment at Stoke Mandeville has been recognised since the 1970s. Various schemes have been proposed and, for different reasons, have foundered. At one time, the development of the new city of Milton Keynes and the urgency of its need for medical facilities took precedence in the decisions of the Government of the day. Subsequent schemes were shelved because of national financial pressures.

Mr. Brian White (Milton Keynes, North-East): Will the hon. Gentleman give way?

Mr. Lidington: No, but I should be happy to leave time for the hon. Gentleman to speak later.

Another scheme was approved by the Department in June 1994, but that in turn was delayed when the private finance initiative scheme was introduced. A still later scheme was delayed last year when the newly elected Government decided to alter the rules on PFI.

I mention all that not because I see much point in going over old ground in detail tonight, but because some account of the history is necessary to explain the depth of feeling among my constituents about the importance of a project that is now being promoted by the trust and Buckinghamshire health authority, and to explain the feeling of cynicism among hospital staff and local GPs, who doubt whether the much-needed redevelopment will ever happen.

I have had extensive discussions in recent months, not only with the trust management but with Buckinghamshire health authority, the chief funder of the hospital, and with the Oxford-Anglia regional office. I am grateful for the patience and courtesy with which all those concerned have always listened to my representations, and for the seriousness with which they have engaged in the arguments that I have put on behalf of my area. Both the regional office and Buckingham health authority have told me firmly that they are committed to the successful redevelopment of Stoke Mandeville hospital.

There seems to be local agreement on the continuing need for an acute hospital in Aylesbury, and on the fact that that requires the redevelopment of Stoke Mandeville. There is also recognition, acknowledged by the trust management as well as the health authority and the regional office, that the new Stoke Mandeville must reflect in its configuration changes in medical treatment that have taken place in recent years and are forecast to continue. Those include the trend towards day surgery and increased specialisation, and are illustrated by the implementation of, for example, the Calman report on cancer care.

Stoke is looking actively to develop constructive partnerships with other hospitals, both within Buckinghamshire and in Oxford and Milton Keynes. The present proposals, which were endorsed this week by Buckinghamshire health authority, would involve building a new paediatric unit, a new ward block and changes to the theatre complex at the hospital. The number of beds would be reduced from 510 to 443, but day case places would rise from 23 to 30.

The plans provide for the hospital to treat about the same number of patients in the future as it treats today. They incorporate a partnership agreement with South Buckinghamshire NHS trust and the Aylesbury Vale community healthcare trust. The total cost would be about £23.2 million. The changes would bring significant clinical and financial benefits. Clearly, our constituents who use Stoke Mandeville would benefit from the provision of modern facilities that can deliver state-of-the-art medical care into the 21st century. The national health service as a whole also stands to gain a significant financial benefit.

The proposed plans would release revenue savings of more than £3 million a year. I note that the hon. Members for Milton Keynes, North-East (Mr. White) and for Milton Keynes, South-West (Dr. Starkey) are present. The release of revenue savings from a successful development at Stoke Mandeville is of vital importance to Buckinghamshire health authority if it is to meet its strategic commitment to shifting extra funding to GPs in Milton Keynes. Urban problems in that town have stimulated a need for medical care which has not been adequately met in the past.

Like the hon. Members who represent Milton Keynes, I will tussle over formulae and over my own patch, but it is recognised that Milton Keynes needs extra funding, and the release of those revenue savings is one way of achieving that objective.

Dr. Phyllis Starkey (Milton Keynes, South-West): Do I take it that the hon. Gentleman accepts that the underfunding of Milton Keynes by about £4 million this year, as highlighted by the Buckinghamshire health authority, is justified? Does he recognise that mid-Buckinghamshire has been overfunded by about £5 million? He refers to the benefits for the whole of Buckinghamshire of the undoubted revenue savings from a developed Stoke Mandeville. Does he accept that it is important for Stoke Mandeville to be developed as part of the acute services strategy agreed by the health authority for all the hospitals in Buckinghamshire? The development of Stoke Mandeville should not create a hospital that is larger than the acute services strategy foresees, because that would entail continuing excess spending in mid-Buckinghamshire, which would prevent north Buckinghamshire from receiving the money.

Mr. Lidington: I agree with the hon. Lady's last point to some extent. The plan that has been endorsed by the trust management and by Buckinghamshire health authority is in line with that acute services strategy.

I would take issue with the hon. Lady over her assertion that mid-Buckinghamshire has been overfunded. This is not the occasion to go into the historical factors at work within the county and the application of the York formula to some county units. The hon. Lady and the hon. Member for Milton Keynes, North–East, and his predecessor, Mr. Peter Butler, argue the case passionately on behalf of Milton Keynes. Irrespective of what happens in the rest of Buckinghamshire, on the figures that I have seen, Milton Keynes has a good case for extra funding. As I said, the successful completion of the scheme at Stoke Mandeville is one way of helping to achieve that objective.

It is not only the revenue savings that are at stake. Surplus land worth £10 million at the minimum would be released by the redevelopment of Stoke Mandeville. That money could be ploughed back into health care either in our part of the country or elsewhere: that would be up to the Minister and his colleagues to decide. The NHS can ill afford to lose such a financial benefit. I hope that that entices the Minister and the regional office to look favourably on the scheme.

I want to put two brief questions to the Minister that he may reflect on if he cannot reply in detail now. The first is about the status of the £23.2 million bid. As I understand it, bids below a certain level fall to the regional office to decide, and bids above, perhaps at £25 million, must go to Ministers for a central decision. Can the Minister clarify that?

The second question is about interim strategic support, which was intended to tide Stoke Mandeville over until the rebuilding. It is due to end in 1999, and the earliest date at which new buildings can come into use is 2003.

Both the health authority and the regional office have told me that they continue to look actively for solutions. I hope that the Department will keep an open mind on whether to address the problem by arranging a deal with the potential private-sector partner, or to consider ways in which it and the NHS can cope with it. It is a real problem, but a time-limited one once the redevelopment is approved.

The original intention was that the sale of the land owned by the Department would part-fund the Stoke Mandeville project. I understand that that will not now happen, but I hope that it will still be possible for the departmental land to be developed in conjunction with the trust-owned land. Both parties might well benefit from a scheme that could take place at the same time, and be attractive to the same private-sector partner.

Finally, let me make a plea that, if it is humanly possible, work on the paediatric unit should be brought forward to the earliest possible date. I explained earlier about the particular needs of paediatric patients. I hope that, either through a deal involving the land or through the terms of the contract with the private-sector partner, we can find a way of advancing the provision of a modern paediatric unit much closer to the operating theatres.

I am grateful for the opportunity that I have been given. When my hon. Friend the Member for Buckingham and I met the Minister last year, he listened to us with great courtesy and gave us a good deal of time. I thank him for his serious interest in the project in recent months, and I look forward to his reply.

10.36 pm

Mr. John Bercow (Buckingham) *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Has the hon. Gentleman the permission of the Minister as well as that of the hon. Member for Aylesbury (Mr. Lidington)?

Mr. Bercow: Yes, Mr. Deputy Speaker.

[Mr. Bercow]

I am grateful for the opportunity to speak. What my hon. Friend the Member for Aylesbury (Mr. Lidington) has said is entirely correct, both in relation to the hospital and in relation to the courtesy and attentiveness with which the Minister has greeted our representations.

Although Stoke Mandeville hospital is in my hon. Friend's constituency, it also serves my constituents. It is especially—although not exclusively—important to those living in the south of my patch, but all my constituents have a real interest in and commitment to the hospital, and will its development. They are right to do so, and I hope that that will prove possible.

My hon. Friend referred to the quality of Stoke Mandeville hospital. In 1995, the hospital secured the charter mark for excellence in public service, but that is only one demonstration of the quality that it has achieved. It would be inappropriate for me to allow my first Adjournment debate to pass without also saying that the chairman of the Stoke Mandeville NHS trust is a constituent of mine, Mrs. Gillian Miscampbell. Naturally, I consider her a person of the highest calibre. She is a superb chairman, and a long-standing resident of the area. She has its interests at heart, and I think that she has a real conception of the way in which the hospital should develop in the future.

There is no doubt that, although the hospital's management is excellent, its medical staff are first-class and the number of people for whom it caters is very large, it cannot progress without substantial and early redevelopment. The Minister is well aware of the background of disappointment, delay and frustration that the hospital and those who use its services have suffered to date, and I shall not rehearse that now; but the redevelopment is necessary, not merely for purposes of administrative or logistical efficiency, but to attain the primary objective of improved clinical care.

The project to which my hon. Friend devoted the thrust of his remarks is designed not least to improve paediatric care, coronary care and cancer services in the future.

I want those services to be developed, and to be developed in a manner that enables Stoke Mandeville to make substantial savings. My constituents want that to happen, and my hon. Friend wants it to happen. There is a need to go forward. I have observed that need not only in discussions with my hon. Friend and with the hospital management but by direct experience of observing the hospital at first hand on a number of visits.

I wish Stoke Mandeville well. I do not doubt the Minister's good faith, but I shall listen with great interest to his reply to the debate.

10.39 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I am delighted to have this opportunity to reply—my brief says to the debate of my hon. Friend the Member for Aylesbury (Mr. Lidington); well, he is almost my hon. Friend—this debate. I also welcome the hon. Member for Buckingham (Mr. Bercow) back from the dead, or at least from the Standing Committee considering the National Minimum Wage Bill. I congratulate him on all his work there. I congratulate also the hon. Member for Aylesbury on securing this debate, on a subject that is close not only to his heart but, as he explained, to those of his family and constituents.

Stoke Mandeville is a valued hospital serving the part of the world of the hon. Member for Aylesbury. It is valued not only by local people, but by the Government. As he will be aware, part of the Government's testimony of faith to Stoke Mandeville's future is the fact that we recently provided £2.2 million in additional funding for the Buckinghamshire health authority to meet the extra pressures of this winter. We have invested almost £200,000 in Stoke Mandeville to help it deal with emergency pressures.

As the hon. Member for Aylesbury said, Stoke Mandeville is more than simply a hospital serving its local community. It is also a hospital with a very fine and distinguished international reputation in working with people who have suffered spinal injuries. For both those reasons, Stoke Mandeville's future is a subject that is worthy of debate. Like the hon. Gentleman, I pay tribute to all the hard-working staff—the managers, clinicians and everyone else associated with the excellent work done there.

The future of district general hospitals such as Stoke Mandeville touches on much that is at the heart of the White Paper published last month by the Government. The White Paper sets out a 10-year programme of modernisation for the NHS. It particularly makes it clear that, in future, we want local hospitals to complement each other's activities, working in partnership rather than in competition.

I should like to reassure my hon. Friend the Member for Milton Keynes, South–West (Dr. Starkey) that, from what I understand of the health authority's plans, its current acute services review says loudly and clearly that three acute hospitals are required now, and that they will be required in the health authority area for the foreseeable future. As she knows, the exact options, the exact configuration of services and the exact cash distribution are issues that are yet to be resolved. However, the future is clear for all three hospitals.

I am pleased that that spirit of partnership is already in evidence in Buckinghamshire—where trusts are co-operating with the health authority and with local family doctors, and where there is an interchange of expertise at the clinical level and, particularly, at the consultant level. The hon. Member for Aylesbury talked about the relationship between Stoke Mandeville and the Radcliffe in Oxford. We want such partnerships to continue.

Stoke Mandeville will undoubtedly have to evolve in the next few years. As my hon. Friend the Member for Milton Keynes, South–West said, its services will have to fit into a wider model to ensure the best use of resources while providing the best possible care standards.

I tell the hon. Member for Aylesbury that Stoke Mandeville is a hospital with a bright future. It has the strong support of its local population and of the Government. He kindly mentioned that, tomorrow, the wife of my right hon. Friend the Prime Minister will visit the hospital to open the new CT scanner suite, which was paid for by charitable funds. I pay tribute to all those involved in that fund-raising activity.

As the hon. Gentleman rightly said, some changes are long overdue. The sooner we can see the end of the wartime prefabricated huts, the better. The trek of about a third of a mile from the children's ward to the operating

theatre is quite unacceptable in a modern health service. I know that the hon. Gentleman and his hon. Friends have made strong representations in the past.

As the hon. Gentleman said, the history of Stoke Mandeville in terms of capital development has been unhappy for a variety of reasons. The most recent attempt could not be approved, as the trust did not have a private sector partner when the Government decided to fast-track the more viable private finance initiative projects. As he knows, that strategy has paid dividends, with a stream of PFI hospitals now under way.

I understand that the health authority is fully committed to having three acute hospitals in the county and that the trust, together with the health authority and, as the hon. Gentleman rightly said, supported by the NHS Executive regional office, is putting together a strategic outline case for a £23 million development. It will get rid of the Canadian forces' huts and replace them with facilities fit for delivering health services in the next century.

The hon. Gentleman asked about the process for approving the bid. He will know that the capital value of the bid is about £23.3 million, which is below the £25 million limit above which major capital projects are now being prioritised on a national basis by the new capital prioritisation advisory group which I set up last December. As the hon. Gentleman knows, NHS need will be the driving force and the key criterion for the work of the CPAG. The group will assess schemes fairly, on a national basis, according to rigorous common criteria. Those approved will be the schemes with the highest NHS need on a national basis.

As the new Stoke Mandeville proposal now has a capital value of less than £25 million, approval is a matter for the Anglia and Oxford regional office of the NHS Executive. However, I should reassure the hon. Member that the region is using the same rigorous and fair CPAG methodology to consider the scheme. The developing business case has been the subject of extensive discussion with the regional office, which has been closely involved from the outset, and the final strategic outline case is expected at the regional office around the end of this month. That should allow a decision to be taken about approval by the end of next month. If the case gets approval, the trust will be able to advertise for bids from the private sector in the summer. I hope that there will be pretty speedy progress, but that will depend on the trust being able to attract a viable private sector partner. If it does, I hope that it will proceed pretty rapidly—good luck to it.

The hon. Gentleman asked about the sale of land. He should realise that the proceeds of any sale of land on the site belonging to the Secretary of State will be employed in the capital development programme by the regional office, and will be redistributed to any suitable schemes in the region. That may well include the Stoke Mandeville redevelopment, but it cannot be a foregone conclusion that the proceeds will necessarily be partially or wholly reinvested in the redevelopment of the hospital site.

There is no doubt there will be a local acute hospital for the people of Aylesbury well into the next millennium. In future, if there are specific proposals for changing the services provided at Stoke Mandeville, there will be proper, open consultation, to which I am sure the hon. Gentlemen and my hon. Friends will make a valuable contribution.

As I am running out of time, I shall reply to the hon. Gentleman's other questions in writing. In the meantime, we hope to be able to announce the first stages of a much-needed redevelopment of a precious NHS hospital as part of the 50th anniversary of the national health service. I can think of nothing more fitting.

Question put and agreed to.

Adjourned accordingly at twelve minutes to Eleven o'clock.

House of Commons

Friday 30 January 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Road Traffic Reduction (United Kingdom Targets) Bill

Order for Second Reading read.

9.34 am

Mr. Cynog Dafis (Ceredigion): I beg to move, That the Bill be now read a Second time.

I am proud to introduce this extremely important Bill. Its enactment will certainly constitute an historic turning point. I am aware that, in promoting the Bill, I am acting as a kind of spokesperson for the road traffic reduction campaign, which is broad-based and has been gathering momentum over several years. It is no longer a fringe concern, as it was once perceived. The campaign has, of course, included all along the environmental or sustainability organisations, which is not surprising. Along with the Green party, they have been the driving force behind the campaign, which has been supported by the Plaid Cymru parliamentary party.

Those organisations have been joined progressively by other more mainstream organisations including, for example, the Women's Institute, the Townswomen's Guilds, and the Confederation of Passenger Transport. In addition, 200 local authorities have declared support for the Bill, including my own. Crucial organisations concerned with health and the welfare of children have also joined the campaign. It is worth naming some of them. They include Barnardo's, the British Medical Association, the Child Accident Prevention Trust, the National Asthma Campaign and the Royal College of Paediatrics and Child Health. For practical and immediate reasons, those organisations see the need for the Bill and what will flow from it.

The campaign has been impassioned, determined, formidably organised, sometimes rumbustious, well thought out, sophisticated and well informed. Today is an important staging post in that campaign. The wide-ranging support for the Bill is symptomatic of the transformation that has occurred in public opinion and general consciousness. For 425 Members of Parliament to have declared support for the Bill, even for it to have been presented to the House of Commons as a credible policy proposal, would have been unthinkable 10 years ago. People were warning long before that that likely traffic growth was unsustainable and would cause serious problems, but they were largely ignored by mainstream opinion. Would that it had been otherwise. We must learn the lessons of that for the long term.

Had the story been otherwise, we might have avoided much of the massive damaging impact of unfettered road traffic growth. The patterns of road traffic are unsustainable consumption writ large. Road building to accommodate ever increasing traffic swallows land, including areas of ecological value and special scientific interest. Extraction, transportation and refinement of petroleum imposes incalculable damage. The Sea Empress was just one example of that. We should also include the Gulf war and the power of Saddam Hussein as part of the major side effects of our dependence on petroleum. Of course, road traffic makes an important contribution. Combustion of petroleum produces 22 per cent. of greenhouse gas emissions in the United Kingdom.

There is scientific support, including from the energy technology support unit, for saying that the United Kingdom will be unable to meet its laudable target of cutting carbon dioxide emissions by 20 per cent. by 2010 even with the technological improvements that we need for motor transport—I shall come to that later—without significantly reducing road traffic. Let us remember that stabilising CO_2 concentrations in the atmosphere will necessitate a 60 per cent. reduction in emissions globally. A cut of around 90 per cent. will be needed in the developed world. Tackling road traffic is the biggest issue in moving—as we must—towards sustainable consumption patterns.

Few of us have not been touched by the human damage caused by road traffic, with loved ones, friends or acquaintances killed or maimed. I have seen too many of my former pupils affected. There has been a steep rise in fatalities on the road over the past year in Dyfed and Powys, where I live, with many young people being killed. The accompanying social damage, particularly from heavy traffic in urban areas, is undeniably serious. Children can no longer play in the streets. Some 80 per cent. of children have bikes, but only 25 per cent. use them on the road, compared with 66 per cent. 20 years ago. When I was a boy, the problem was to get a bike. There was plenty of space on the road, where we used to play football and cricket. Those who were lucky got a bike when they were about 11 if they passed the scholarship. Unsurprisingly, there is evidence that alienation, crime and social isolation increase with traffic levels. We are dealing with a far-reaching phenomenon.

The economic costs of congestion are enormous—between £15 billion and £20 billion, according to the Confederation of British Industry. Maddison and Pearce put the cost higher than that in the study, "The True Costs of Road Transport", according to which the net economic cost is between £20 billion and £30 billion.

The effect on health has concentrated people's minds recently. A recent Department of Health report says:

"We have clearly underestimated the true overall effects of air pollution."

It says that the deaths of between 12,000 and 24,000 people a year are "brought forward"—a euphemism for people dying sooner than they would otherwise—and an extra 14,000 to 24,000 people are admitted to hospital because of air pollution. Children, the elderly and the poor suffer most. In an enlightened editorial a couple of weeks ago, *The Guardian* said:

"Those most at risk are those who are condemned by age or poverty to live near congested roads, to cross them on foot and to shop on their pavements."

According to Dr. Ian Roberts of the child health monitoring unit at Great Ormond Street Hospital for Sick Children, more than 6 million children are at risk because

[Mr. Cynog Dafis]

of the volume of traffic on our roads. Children in social class V are at five times more risk than those from social class I. A recent study in Edinburgh showed an even greater disparity. The children of families without cars suffer from the activity of those with cars. That is a significant social class issue. Dr. Roberts links the problem with declining physical activity, leading to obesity and likely

"adverse effects on children's mental and emotional health."

Rev. Martin Smyth (Belfast, South): Does the hon. Gentleman accept that, historically and for the future, such measures are more important for improving the nation's health than direct health provision? Some of the arguments are akin to those for dealing with tobacco advertising rather than putting on taxes.

Mr. Dafis: I am grateful to the hon. Gentleman for that useful intervention. We need to move towards prevention of problems. We should prevent ill health rather than just treating it when it arises. Smoking is a major issue, but I must not pursue that diversion at the moment.

That is part of the sustainable development agenda, which is about putting things right in advance rather than allowing them to develop unfettered and trying to tackle the problems afterwards, which is a large-scale end-of-pipe solution. We need to do something at the entrance to the pipe, not just at its exit.

From even that brief selection from the enormous body of available evidence, we can reasonably conclude that Parliament has a responsibility to put in place policies to reduce road traffic. Until recently, it was commonly argued that traffic growth was inexorable and that the only answer was to accommodate it by building and extending roads. That changed with the report of the Standing Advisory Committee on Trunk Road Assessment, published a few years ago. It showed clearly what should have surprised no one—that more and better roads lead to increased traffic, resulting in the same amount of congestion.

A recent study by London Transport and the Department of the Environment, Transport and the Regions says that vice versa also applies—closing roads can reduce traffic. Phil Goodwin, the Government's adviser on transport policy, found that, on average, 20 per cent. of traffic that used a road disappeared when it was closed. It did not move to other roads; it just disappeared—I think that he used the word "evaporated". People found other ways than the car to make the journey or decided not to travel.

Dr. John Marek (Wrexham): I am particularly keen on that point. When the hon. Gentleman next corresponds with the 200 or so local authorities that support the Bill, will he bring it to their attention? Local authorities are remiss at taking it into account. Usually, they just try to make roads wider so that traffic can get along them more quickly.

Mr. Dafis: That has certainly been the frame of mind hitherto. I shall see what I can do about contacting all those local authorities, and a few others besides. I hope that the hon. Gentleman will join me in that. The more of us who participate in producing such a change of consciousness, the better.

The more and better roads approach to solving congestion is a cul-de-sac—I hope that hon. Members will forgive the expression—although there are no doubt places where road improvements, and even new roads, may be necessary. Any such schemes pose unpleasant dilemmas. Most of us have come across such difficult choices on bypass proposals. The only way to reduce the number of dilemmas is to reduce road traffic. Road traffic reduction is an imperative.

It is important to see the measure not as a necessary but unpleasant process that we have to undergo in a hair shirt spirit, but as an exciting opportunity to create healthier and better communities and a crucial step towards sustainable development—no less than that. The flip side of the damaging impacts that I have described is the range of great benefits that would come from reducing road traffic. According to John Whitelegg, a 10 per cent. traffic reduction would lead to economic savings of more than 10 per cent.—he suggests between 10 per cent. and 20 per cent. According to Dr. Roberts of Great Ormond Street, when traffic volume falls, the reductions in child pedestrian death rates are greater than the reductions in traffic. Biodiversity, quality of life, health, safety, social cohesion and social inclusion would all gain from a reduction in road traffic. How much they would gain depends on how much we reduce. That is a matter for further consideration.

For the record, let me emphasise at this stage that we who support the Bill recognise the fact that we personally enjoy the advantages of being able to use cars and to have freight transported by lorry. We are talking about taming, not abolishing traffic.

Many people have expressed concern about the effects of road traffic reduction on employment. That is something that we cannot ignore, but the evidence suggests that the fear is misplaced. Friends of the Earth commissioned ECOTEC Research and Consulting to model the impact on employment of a 10 per cent. reduction from 1990 levels by 2010—that was the target in the original Bill.

ECOTEC found that there would be a net increase of 87,000 new jobs, taking into account not only losses in motor manufacturing, maintenance and infrastructure, but gains through growth in the cycle, bus and train sectors. We are talking about manufacturing, but also about the infrastructural development that would go along with the changes.

Friends of the Earth describes what would happen if we implemented a fully sustainable transport strategy, including investment in high technology to make the remaining road traffic—which we shall have for a long time—more environmentally friendly. It is vital to move towards technological innovation, to make cars on the road more environmentally friendly.

If we did that, taking into account the investment that would go with it, plus the increase in car leasing that Friends of the Earth foresaw, the net employment gain would be as much as 122,000. There would be far fewer losses in the car-based industries, because people there would work on the improved technology and on new types of cars and lorries.

The remaining question for many people now will be: can that be done? They think that it ought to be done; they can see the imperatives for doing it and the great advantages, but they still ask, "Is it feasible to reverse traffic growth, and even to reduce traffic by 10 per cent. by 2010?"

The Deputy Prime Minister will be familiar with the work of Professor John Whitelegg, now of the school of the built environment at Liverpool John Moores university. I believe that he advised the Deputy Prime Minister before the election, when the right hon. Gentleman was not in government.

John Whitelegg has written a report showing that the 10 per cent. reduction target in the original Bill—it is not in the present Bill, and I shall talk about that in a moment—can be achieved by implementing various tried and tested policies, without any reliance on increased petrol duty. We already have higher petrol duties, but John Whitelegg says that even without those, the targets could be achieved through other methods, both in the United Kingdom and elsewhere.

Recognising that rural areas require a distinctive approach, Professor Whitelegg says:

"We can be confident of a 33 per cent. reduction in urban areas".

As 91 per cent. of the United Kingdom population is urban, that would mean a 30 per cent. overall reduction even if rural areas were exempted from the traffic reduction policies outlined in his report.

Neither John Whitelegg nor I believe that rural areas should be ignored or exempted. A great deal can and should be achieved there, and there are major benefits to be gained. Traffic congestion is a growing problem in rural areas as well as in urban areas, and health problems exist in rural areas, too. Indeed, there are signs that the health effects of damage to the ozone layer may be even greater in rural than in urban areas.

Mr. Dafydd Wigley (Caernarfon): Does my hon. Friend accept that one of the challenges is to persuade the tourist industry to consider other means of bringing people to areas that they can enjoy because of their outstanding beauty, rather than encouraging them to clog the roads in summer, thus making their enjoyment that much less?

Mr. Dafis: I am grateful to my right hon. Friend for that interesting and important intervention. In his area, the north-west, Snowdonia national park, with other organisations, is developing strategies to try to bring about more environmentally friendly forms of tourism and encourage people to use public transport.

I was talking about rural areas, and there is a lot to be done there. However, the vulnerability of such areas has to be borne in mind, especially in connection with increasing vehicle fuel tax. Eco-taxation will be a live issue over the next couple of years, and its distributional effect must be borne in mind when it is designed.

Recent studies by the Institute for Fiscal Studies have found that higher petrol prices bear down especially heavily on rural dwellers and on people on low incomes. Of course, low incomes and rural areas go together in my part of the world. Some rural dwellers, in places where there are high proportions of commuters, are well off—but that is not the case in the part of the world from which I come, and to which I return.

There are ways of addressing the issue, and a Government interested in creating a more equitable society, as the present Government are, should make good use of them. Sustainable development means social equity as well as environmental sustainability. I am tempted to repeat that but I shall not; I shall simply stress how important it is not to forget it.

Given the overwhelming strength of the case, it is small wonder that there is such a powerful consensus in favour of road traffic reduction. A recent survey showed 80 per cent. support among the population at large for setting road traffic reduction targets.

A recent convert, Mr. Paul Everitt, deputy director of the British Road Federation, said:

"Clearly the economic, and more importantly, the environmental consequences of society's increasing dependence on road transport are a cause of concern. The need to reduce the level of traffic on our roads . . . is beyond question and not an issue for debate. Equally I don't think the benefit of reduced traffic levels is an issue".

It would be wrong of me to claim Mr. Everitt's support for the Bill, but his statement of support for the principle of traffic reduction is important and welcome.

It is also clear that that growing consensus includes the Government. The Labour party's pre-election policy handbook said:

"Transport targets will be set at both national and local level . . . Our strategic aims are . . . to reduce and then reverse traffic growth".

Both the Secretary of State and the Minister of Transport are on record as supporting the original version of the Bill, with its 10 per cent. target. I was encouraged by the way in which both the Deputy Prime Minister and the Minister for the Environment referred to the Bill before the Environmental Audit Select Committee on Wednesday, especially by the fact that they supported the setting of targets as a key policy instrument in driving ahead the sustainable development agenda in general.

Of course I am also delighted that I, with the supporters of my Bill, have been able to agree on the content of a Bill that retains the essence of what my party had in mind. We also have agreement with the Government—with some qualifications, which I shall deal with later.

It is important to emphasise that we need my Bill despite the fact that the Road Traffic Reduction Act 1997 is already on the statute book. Michael Chisholm, emeritus professor of geography at the university of Cambridge, has written to me and also published an article emphasising the need for the local process in the existing Act to be encompassed within a United Kingdom-wide strategy.

Clause 1 simply defines what we mean by "road traffic" in the Bill. Subsection (1) of clause 2 places a duty on the Secretary of State to set national targets for road traffic reduction in a report to Parliament,

"with the aim of reducing the adverse environmental, social and economic impacts of road traffic".

It is right to emphasise "national" targets. We need them, as well as United Kingdom targets.

Subsection (2) provides the flexibility—which some may find problematic—that the Government may need, by allowing the Secretary of State not to specify overall road traffic reduction targets so long as she or he can show that other targets are more appropriate means of

"reducing the adverse impacts of road traffic".

[Mr. Dafis]

That provides considerable flexibility—I hope not too much.

Subsection (3) lists the criteria to which the Secretary of State must have regard in determining the targets or other measures. Those criteria clearly imply the need for significant road traffic reduction. If we take them seriously—and they will have to be taken seriously because they are on the face of the Bill—they imply significant reductions and therefore significant targets. Hon. Members will observe that there are no significant targets in the Bill, because those are a matter for later determination.

Subsections (4) and (5) deal with the time scale, the frequency of publishing progress reports, and the deadline for publishing the first report. I understand that the Minister wants to reserve her position, and I look forward to hearing what she has to say later. Of course, those matters are, in a sensible place such as this, negotiable.

The Bill provides an important opportunity for the Government to establish their credentials as a Government seriously committed to sustainable development. I am encouraged by the way in which sustainable development is emphasised as an increasingly important theme in Government policy; it crops up all over the place, and that is excellent. That is a big transformation, even from five years ago.

Enacting the Bill would give the Government credibility and further enhance the United Kingdom's reputation—which is now considerable—for driving forward the sustainable development agenda in international negotiations. It would assist in pursuing sustainable development at the European Union level. I understand that there is significant interest on the European mainland in the Bill and its proposals. The environment is a key theme in the UK presidency of the EU.

I am proud to be associated with the Bill. I have underlined this part of my script, so I shall say it slowly and clearly: I believe that it is the responsibility of all those who support the Bill and support sustainable development to do all that they can to ensure that it reaches the statute book. I commend the Bill to the House.

10.1 am

Mrs. Anne Campbell (Cambridge): I congratulate the hon. Member for Ceredigion (Mr. Dafis) on being fortunate enough to draw a high place in the ballot and on his good judgment in choosing the right Bill to promote. I know that he has long supported such legislation, and I am delighted to give him my endorsement.

I want to interject a note of caution. The hon. Gentleman said that surveys show that the Bill has 80 per cent. support. I suspect that that is similar to the support that we get when we ask people whether they would like to pay more tax and have better education and health services: everybody says yes, but when it comes to the crunch, they make different personal decisions. Eighty per cent. support for the Bill really means that people want everybody else to leave their cars behind, so that the roads are clear for them.

I thoroughly supported last year's Road Traffic Reduction Bill, which has now been enacted, but the new Bill takes us an important stage further, by introducing national as well as local targets. We must recognise that even the most willing local authority cannot achieve as much as it would like, because of the restrictions. In Committee on the previous Bill, I talked especially about the need for an integrated transport policy. I am glad that the Government are honouring their manifesto commitment to an integrated public transport policy. That is a matter that has to be tackled at national level.

We may also need fiscal incentives. It is cheap to use a private car, and often very expensive to travel by public transport. If we are to make a determined effort to get people out of their cars, we may have to think about the balance of funding for the two forms of transport.

National planning is also important because the further people have to travel to work or to shop, the more they will be inclined to use their own cars. Cycling and walking are obviously much easier if people live near to where they work or shop.

I have been involved for many years in campaigns in Cambridge, and I well recall being a member of Cambridgeshire county council from 1985-89, when it was hung. The Labour and Alliance—as I believe it was then—parties on the council introduced a series of plans for park-and-ride sites on the edge of the city, but unfortunately they were not completed by the time that the council reverted to Conservative control in 1989. It was a great disappointment that the new Conservative administration decided to abandon the plans.

There has been a change of heart among Conservatives. It is marvellous for those of us who have been campaigning for 20 years or more for traffic reduction to witness the sudden conversion. I do not know when the change of heart happened; perhaps it was fairly recent: when they went into opposition, perhaps. Cambridgeshire's Conservative county council now supports park-and-ride, and perhaps rather regrets the fact that it did not do so earlier.

Congestion nationally costs us between £10 billion and £19 billion a year. The environmental and social impacts cost us another £10 billion to £18 billion a year. Those are not trivial sums. The problems impact on us all, whether through lost time at work or reduced opportunities for our children to play outdoors.

Congestion and air pollution are extremely bad in my constituency. We have the reputation of having the third most polluted street in Europe: Parker street, right next to the bus station. I know that residents there are anxious that road traffic reduction should be an important part of our policy.

Perhaps it is surprising that traffic should be a major problem in Cambridge, because we have such a high proportion of cyclists. Current statistics show that about 21 per cent. of journeys to work are by bicycle, which is as high as in many continental cities, where the facilities are much better.

There has been steady pedestrianisation of the city centre, introduced by the county council when it was Labour and Liberal Democrat controlled. I am sorry to say that, even with their change of heart, the Tories are considering a reversal of some of the road closures introduced by the previous administration.

The real problem is that we have learnt to love the car; we now have to learn to love it and leave it, at least sometimes. Let us consider how we use the car, and the

alternatives that are available. A recent survey showed that at 8.50 am 18 per cent. of the traffic is taking children to school. I have three children, the youngest of whom is 24, and never once did any of them go to school by car. Perhaps we were fortunate, as we lived in an urban environment, always within two to three miles of the schools. My children were always able to walk or cycle to school.

It is important to have safe routes for walking and cycling to school. Parents are naturally concerned that their children may have real problems getting across the road, largely because of everyone else driving their children to school. I support the local authority initiatives that promote and mark out safe routes to school, so that parents can feel more confident about allowing their children to walk and cycle to school.

Shopping is often mentioned as one of those things for which one needs a car. My local radio station, Radio Cambridgeshire, broadcast some interviews this morning with people who were leaving their cars in a city centre car park. They were asked what it would take to get them out of their cars. One woman remarked, quite rightly, that she needed a car to do her shopping. There is a simple solution to that—home deliveries.

Home deliveries were made when I was a child, and I am old enough to remember my local Co-operative shop delivering our groceries by horse and cart. I am not suggesting that we should go back to that—although it was quite wonderful. I remember the horse very well, because I used to feed him carrots. The important point is that supermarkets could do more home deliveries, enabling us to leave our cars at home.

In another interview, a man said that he could not do without his car because he needed it for work. He said that he would be happy to go to work by public transport or bicycle, but that when he gets there, he needs his car. It is unfair for employers to expect their employees to use their own cars for work purposes. Employers should make arrangements that permit people to walk, cycle or use public transport to get to work, providing them with cars at work if necessary.

Some employers in my constituency do a great deal in that area. I should like to mention the world conservation monitoring centre, which has a policy of encouraging people to use bicycles. It is located not in the city centre but out on the Huntingdon road, a couple of miles or so from the centre—yet over 60 per cent. of employees cycle to work. The centre has managed that by encouragement and by providing good facilities for washing and showering when people arrive at work. A good example is set by the top of the hierarchy, because the director cycles to work.

I have recently called for better cycle parking at Cambridge railway station. People would be much more prepared to use public transport if good interchange facilities were available. It is a question not just of buses arriving at the railway station in time for the London trains, but of having places where people can leave their bicycles safely.

We have experimented with park-and-ride in Cambridge, as I mentioned. It has not been a great success in persuading people who work in and commute to Cambridge to leave their cars on the edge of the city, and it tends to be used more by shoppers. It is probably more convenient for commuters to use it, but what tends to happen is that commuters drive to the city early in the morning and use the available on-street parking spaces. There are then not enough spaces for people who want to make short-term shopping visits.

I have not owned a car for 11 years and my husband does not own one either—we are not cheating in that way. The luxury of not owning a car comes about because I live close to the railway and bus stations in Cambridge, and I am fortunate enough to be able to walk or cycle. When I am in London, I find that the traffic is so heavy and fast that I am worried about cycling—it is hazardous. That could be addressed by better cycling facilities.

On the occasions when I walk to work—which I do twice a week—I am struck by the lack of good pedestrian facilities. In my journey from my flat in Southwark, I have to cross two roads—Borough high street and Southwark Bridge road. I always feel as if I am taking my life in my hands when I cross those roads. There is no phase in the traffic lights that permits pedestrians to cross. When one thinks that the traffic has stopped, one quickly dashes across—only to find a car coming round the corner. Those matters seem small and trivial, but we could do a lot more to encourage more people to cycle.

Although we have made progress in Cambridge, a white line by the side of the road does not offer much protection, particularly when cars are parked illegally over the cycle lanes. I should like to see better facilities, with a proper barrier between cyclists and other road users, so that people feel safer.

I was delighted by the report of the Senior Salaries Review Body, published yesterday, which shows that I have at last been successful in my campaign for a cycle allowance for Members of Parliament. The report does not say how much, but it shows that the body supports my plea for an allowance. I hope that that will encourage far more of us to use our bicycles on constituency business and to set a good example to our constituents.

Mr. Christopher Chope (Christchurch): Why does the hon. Lady think that the taxpayer should pay for her to go on her bicycle?

Mrs. Campbell: I should point out to the hon. Gentleman that if I were to buy a car, it would cost the taxpayer a great deal more than if I were to go by bicycle. It would also cause congestion and add to the air pollution problems in Cambridge. I am sure that my constituents would far rather I travelled by bicycle than by car, even though it might cost them 5p or 6p a mile.

I wish to point out the advantages of cycling and walking. One feels fitter and healthier, and an active life style means that I do not feel pressured to go to the gym to get my exercise. It is also cheaper not to own a car; I reckon that I have saved about £3,000 a year by not owning a car, which is useful. I do not require a parking space, so I can have a nice front garden instead of having it turned over to tarmac. If I am travelling by train, it is easier to use the time productively than when I travel by car. I mention those matters because when people talk about walking, cycling and not using a car, they talk about the disadvantages. I want to concentrate today on the advantages, of which there are many.

Finally, I make a plea to the Secretary of State that when he considers integrated transport with better cycling and walking facilities, he should think about the

[Mrs. Campbell]

impact of good telecommunications. More teleworking, teleshopping, distance learning and, perhaps, more health services delivered over a telecommunications system could reduce the need for travelling. Sometimes putting in a broad-band network instead of building a road might be a good investment.

I am delighted to support the Bill, and I wish it every success. I congratulate again the hon. Member for Ceredigion on promoting it.

10.17 am

Mr. Matthew Taylor (Truro and St. Austell): I start by congratulating the hon. Member for Ceredigion (Mr. Dafis) on his Bill. He has a proven track record as a champion of the environment and he has pushed the green agenda forward in this House. Indeed, the hon. Gentleman was the first to promote the original version of this Bill back in 1994. My hon. Friend the Member for Bath (Mr. Foster) got the Road Traffic Reduction Bill into law last year. Sadly, the then Conservative Government allowed it only at the cost of the removal of any national traffic reduction targets.

The Bill reintroduces the principle of targets, which have the support of Liberal Democrats as they have had from the start. This is an important Bill, and I am delighted to see the overwhelming cross-party backing that it has received—although given that the hon. Member for Christchurch (Mr. Chope) seems to prefer a car allowance to a cycling allowance, I am not altogether sure that the support is as cross-party as I thought.

Parliamentary, political and pressure group support is only part of the story. The public have also played their part. Women's Institutes, parish councils, Churches and many individuals have taken up the cause. An NOP nationwide survey recently found that eight out of 10 people agree that the Government should set targets for reducing traffic. That said, I am not under any illusions, and I do not think that other hon. Members are. Almost everyone wants less traffic, but few people feel that they personally should use their car less. I shall address that point later.

I emphasise that change is not only desirable but unavoidable. If we do nothing, the Government's theme tune would have to become, "Things can only get worse". With car ownership expected to rise by as much as 40 per cent. by 2010, clogged city roads will become increasingly frequent, with jams and halts. Many motorways—not least the M1—are already at capacity, and often beyond it.

We may not even be able to park. In Truro, a recent residents parking scheme had fewer than 200 spaces for 600 residents because the terraced streets had no room for more. Currently, demand for spaces equals supply, but as young drivers grow older and can afford the cars that many older residents have never had, not only will streets be jammed when people want to drive, but there will be nowhere to park when they want to go home. Short of bulldozing attractive traditional terraces, there is no technical quick fix or miracle cure for congestion. Whatever we may say about air pollution, we can all imagine the potential for curing it. There is no avenue to a simple solution for congestion. We shall have to learn to love our cars a little less and use public transport very much more.

Like many hon. Members, I have heard the concerns of the British Road Federation, car manufacturers, the Road Haulage Association and many others. The interesting thing is the change that has taken place every time that I have spoken to them in the past few years. Now, almost none of them argues that nothing needs to be done. Instead, they concentrate on more practical points: economic damage, unrealistic targets and possible social injustice. It is our job not only to present the counter-arguments—although 24,000 premature deaths a year and 6 million children at risk from the volume of traffic should be reason enough—but to take account of those real concerns as we approach solutions.

On social justice, we must strongly refute claims that in some way the poor will pay disproportionately for road traffic reductions. Nothing could be further from the truth. Almost one third of households do not own cars. The majority of them comprise people who are poor, sick, disabled or elderly. How can reductions in road traffic, combined with improvements in public transport, disadvantage such people? Road traffic accidents and the pollution caused by traffic fall disproportionately on poor children in inner cities. Children in social class V are at a five times greater risk than children in social class I. Policies to reduce unnecessary car traffic, such as road charging in city centres, reforming company car incentives or air pollution fines, to fund clean, reliable, quick and safe public transport, will bring clear benefits to all, but especially to the poor, sick, disabled and elderly.

On economic cost, we should remember that road traffic already costs us £20 billion to £30 billion net a year, including road building, health service costs and the price of traffic congestion. It will cost us vastly more if we sit back as motorways and city centres grind to a halt as traffic increases. No business will benefit if Baroness Thatcher's great car economy turns into a great big traffic jam.

Those vast costs do not complete the picture. They do not include the loss of quality of life or the fact that children cannot play outside because of the dangers of traffic. Increasingly, they cannot walk to school because their parents are concerned for their safety on busy, congested roads. Each night, more than 60 per cent. of the British population lives with noise levels above the upper limit set by the World Health Organisation.

Although the Bill is designed to cut traffic, as the hon. Member for Ceredigion said, it is not an anti-car Bill. I like my car at least as much as the next person. Car ownership will probably continue to increase. The Bill does not prevent that, but it is consistent with Liberal Democrat hopes for people to have the choice and incentives to use their cars less.

Although many people need cars, that is not always the case. The hon. Member for Cambridge (Mrs. Campbell) gave a good example. Representing a large rural constituency that can take a couple of hours to drive across, the idea of doing the job on a bicycle is not as appealing as it may be in Cambridge. I have another example, not unlike hers. Some friends sold their car because, living in London, they mostly used their travelcards to get about by public transport for work and leisure. In London, that opportunity exists. Of course, they needed a car sometimes but they worked out that they could take a taxi or hire car for every such trip far more

cheaply than paying depreciation, maintenance, tax and insurance on a car that would on most days sit unused outside the house.

There is a not uncommon twist to that story. Recently, my friend got a new job. He got no help with his travelcard, but a brand new company car. My friends now have every incentive to travel by car with the taxpayer's assistance because the more miles travelled, the bigger the tax break. Why are company cars tax allowable whereas travelcards are not? Why is it that the more one drives, the better the tax breaks? That madness has to stop. We need only ask any accountant. The year-end trip to Edinburgh to up mileage for the tax break is nonsense in terms of any rational policy, including from the viewpoint of Treasury funds.

As more people have cars, the more the assumption that we all have cars is built in, whether in respect of shops, work or leisure. The Bill is about the realisation that the greater our dependence on the car, the less choice we have. The hon. Member for Cambridge asked why home delivery has gone. It is because shops assume that we have cars to put our shopping in and that there is no longer a demand. For people who do not have cars, that is a lack of choice and a real problem. For them, the reality is increasingly that we are building in no choice at all. The more we build our lives around cars, the more we need them until we become slaves to the car.

I am delighted that the Government now support the Bill, albeit with a clause that appears to be designed as a possible let-out. I hope and believe that they will not use it and that their support, agreed this week, is a sign of things to come in the transport White Paper, to which we look forward with increasing interest.

Mr. Tom Brake (Carshalton and Wallington): While welcoming the Bill, does my hon. Friend regret that it contains no firm targets? Road traffic reduction has to play a major part in hitting the Government's target for CO_2 reductions.

Mr. Taylor: I agree, but I also understand that such things have to be negotiated. I hope that the Government will produce targets soon. I understand that that is likely in the White Paper, although nothing is finalised. We will certainly hold them to that. In the climate of tough decisions on lone parents or disability benefits, there are no excuses for not being brave enough to produce policies and targets to curb traffic and improve public transport.

Most of the work to deliver road traffic reduction will be local. To do it, local councils need the active co-operation of central Government, including the power to control congestion and to raise revenue to invest in the local transport packages that are the route to road traffic reduction. Without the revenue, nothing can happen. Without the revenue to improve public transport, there really would be a question about social justice, let alone practicality. The powers should include the possibility of urban road pricing and the taxation of non-residential parking spaces. The news reported this week that local traffic-related fines may be earmarked for public transport would be an excellent first step. The Liberal Democrats have urged it for many years. If the Government are doing that, it is welcome.

As a representative of a rural constituency, I wish to consider the very real concerns of rural people. Rural areas have higher levels of dependency on cars than urban areas. In recent years, they have experienced a steady decline in the provision of public transport and rural shops, schools and health care facilities. Increasingly, that has made the car a necessity for many. The closed rural school in one village forces people to drive to the next village or town to get their children to school. The closed local village shop forces people into town to do their shopping. The increasing provision of factory sites, which is based on the assumption that people will have to travel there, forces people into the car to get to and from work. To change that, rural areas need financial help to support small local schools, post offices and cottage hospitals, so there is less need to travel. We all have to understand that there is a cost attached to that and the Government need to acknowledge that in the allocation of funding.

It is not all cost—the planning system can help by bringing together facilities such as rural workshops on the edge of villages and making sure that there are safe routes to schools, rather than designing in the need for extra car trips. That said, this year's big cuts in Government funding for local councils do not help. They are certainly the result of inherited Conservative spending plans, but they are leading now to the loss of almost half the bus services in Cornwall and of student transport in Devon. Part of the answer in rural areas, as in urban areas, will be to find the funds for increased public transport investment. That will especially help those who, too often, are forgotten—those who have no access to a car at all—and the best way in which to do so is to unlock the funds from the car economy itself.

Whereas in many cities and towns, congestion forces us to consider measures such as road pricing and much greater use of improved public transport systems, in rural areas, there are still free-running roads and there will never be the access to public transport that can be available in cities. However, we can still discourage unnecessary car use and pollution and help people to afford the transport they need. For example, less than 3p extra per litre of petrol could fund cutting the annual car tax from £145 to only £10 for cars up to 1,600 cc—that is, two thirds of cars on the road. That would encourage everybody to own smaller, less polluting cars and so would tie in directly to cutting pollution. We have to ensure that we can enforce pollution targets and, at the moment, car engine size is a good indicator of pollution levels.

The tax cut would allow a typical car owner to drive more than 20,000 miles a year before the tax saving was outweighed by the petrol rise, although every time people drove, they would be that much more aware of the petrol they bought. An elderly person relying on a small car, but doing low or even average mileage each week, would be far better off. Indeed, finding £145 in one lump or even paying that sum in two tranches is difficult for people on low incomes, so not only would such people make savings, but they would find it easier to pay as they go. The gas guzzlers would pay more—as they should; it is not wrong or unreasonable to ask that of them. They would always have the option of changing their car and I hope that they would.

Different policies for rural areas from those for cities are appropriate in some cases, but everyone has a part to play—it just takes imagination and a little policy courage. In 2001, it will be the 200th anniversary of the first vehicle to run under its own power. Contrary to popular belief—this is not a Cornish yarn—it was invented by

[Mr. Taylor]

the Cornishman Trevithick, as was the train, although the subject of the wrong face being on the back of the £5 note is one for another debate.

Mr. Dafis: It is worth mentioning that the first run of Trevithick's train was made in Wales.

Mr. Taylor: Celtic honours are shared—I shall leave it to the English to defend themselves.

It is to the modern-day Trevithicks, whether in Wales, Cornwall or elsewhere, that we need to look for the ingenuity and enterprise necessary to solve the transport problems of today, with the support and guidance of a progressive and radical Government. I hope that that is what the Government will prove to be in respect of this issue and, if they are, they will have our support.

10.33 am

Ms Joan Walley (Stoke-on-Trent, North): I shall be brief, because I know that many hon. Members wish to participate in the debate. I am delighted that my hon. Friend the Minister is giving her full support to the Bill and that there is all-party support for it. This is clearly a debate whose time has come. Today, we need to move on, away from rhetoric and towards putting our words into practice. I am also delighted that the whole principle of road traffic reduction is to be incorporated into our policies on sustainable development and integrated transport. I pay tribute to the hon. Member for Ceredigion (Mr. Dafis), who has put so much effort into ensuring that that principle should underpin our road and transport policies and who has brought his Bill to this stage today.

I am conscious that the early-day motion tabled in my name now has 425 Members of Parliament supporting it, which shows that across the country, there is now wide support for this issue. Members of Parliament do not really support issues unless they feel that demand to do so is coming up from grass-roots level. There is an enormous groundswell of support among people who would prefer to work in partnership with the Government, local authorities, business and everyone who has a stake in this issue, rather than have to resort to some of the terrible examples of direct action that we have witnessed against a road-building programme that was underpinned not by the principles of sustainable development, but by the idea that all we had to do was predict what would be needed and then go ahead and provide it. We now have a principle that will underpin our transport policy and will allow us—at long last—to implement the integrated system that we have needed so badly for so long.

I remember speaking at a large conference across the road in Central hall when we were trying to get support for what I shall call phase 1 of this Bill—the Road Traffic Reduction Act 1997, which ended up applying only to local targets, rather than to local and national targets. That happened entirely because the previous Government refused to support the issue at national level. How can we have a policy of integrated transport when it is possible to require, with good will, local authorities to restrict traffic and consider ways in which to get traffic moving locally while, at national level, we have a national road programme that pours traffic into local areas? Whatever local authorities may want to do, they have no control over the national policy that completely undermines their attempts to address the problem. I regret that this Bill, when it reaches the statute book, will have been legislation in two stages. Although the Government are now consulting on how to implement local road traffic reduction measures, local and national road traffic reductions could have been implemented simultaneously—and they should have been, because the two have to go hand in hand.

One of the problems facing us and one of the challenges facing the new Government is how to incorporate the Bill into our integrated transport policy. How is that to be done, given that there is already a head of steam building up in the current reviews of sustainable development, integrated transport, fiscal policy and so on? There are a series of policy decisions that are currently out to consultation, such as local structure plans, which are being prepared in my local authority of Staffordshire. We are already some way down the road toward completing a series of initiatives that will set us on a policy track for the next five or 10 years yet, with the best will in the world, the Bill will not be on the statute book in time for it to underpin all that is currently happening.

My point is that, although we have accepted the principle and the Government are going to make it part of our integrated transport policy, we are not quite there yet—we are in a period of transition. We have to work out how to change the direction of the oil tanker of policy which, regrettably, has been set on the course of how to build new roads and wider roads, but which must now be turned towards the sustainable policies that we have been discussing today. Those policies would give local authorities the opportunity to introduce safe routes to and from schools and to consider the multi-modal opportunities for road, rail, cycling and walking. It is a question of horses for courses and recognising the social needs of rural areas which, I agree, we must address.

We must consider how to move from our current journey to another that will allow us to have a sustainable transport policy, with the overarching principle of doing the right thing for our planet and meeting our Kyoto commitments. That is a challenging prospect; it will take great courage from Ministers and Secretaries of State to ensure that all the commitments that my right hon. Friend the Deputy Prime Minister so willingly gave at yesterday's Environmental Audit Committee can be met.

There is one area where there will be pitfalls and I hope that the Government will consider it closely. I refer to the way in which the current trunk road assessment, currently being considered at ministerial level, will fit into our integrated transport policy. I want to ensure that that trunk road assessment considers procedures based on sustainable development—which make assessments of how we predict and provide—and not on the old systems of appraisal and methodology. It is vital that that happens.

We have already had an interim road review which gave us, back in June and July, a limited road-building programme. It is not a secret that I objected to some of the outcomes—that is on the public record. We now have a further interim review which is to consider policies and spending principles for the next five years. I want us to ensure that when the outcome of the interim review of trunk roads is considered—whether that involves roads or road widening—the principles of road traffic reduction, which we have accepted and which we know will eventually come on to the statute book, relate to what is

currently happening. We should consider how transport policies, not just roads, could meet our needs. That will be a major challenge, but I have every confidence that the Government will be able to come to terms with it and to decide how to make progress.

There is underinvestment in all our transport facilities in my area of the west midlands. At a local level, the city engineer and the city council want to provide many facilities, such as the local crossings that people want; they want to invest in safe routes to and from schools and to promote essential changes on safety grounds to roads and roundabouts to ease the multi-modal approach. However, as a result of the previous Government's spending restrictions, which have been carried over, they do not have the money to carry out those improvements on the scale that they would like.

Across the region, owing to privatisation, railway stations and services have been run down and we do not have direct links to the Manchester or Birmingham airports.

Mr. David Heath (Somerton and Frome): The hon. Lady is quite right to make that point; so many small stations could be either used to a greater extent or reopened. The Great Western railway goes through my constituency; 125 trains run from top to bottom, but hardly a single one stops in my constituency. There are, however, a string of towns that could be provided with a rural stopping service; it would connect to mainline stations and reduce much of the traffic in the early mornings.

Ms Walley: I could not agree more; our local railway stations could be used and developed far more. Anyone who, like me, has spent 10 years writing to the various sections of British Rail—and, now, the privatised industries—trying to make use of local integration to catch trains from local stations and to access the InterCity European connections will know that those issues always become someone else's responsibility. People will feel as frustrated as I do that we are not making the best use of the facilities that we have. In order to do so, a partnership must exist between all those with a stake in transport.

I am reminded of a meeting about the west coast main line, the railway route from Glasgow to Manchester and London, which I attended last Tuesday. It was attended by Railtrack and by Richard Branson of Virgin railways. At that meeting, many Members of Parliament said that we needed to invest. Investment is needed, not just for the west coast main line and the quick routes into London, but for local railway stations, wherever they might be, to get from A to B to C, and not just from east to south to north to west.

I was recently in Switzerland, and I could not believe the integrated transport system that operates there. Not only are local railway stations used far more efficiently, but one can book in with Swissair, have one's luggage taken and checked in at a local railway station, which may be in the middle of nowhere, and have it directed to Heathrow airport or wherever the destination may be. That is integrated transport and railways are part of it.

Instead of simply considering which roads are needed and which routes they should take—in the west midlands, for example, the recommendation to widen the M6 will probably go before Ministers—we must consider which transport changes are needed. We could transform the choices available to people if only we could consider all the transport options and deal with them in an overarching way so as to provide horses for courses. We have just heard about deliveries by horses and cart horses, but we must not put the cart before the horse; we must look to see what is needed. If it makes sense to go by foot, to cycle or to walk, that is what we should do.

We must consider how freight is transported so that industry does not complain about the cost of congestion, but looks at the different multi-modal methods of transport—whether using coastal shipping or inland waterways, or providing better access to freight depots. I would love to see the freight depot at Longport in my constituency used more; I would love some of the £600 million or so that is being considered for widening the M6 motorway to be used for developing opportunities for freight transport instead.

We are in a period of transition; I am sure that we shall arrive at our destination. As we continue on our journey, even more opportunities and options will arise, and people will be more inclined to accept them when they see all the benefits of reducing the health problems and delays caused by our over-emphasis on road transport and its development. We are in a transitional stage; many improvements have been made, but not enough.

The challenge for the Government—I am sure that they will address it—is how to deal with all the interim decisions that could lock us into a way of developing our transport infrastructure that was not sustainable in the long term. I urge the Minister when she replies to take account of the genuine concerns that the trunk road interim review has caused. That review must be seen to be driving us towards sustainable development, not locking us into road routes.

10.48 am

Mr. Christopher Fraser (Mid-Dorset and North Poole): I am pleased to be able to speak in today's debate. The Minister will remember that last November we had an Adjournment debate on the subject of Poole harbour bridge, during which I made a contribution. Members of Parliament representing Dorset were able to highlight the various issues of concern to us, especially the harbour crossing and how it affects the traffic infrastructure. I am sure that the House will forgive me if I use my contribution today to highlight the issues that are of great concern to my constituents, both personally and in the business community.

My constituency is an interesting mix of urban development around the outskirts of Poole, including a large industrial base, and the rural economy of mid-Dorset.

We are also affected by tourism—we live in an area of outstanding natural beauty on the isle of Purbeck, and Wareham forest—and in addition we have to cope with the demands of traffic generated by Poole harbour.

The Road Traffic Reduction Act 1997 makes clear the requirement on local authorities to prepare reports relating to levels of road traffic. It deals with forecasting, not reduction. I believe that it is too soon to assess the impact of the 1997 Act; we do not know yet what its impact is. More legislation at this stage may confuse the issue. We also await the Government's proposals on an integrated traffic policy. I am afraid that the Bill could put the cart before the horse.

[Mr. Christopher Fraser]

Unfortunately, targets alone do not reduce traffic volumes; specific initiatives will have to be undertaken, such as restrictions on car usage and motoring taxes. I fear that restrictions on the use of the car which are appropriate in one area will be wholly unacceptable in another. I cannot see where the Bill takes account of that.

Local needs and circumstances must be paramount. My constituents may have priorities different from those of the hon. Member for Ceredigion (Mr. Dafis), who introduced the Bill.

The Bill—published, I believe, so late this week—has been the source of a massive lobbying exercise. I have been amazed by the scale of communication that I have received. I received letters about the Bill from Friends of the Earth, the Green party, the British Road Federation and, ironically, the National Union of Students.

I must tell the House that there has been a great deal of anxiety about the Bill locally; I shall return to that in a moment.

Mr. Dafis: As the British Road Federation has been mentioned, it is worth placing on the record an extract from a letter that I have seen from Paul Everitt, deputy director of the British Road Federation. He says:

"I am pleased to see that many of BRF's concerns have been addressed, particularly the removal of specific targets and the recognition that transport policy is about more than traffic volume."

Then he says that he believes that the White Paper is the most appropriate mechanism, and continues:

"It is now up to MPs to decide whether this is an appropriate piece of legislation."

I think it is fair to say that the outright opposition of the BRF no longer exists, and that there is a recognition that the Bill has addressed many of the concerns that it had.

Mr. Fraser: I did read that letter and information that I was given, and I shall shortly mention some of the things that I would like to happen.

The Bill, as it stands, intrigues and concerns me. I am sure that it has the support of many of my hon. Friends.

Mr. David Lepper (Brighton, Pavilion): Will the hon. Gentleman give way?

Mr. Fraser: Not at the moment. I am sorry; many of my hon. Friends want to speak.

However, before the Bill can come anywhere close to gaining my support—I speak positively—I need some clarifications, assurances and amendments. I hope that some of those will be forthcoming this morning.

At the core of the Bill, as laid down in clause 2(1), is the duty of the Secretary of State to

"set and publish . . . national targets for road traffic reduction in the United Kingdom."

I support the aim of reducing road traffic, but I question the concept of "national" targets.

Clause 2(2) states that

"The Secretary of State is not obliged to specify targets under subsection (1)".

How are those two subsections to be reconciled?

I welcome many of the criteria laid down in clause 2(3). Some of the factors that the Secretary of State must bear in mind are to be welcomed—greenhouse gas emissions, effects on air quality, effects on health, congestion, and danger to other road users—but will the Minister tell us what "other social impacts" means?

Mr. Lepper *rose—*

Mr. Fraser: I repeat that we support the concept of road traffic reduction. Indeed, it was the Conservative party that, before the most recent general election, passed the Road Traffic Reduction Act 1997. However, the critical difference is that that is focused on local, rather than national, targets.

As we are told every day by the Government, this is a nation of regions—a nation of localities. Does it not seem odd that, when there is to be devolution for Scotland and Wales and when we are discussing the possibility of an assembly for Northern Ireland and regional assemblies, we should now be considering the idea of national targets for road traffic?

Several very important points need to be answered. How will the reduction targets be set? Will the criteria be published? Will the different factors to be taken into account be weighted, and on what basis? Most important, if we are to have national targets, how are local factors to be taken into account?

In my constituency, we have two, potentially conflicting, areas: the urban area of North Poole and the rural Mid-Dorset. My constituents suffer from congestion caused by a lack of adequate roads, especially around the area of Poole harbour. That also has an adverse effect on local business. Before any traffic reductions are made, numerous transportation activities must be put in place.

To put it simply, to reduce congestion, there is no alternative to building the Poole harbour crossing, with the extension of the A31 link, and an upgrading of the A350 north, which is currently dangerous and inadequate for its purpose. There will be deaths on such roads—an issue that was mentioned earlier—and deaths will increase. I shall find it very difficult to explain to my constituents if the Government do not honour past commitments to upgrade the road infrastructure in my constituency.

In other parts of my constituency, the idea of reducing traffic is treated with incredulity. In the more rural areas, people ask what alternative there is to their car. Young mothers and elderly people have no alternative, and I can tell the House that they feel very bitter that their very limited use of the car becomes more and more expensive as the Government try to penalise car use in their pursuit of an urban agenda.

In Dorset, we have an enormous amount of tourism in the Purbecks, and I accept that there are far too many cars. The road system is also wholly inadequate. A bypass for Wareham has been planned for many years. Only by local consultation shall we achieve the best result for those living in the area.

My fear is that national legislation will not overcome the problems that confront us. Until now, the local environmental habitat has taken precedence over the quality of life of local residents, to the extent that the local authority has put forward a plan that would effectively cut

off the Northmoor Park part of Wareham, and split the town into two. That is wholly unacceptable to the town, and to the local economy.

On one hand, we have the "Wareham ahead" project, looking at regeneration of the town, and on the other we are splitting the town into two, ensuring that half the residents will have to use the larger port town of Poole rather than the one in which they live. I believe that that is contrary to what the Bill was designed to achieve.

Mr. David Drew (Stroud): In all the hon. Gentleman is saying, in his attack on national targets, surely he has missed the important point—that local authorities must take account of travel-to-work areas. The difficulty is that travel-to-work areas are not coterminous with their local authority boundaries, so there is a need for some recognition of a wider sphere of influence. I am sure that the hon. Gentleman will recognise that.

Mr. Fraser: I hear what the hon. Gentleman says. When I speak about the local authorities later in my speech, I shall mention some aspects that need to be recognised.

I believe that, although of course local people would welcome road traffic reduction, they would not necessarily do so if it were done in the form proposed in the Bill. The Bill, as it stands, will not ease traffic volumes and congestion in my constituency. As I see it, a balance must be achieved, and that can be done only on a local basis, with the knowledge of the specific problems faced by those who use the roads and those affected by them.

What would be the result on the local economy if tourists abandoned the Purbecks? How can national targets address that? It must be a question of traffic management by the local authorities, which are charged with the responsibility of setting the agenda, which understand the priorities and can balance the often conflicting needs of an area. In Dorset, we rely on the visitors but want to manage them when they are there. It is a local management problem, which I believe must be dealt with locally.

Mr. Dafis: I am sorry to intervene a second time. Many of the things that the hon. Gentleman says make sense, but I emphasise that the Bill provides a broad framework at the United Kingdom level which enables enormous flexibility at local level. It even makes possible an increase in traffic growth in certain areas, which can be counterbalanced by significant reductions in large urban areas. The Bill is flexible, but we need an overall strategy to make local action meaningful in the broader context.

Mr. Fraser: I thank the hon. Gentleman. I did say at the start of my speech that I wanted to address certain points that had been put to me, and I am trying to articulate those to the House today, so that they are understood.

What about heavy goods vehicles? The A305, the Blandford road, is a nightmare for those living near it. Residents want weight restrictions to be imposed so that lorries bound for the port of Poole use a preferred route, which is longer, but many local companies are located on that road, so any restriction would be difficult to police. The road falls into the area of two authorities—Dorset county council and the Borough of Poole unitary authority. One supports the weight restriction and the other opposes it, both for entirely justifiable reasons. Which is right? How would a national roads policy balance those arguments?

Many heavy goods vehicles head towards Poole harbour, which is a gateway between the continent and the north-west of England, Wales and Ireland. The current port facilities could handle twice the present trade, but the road system could not. How would a national traffic reduction target address these issues? Would precedence be given to the road freight that thunders past my constituents' front doors, or to the people of Mid-Dorset and North Poole who understandably believe that an enhanced road system is the only answer to their misery? All these issues can be dealt with only locally, not by setting national targets.

I suppose that the key question is as follows: why does the hon. Member for Ceredigion, who is no longer in the Chamber, feel that he is in a position to impose constraints and solutions that he thinks may be appropriate for his constituents whereas they will not be appropriate for mine? How does the hon. Gentleman propose to reassure my constituents and those who are running local businesses, who express so much concern over the possible implications of the Bill?

Will the hon. Gentleman tells us how national targets are to be achieved? Where is the detail that would inevitably have to follow the passing of the Bill? If extra duties were to be placed on local authorities, who would pick up the bill? What happens if the targets are not met? What consultation has the hon. Gentleman undertaken with rural business in drafting the Bill? I wish these questions to be answered.

Ms Walley: An important factor to bear in mind is that industry and business do not benefit from congestion and bottlenecks. Perhaps I may speak on behalf of the hon. Member for Ceredigion (Mr. Dafis), who is back in his place. It is important that there should be a partnership and full consultation within a framework so that what is right in Poole can be worked out in conjunction with all those who have a stake at local level. It is only right that national Government should provide that framework, something towards which my hon. Friend the Minister has done so much work.

Mr. Fraser: I thank the hon. Lady for her comments.

I do not wish to sound negative, although Labour Members may think otherwise. However, as the Bill stands, I believe that it will not help to solve the problems that it seeks to address. Indeed, quite the reverse. The Government have yet to implement the 1997 Act, yet more legislation is proposed.

There is much more that we can do before legislating again. I ask the hon. Member for Ceredigion and the Minister what consideration they have given to road pricing, managing traffic flows, use of new technology and compelling local authorities to examine the increased use of park-and-ride to reduce town and city congestion. In Dorset, we have a wonderful scheme in Swanage where a steam railway has been recommissioned. It is most effective. It will be extended to Wareham. I would like that sort of approach to be considered carefully in the context of the Bill.

[Mr. Fraser]

Has consideration been given to making increased use of the private finance initiative in the public transport sphere? What has been done about increasing the rate of grant for transferring freight from road to rail?

There is so much that can and should be done to tackle the problems that we face. The Bill needs to contain some of the measures that I have outlined before I can see it succeeding.

11.3 am

Mr. Steve McCabe (Birmingham, Hall Green): I congratulate the hon. Member for Ceredigion (Mr. Dafis) on introducing the Bill. As we have heard, the Bill is effectively unfinished business. It is about restoring the teeth that were drawn from the Road Traffic Reduction Act 1997 in an effort to achieve parliamentary consensus so that it might take its place on the statute book. That was done during the death throes of the Conservative Government. We are no longer in that situation because we have a Government with a substantial majority and a clear mandate to govern. We have a Government who are committed to developing an integrated transport policy and setting a direction for transport for the new millennium.

If we are honest, we all know that good words and good intentions are no substitute for clear and measurable targets that lead to deliberate outcomes. We know also that consequences flow from non-action. If we are not positive, we risk the equivocal support that we have just heard from the hon. Member for Mid–Dorset and North Poole (Mr. Fraser).

We are told that road traffic congestion is costing business about £20 billion a year and that about 15 million people suffer from ill health as a result of traffic fumes. We know also that almost every primary school class in the land has an array of Ventolin inhalers alongside the lunch boxes and satchels. As we have heard, children from the poorest sections of our communities, where car ownership is at its lowest, are most at risk of being mown down by the private car. No sane or decent society and no national legislative body can continue to turn a blind eye to these matters.

I understand that some people will argue that any sane and sensible measure to restrain traffic constitutes an anti-car measure. I represent a Birmingham constituency and I am not anti-car. I want the motor industry to thrive. At the same time, I want it to build cleaner, safer and more secure vehicles. I want it to recognise that there is a future in designing both on-board and external telematics and using other technology to enable it to produce the cleaner and more efficient cars that we want. I want people to buy cars, but I want them to use them much more selectively.

About five or six years ago, Birmingham city council contemplated a plan to build three major dual carriageways to accommodate projected traffic growth within Birmingham. That scheme would have resulted in the demolition of business premises and people's homes, including many in my constituency. The building of the dual carriageways would have accommodated people from outside the area who wanted to make through journeys to the city centre.

Not surprisingly, the local population and the business community rejected the proposal. Closer examination of people's real travel patterns and desires revealed the need for very different measures from the road building that was proposed. It was found that most journeys within the corridor were less than two miles. It was found also that they could be accommodated by better provisions for pedestrians, cyclists and buses. The end-to-end journeys to the city centre are made by people who invariably drive into the city and create the morning peak. They park their cars all day in cost-free company car parks or deprive shoppers of access to public car parks. They drive out of the city in the evening, creating another bout of congestion, leaving in their wake road accidents and pollution. These people do not live in the area that is affected.

Ms Tess Kingham (Gloucester): Does my hon. Friend agree that one reason why women in particular are buying cars and using them more frequently is that they are concerned about their safety when using public transport? If we are to develop an integrated transport network and encourage people to use public transport more often, we must bear it in mind that women have particular needs, including safety, when using public transport. Often women drive into city centres because they are concerned about their safety late at night. They are concerned also about not being able, because it is not available, to use public transport to travel to areas that they wish to reach.

Mr. McCabe: My hon. Friend makes an excellent point. I thoroughly agree with her. One of the clear messages is that if we are to encourage people to use their cars more selectively, we must provide reliable and secure public transport so that it is a viable option.

The issue in south Birmingham is that the people who would suffer the pollution, the demolition of homes and businesses, and the excess traffic are not the people who will use the road; it would be used by people from elsewhere.

The experience of south Birmingham shows that we do not automatically need to build to accommodate traffic growth. We need to learn more about the nature of people's journeys, and design transport policies that readily accommodate the journeys that people want to make. We need to look at various options that will help people, many of which have been mentioned today.

We must clearly encourage companies to make greater use of green transport plans. That will avoid the need for commuters to plough through other people's residential areas and churn up their environment. I agree with the hon. Member for Truro and St. Austell (Mr. Taylor) that the taxation of free company car parks is long overdue.

As was pointed out earlier, we have a great deal of spare rail capacity, which could accommodate commuters who want to make the kind of end-to-end journeys to which I referred.

In the context of the Bill, we should recognise that the United Kingdom has a relatively good record on road safety. However, it was only when we established clear accident reduction targets that we started to make significant progress in road safety. Targets to restrain traffic growth are of exactly the same order. I am not particularly concerned today about the specific targets that the Government will eventually determine, although I find

the simplicity of the Friends of the Earth targets of reductions of 5 and 10 per cent. on the 1990 levels attractive.

The crucial point is that we must set a framework in place. We must be clear that we need targets that everyone will work towards. The alternative to such decisive action now is that we continue to equivocate and allow people to suffer unnecessary ill health, cause businesses to lose money unnecessarily, and damage communities that could thrive with alternative transport systems.

11.12 am

Mrs. Caroline Spelman (Meriden): I am pleased to contribute to the debate, especially as my constituency is one of those most criss-crossed by the motorway network. Meriden in the west midlands has the M40, the M42 and the M6 running through it. Some of the most congested sections of those motorways pass through a narrow section of green belt between Coventry and Birmingham. Issues of pressure on land use are therefore acute in my constituency.

I should make it clear at the outset that our intention is not to oppose the Bill but to raise concerns in a way that would strengthen and finesse the measure before us.

I concur with the view of the hon. Member for Birmingham, Hall Green (Mr. McCabe) that a more realistic target would be the restraint of traffic growth. The national road traffic forecasts into the next century predict a 38 per cent. increase in traffic by the year 2016 and a 60 per cent. increase by the year 2031. That is a daunting prospect, which emphasises the need for measures to restrain that level of growth. I am concerned about whether targets will achieve that, without specific measures behind them.

There is no denying that many of our major motorways and trunk roads are heavily oversubscribed. I have looked into the weighting on our motorways in Meriden. The M42, which was built to take a capacity of 70,000 vehicles a day, now takes 120,000 at peak times. The section of the M6 in the constituency of the hon. Member for Stoke–on–Trent, North (Ms Walley) was built for approximately the same capacity and is taking 140,000 vehicles—double the number that it was originally intended to take. We cannot ignore the serious implications of that.

I applaud the Government for the roads review, in so far as it allows us to stand back from the difficulties of our congested motorways and recognise that, in the case of the M6 and the M42, severe environmental consequences flow from simply widening those motorways. I make a plea to the Government to undertake a study of the issue. Adding lane capacity to motorways may provide a short-term solution, but as acres of green-belt land go under tarmac—for ever, probably—there may still be congestion at the traffic nodes, as a result of the extra capacity flowing down those lanes.

An example is the widening of the M42 from junction 3A to junction 7. The main problem, however, is the motorway node between the M42 and the A45, which has Birmingham international airport on it and the national exhibition centre, both of which sites have recently been expanded. Only yesterday I had the good fortune to attend the topping-out ceremony at the extra exhibition halls at the NEC. It does not take much to realise that extra exhibition halls mean extra visitors, extra traffic and extra parking.

I appeal to the Government, when they examine the issue of traffic reduction, to consider the subject of integrated land use. We cannot discuss the use of roads in isolation. Integrated transport systems must take account of land use on the surrounding land.

A further aspect of the Bill that should be highlighted fortunately falls into the area of responsibility of the same Minister, now that we have a new mega-Ministry, the Department of the Environment, Transport and the Regions. Planning and housing come under the same Department. Road traffic use is a vital consideration when new housing is built. Current national building targets envisage an additional 4.4 million homes. The great question is where such a large number of homes would be built. The location of that building will inevitably have a great bearing on the surrounding transport network.

In Meriden, there is great concern that there may be additional building into our green-belt area, which loads an already congested motorway network. The Conservative party is strongly opposed to the erosion of countryside and green belt. I urge the Government to consider the matter carefully. We were alarmed by the expression about the green belt being up for grabs. I am sure that that was just a throw-away remark, but the location of future new housing is an extremely serious matter.

I make a modest plea on behalf of the motorist. Most of us in the Chamber are car owners. Only a few of us manage to find other solutions in exclusively urban settings. It is important for the success of the initiative to reduce the rate of traffic growth that we decide whether to use carrots or sticks. If motorists are to be discouraged from taking their vehicles to work and parking in an urban setting, there must be adequate parking facilities at the point from which they could take public transport. I shall illustrate that with the problem that my constituents face. There is a reasonable main line and there are short-distance commuter networks from the Meriden constituency into Birmingham and Coventry, but parking facilities are often woefully inadequate. I know from my experience of canvassing during the election campaign that the railway station car park at Dorridge, which is the centre of a suburban community, is full by 8 o'clock in the morning. The surrounding roads have just had yellow lines painted on them, so it is now difficult for residents of Dorridge and the nearby areas to use the railway station. We need to consider car parking arrangements.

I regularly use the west coast main line to travel to Westminster. The service is of great assistance to me and my constituents as I deal with a great deal of my correspondence on the train. However, parking at Birmingham International railway station is extremely difficult, although the car park there was extended fairly recently. The local, practical reasons for the problem illustrate the way in which national traffic reduction targets often overlook local circumstances.

It costs only £2 to park indefinitely at Birmingham International railway station which adjoins Birmingham international airport. As it costs a great deal more to park at the airport car park, people going on holiday park their cars in the railway station car park. We should not overlook local solutions in our quest for an overarching policy. That is why we need to emphasise the role of local authorities.

[Mrs. Caroline Spelman]

Do the Government have any firm plans, as we read in yesterday's newspapers, for local authorities to have the ability to earmark or ring-fence money in respect of road-pricing schemes and improving public transport systems? I would be interested to know whether the Government are in favour of road tolling. The scheme for the Birmingham north relief road has now been accepted, and at the weekend I learnt about an interesting scheme in Leicester to control the flow of traffic into the city.

Mr. Andrew Reed (Loughborough): I know that the hon. Lady is aware of the road-pricing scheme in Leicester that was aimed at finding out how much it costs to price people out of their cars and on to public transport. The scheme provides a fast route from good car parking into the town centre. Is she aware that the experiment has revealed that motorists have to pay £6 to take their cars into the town centre before they consider using public transport? That is the dilemma that we face.

Mrs. Spelman: I was aware that a range of charges was being considered and I would be interested to know whether there are plans for other such schemes. If there are, I should like to make a plea on behalf of the retailers in the heart of the city of Birmingham who are concerned about the prospect of road pricing as they feel that it might deter retail customers.

Perhaps it would be useful to consider toll-free times and zones. There is no doubt that the heaviest congestion on the west midlands motorway network occurs around commuter times. Shoppers can arrange to travel to the city centre during off-peak times. I should be most concerned for the overall economy of the region if shoppers were deterred from supporting retailers in the city centre because they were penalised by the road-pricing system.

Where road-pricing systems operate on the continent, particularly in France, the local communities benefit from toll-free zones. The péage system on French motorways that pass close by major cities is often suspended at certain times. Local people have to put up with so much pollution, noise, nuisance and congestion that it would be hard for them to bear most of the burden of the cost.

I invite the Minister to tell us about some of the studies that the Government might be carrying out in relation to best practice elsewhere in Europe. The city of Zurich in Switzerland has managed to stabilise traffic growth, so it would be interesting to take a lesson from that major European city. I should also draw the Minister's attention to the success of the Umweltkarte in Freiberg in south Germany that has limited the access of heavy goods vehicles to city centres by introducing a scheme to encourage synchronised deliveries. Instead of several lorries travelling to the city centre each day, one lorry distributes to a variety of outlets. If that is too complicated, it is often possible to have a depot outside the city from which short-distance distribution facilities are arranged. That reduces the number of large heavy goods vehicles and their attendant pollution in city centres.

I should like to commend what the hon. Member for Ceredigion (Mr. Dafis) said about pollution. Although the subject is outside the remit of the Minister's Department, let me draw her attention to the health aspects relating to the composition of vehicle fuel.

We should re-examine the effects of pollution on health and the development of cleaner fuel. In that respect, British legislation has mirrored that in the United States. The removal of lead from petrol under the previous Conservative Government was a major success and represents an important contribution to the nation's health, but vehicle fuel still contains components that are detrimental to health. In the United States, progress has been made in the reformulation of gasoline—particularly the removal of benzene, which scientists tell us is just as carcinogenic as lead. Perhaps there is a case for taking another look at the health aspects of fuel composition as part of the general objective of the Bill.

The hon. Member for Cambridge (Mrs. Campbell) advocated the use of bicycles. I recall from my days in that city that the greatest danger to health was being run over by one. She drew attention to the pollution in Parker street in Cambridge city centre. I recollect that that is also largely due to the variety of fuel used by the public transport fleet—notably buses—as diesel fuel has a high level of particulates. Perhaps as one of the more general objectives of the Bill and our efforts to improve the nation's health, we should look again at the composition of fuel.

Finally, to return my point about land use in relation to transport, let me make a strong plea for the on-going study on the allocation of additional homes to different parts of Britain. Last Friday, I visited a wire rope manufacturer, Webster and Horsall, at Hay Mills in Birmingham. When the company was looking for more staff, it advertised for recruits who could walk to work. The factory's shift pattern and the availability of public transport meant that people coming from Chelmsley Wood in my constituency had to take at least two buses, and spent at least an hour and a half getting to work. That led to reduced reliability and many staff resorted to bringing their cars to work.

As part of the Government's strategy to provide new homes, I urge them to consider urban regeneration, not just for the sake of the urban economy but to benefit the country overall by relieving congestion on our arterial and commuter roads.

11.28 am

Mr. Hilton Dawson (Lancaster and Wyre): I am pleased to have the opportunity to speak in today's fundamentally important debate. First, I congratulate the hon. Member for Ceredigion (Mr. Dafis) not only on introducing the Bill but on his perseverance and persistence in the face of considerable odds in the past.

I am pleased that the Government are prepared to support the Bill, because that bodes well for the White Paper, which needs to be both radical and innovative and yet needs to attract a wide consensus of support. People should not confuse the Bill with the White Paper. The Bill clearly sets out a national framework for targets, but leaves a tremendous expanse to be filled in by suggestions and proposals in the White Paper, and by the work of local authorities and local people.

Nor should the Bill be regarded as anti-car or anti-road. It seeks to redress a crucial balance, but there is certainly no automatic implication that no more roads should ever be built or that we should move away from investment in the motor industry. Rather, we need to innovate and develop environmentally friendly and efficient vehicles and ways of using fuel.

When developing a framework, we must be clear that the needs of rural areas differ from those of urban areas. The Bill is about dealing with congestion problems and clearing road space for public transport, cycling and walking, and for innovative transport schemes such as low-energy vehicles that can service major shops and town centres. It is very much about safety and health, and about regenerating rundown areas, which is a fundamental part of the battle against poverty. As several hon. Members have said, one of the crucial factors about people living in poverty is that they suffer from the environmental impact of roads, from noise and pollution, which dramatically affects their quality of life and can affect longevity.

Rather than take a terribly cautious approach to the Bill, we should thoroughly embrace it. It is potentially extremely good, not only for the environment but for business. Town centres that adopted the radical traffic reduction measures that could result from the Bill could make themselves much more attractive places in which to work, to visit and in which to do business. Excellent opportunities could be provided for innovative industry and businesses to consider environmentally friendly ideas to create jobs and prosperity.

I am always pleased to talk about the city of Lancaster. I was delighted to hear the hon. Member for Ceredigion refer to one of my constituents, Dr. John Whitelegg, who is an eminent person in this field and with whom I have had many stimulating conversations. We do not always agree, but his views have influenced my thinking. Indeed, the other day the county surveyor exclaimed in surprise that I was beginning to sound like Dr. Whitelegg. I do not know whether that is a compliment to him or to me. Much of the work that Dr. Whitelegg has done over the years has been important and influential, and I hope that it will finally come to fruition in the White Paper.

Another reason why I want to discuss Lancaster is that it is an outstandingly attractive city, set in a beautiful area, and a thoroughly pleasant place to live. Unfortunately, it has a burgeoning traffic problem, which makes life extremely difficult. It has narrow streets that were never built for motor traffic, let alone the current quantity of traffic. Residential streets are used as rat runs by people trying to avoid congestion, but they pile up problems in their wake. Even when cars are not trying to move round the city, they are parked throughout it, which detracts from the grace and style of a beautiful historic town.

The residents of Lancaster also suffer from pollution problems, such as asthma, and all the difficulties that they bring. Moreover, as in every other city, the ultimate tragic contradiction is that some of the most dangerous places are outside schools. As it is dangerous for children to walk to school, parents take them in the car and the problem is compounded.

Lancaster is a place of ideas and innovation. It is a shame that my hon. Friend the Member for Cambridge (Mrs. Campbell) is no longer here because, rather than horses and carts, as she suggested, I recently tried out an invention called a "brox", which is a three-seater bicycle contraption. It has the supreme advantage over ordinary bicycles in that it has proper seats rather than saddles, and a large boot so that people can do their shopping. It is light and well geared, so that it can be taken up all sorts of hills. Given that everyone looks at me when I go round in it, I might use it for the next election campaign. I shall certainly be inspired to use it, given the news about the cycling allowance for Members. In some towns, the Post Office has started to use that sort of vehicle to make heavy deliveries to badly congested and polluted areas, and has been able to get over those problems.

Lancaster city council is progressive, and has introduced traffic calming measures, such as bus lanes. It has one of the best cycling strategies in the country and is working on green commuter plans and safer routes to schools. However, we need the impetus of a Bill such as this to set a national framework and national standards for traffic reduction. We need that push from the Government.

As my hon. Friend the Minister may be aware—our noble Friend Baroness Hayman, the Minister for Roads, is certainly aware of it—the Lancaster area needs some road development. Indeed, it is crucial in order to underpin a radical traffic reduction plan, which would involve the development of major transport interchanges that would bring together different modes of transport—trains, cars, hire cars, taxis, bicycles, light vehicles and lorries. Road pricing should be part of that radical traffic reduction plan. We should take a carrot-and-stick as well as a carrot approach.

There should be high-quality, regular, well-publicised public transport, with excellent information about when the next bus will come along and access for people with disabilities. I was amazed the other day when I was on a bus in Lancaster. Someone I know got on and said to me, "You shouldn't be on this bus. You're a Member of Parliament, you should be in a car." We should get away from the attitude that buses are for people who cannot afford cars. People should be seen on buses, and we should all get out this weekend and travel on buses, in order to make that point.

I look forward to the publication of the White Paper. I hope that there will be road pricing, with fiscal measures and hypothecation, to ensure that money from motorists goes directly into public transport schemes. People must see the benefit right at the point of delivery. There is scope for clamping down on company cars and providing differentials in road fund duty.

We need a new vision for transport. We have had some odd comments from Conservative Members on the Benches immediately opposite—[HON. MEMBERS: "Empty Benches opposite."] Yes, the sadly depleted Benches.

We are in a position to develop a new consensus, but we must be willing to examine our life style. There is a great deal to achieve. We can make our town centres and cities much more pleasant and exciting places in which to live and to invest, and thus attract more visitors. I hope that the White Paper will introduce radical measures, because I want the city of Lancaster to become not only one of the finest historic cities in the country, but one of the most environmentally attractive places in which to live, to do business, to innovate and to prosper.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Many hon. Members want to speak, so it would help if speeches were briefer.

11.42 am

Mr. Jeremy Corbyn (Islington, North): I take note of what you said, Mr. Deputy Speaker, about being brief; it is a pleasure to see so many hon. Members trying to

[Mr. Jeremy Corbyn]

contribute to the debate. Ten years ago, the Chamber would probably have been empty if this issue had been raised. The House should pay a big compliment to the hon. Member for Ceredigion (Mr. Dafis) for the work that he has put into this Bill and the Road Traffic Reduction Act 1997, and for his work as chair of the Globe group in this Parliament, which has been effective in raising many environmental issues. The Road Traffic Reduction Act was a turning point, and if this Bill gets through all its stages, I hope that it will be an even bigger step forward in the search for a solution to problems of the environment and transport planning.

I represent probably the most densely populated inner urban area in the country, with the least amount of open space. Interestingly, it has below-average car ownership, but faces huge problems of pollution and congestion. I am the chair of the local Agenda 21 forum in the borough, which has carefully examined ways of improving public transport and promoting debate about it. Recently, there was an interesting debate between Friends of the Earth and the manager of one of the local car showrooms about having a car-free borough. The debate collapsed when the manager claimed that it was impossible to travel from Orpington to Islington every day other than by private car. The credibility of the argument for the free use of cars in urban areas collapsed.

I am constantly aware of the pollution difficulties that people face in my area, and in London as a whole. I live slightly high up in the Archway area, and in the mornings I can look down into London and see the wretched Canary Wharf towering above a huge cloud of pollution. It is not as if any industry is left anywhere in London that produces substantial amounts of pollution. All that pollution is transport borne: it all comes from motor vehicles and the internal combustion engine.

I live near the part of the Archway road that is a four-lane highway, which someone cleverly built in the hope of getting a motorway that would extend southwards to the docks and northwards to the M1. I am glad to say that neither extension has been built, so we have this ridiculous, one-mile stretch of motorway-standard road. I did a quick survey this morning of car use on that road. For every 20 cars I counted, only five contained more than one person. Most of the other 15 were large cars: it is always the Ford Fiesta that has five people, and the Mercedes that has just a driver. We have all seen the beat-up Fiesta with people crawling out the windows, while someone else drives along using a mobile phone in his large Mercedes, probably with a "Use unleaded fuel only" sticker on the back. Such drivers ignore the fact that they are creating a vast amount of pollution and waste as they perambulate their way down to the City to park in a very expensive underground car park, financed by the rest of us, before they go back home again to Potters Bar in the evening. If they ever thought about it, they would actually be better off on the train: it would be quicker and there would be less hassle. The only irritation to the rest of the world would be their using the mobile phone on the train instead of in the car.

The back page of *The Times* this morning contains a photograph of the A30 bypass that is being built at Honiton. Swampy was there a year ago doing his best to try to save the environment: he is a splendid fellow. The picture shows the destruction of a beautiful part of the countryside so as to remove the Honiton bottleneck on the holidaymakers' route to the west country. Once that bottleneck has been removed, another one further down the road will be removed, and so we go on and on pouring more and more cars into our cities, into the west country or wherever. At the same time, we have under-used railways and a complete lack of imagination in much of our transport planning. I hope that things will change, and I believe that they will.

If we do nothing about car usage, it will double in the next 20 years: car ownership will possibly increase at an even greater rate. The car creates an illusion of mobility, but it also creates many of the pollution, road safety and security problems. Many people tell me that they prefer to drive around the borough because they feel unsafe walking at night. There is some truth in that: there is an element of danger in walking around urban areas at night. But the more people drive and the less they walk, the more dangerous it becomes. It is a self-fulfilling prophesy. We must seriously consider methods of reducing car usage and car ownership, and the Bill goes some way towards that.

In the near future, the Government will be faced with a huge debate about whether to put money into the channel tunnel rail link. I do not want to prejudge that debate, but it seems to me that a phenomenal amount of time is spent discussing money being put into railway developments, whereas there is little discussion about the phenomenal amounts of money that are put into road developments. Road developments are the most expensive way of creating an inadequate transport infrastructure, and are the most wasteful use of energy possible.

In 1959 and 1960—in our own lifetime—the M1 was paraded as the solution to the country's transport problems between London, Birmingham, Manchester and Scotland. Already, it is over-used and totally inadequate. The M40 was constructed as a parallel motorway to the M1 on the run up to Birmingham. That, too, is reaching full capacity. The M25, which was projected to solve all of London's problems, is the world's largest car park. Proposing to widen it to six lanes will not solve the problem. We must be far more assertive in protecting our environment.

Public transport faces problems. The London underground, which many hon. Members must use all the time, is an excellent system, a brilliant innovation—but it is woefully underfunded and lacks investment. It needs a great deal of money, as does the bus network. Fortunately, London has never had the disaster of total deregulation of bus services that has been visited on the rest of the country. We have a regulated, moderately well-integrated bus service in London, which has meant a growth in bus traffic in every year for the past five or 10 years—unlike in other parts of the country. Ludicrous deregulation, high fares and the running of buses only at the busiest times of day must increase car usage, reduce mobility and make many people in rural areas who cannot afford a car feel totally alienated from society. Last year, when I visited the constituency of the hon. Member for Ceredigion, I was appalled at bus fares for short-hop journeys from the station. That is pretty common in many areas.

Throughout the south-east, we have quite a good commuter rail network, serving a ring of towns. Beyond those towns, however, in smaller towns and villages, bus services simply do not exist. They will not exist if we leave it to the free market to decide whether to invest

in what will be a fairly long haul in persuading people on to buses and out of cars. There must be proper regulation and—I believe—public ownership of the bus industry, in order to promote a serious environmental policy. Likewise, we should reopen a considerable number of under-used freight-only lines or partially closed railway lines. With imagination and investment, things can be done.

Mr. Reed: Is my hon. Friend aware that the cost of rail privatisation has made the opening up of such railway lines in Leicestershire almost impossible? The cost to the county council of running the line between Loughborough and Leicester, which includes the station that I regularly use, doubled overnight as a result of rail privatisation. Until we bring back into line the cost of rolling stock and leasing of lines, and the price that a county council has to pay to use the stations that it built before rail privatisation, investment will not take place.

Mr. Corbyn: My hon. Friend is absolutely right. Indeed, I know quite well the line to which he referred. As an avid reader of the *Railway Magazine* and several other journals, I know of the problems. County councils and others have imaginative proposals to reopen lines and stations and develop better services. Indeed, over the years, they have put quite a lot of effort into that. They now cannot afford to carry on, and as a result, all the imaginative investment, which was often made in the teeth of opposition from the previous Tory Government, is being wasted. We must have more imagination. If we leave everything to the market, we shall not succeed in attracting more people on to railways.

Mr. Lawrie Quinn (Scarborough and Whitby): In view of the large subsidies given to train operating companies, does my hon. Friend think that taxpayers are getting value for money? Does he agree that, with regard to local government schemes, there is a greater burden on council tax payers than there was before privatisation?

Mr. Corbyn: Yes. My hon. Friend is right. Although we are increasing subsidies to rail operators, we are not necessarily getting a better service because of the loose guarantees that were extracted when the franchises were awarded. We look to the new Government to be much tougher with rail operating companies. I hope that, as the franchises come to an end, we can return to public ownership and running of the railways. That is the best way of guaranteeing a decent service and an integrated transport system. Such a move must be at the heart of the Bill.

The hon. Member for Ceredigion is talking about national targets—that is right. He is talking about all the criteria that Ministers will have to take into account in considering local plans—that is right. He is talking about the role of local government—that is right. We must also ensure sufficient investment in the public transport network. For too long, the Department of Transport has been obsessed with road building as a solution to all our problems, and thought that railways were a problem in themselves. We should consider the matter the other way around and increase the use of railways and rail freight, and the efficiency that goes with it.

We face serious environmental problems in urban as well as rural areas. It is shocking that there are so many ventilators for children who suffer from asthma, in primary schools in London and other cities. Most of that asthma is caused by traffic pollution. Children's lives consist only of home, television, car, school, car, home, television. There is often nowhere for them to play outside, and it is unsafe for them to walk on the streets. We are bringing up a generation that knows nothing of the joy of running about, playing in the street, walking or cycling. Such social aspects are behind the Bill.

We are faced with environmental problems the world over. If we carry on increasing the use of the internal combustion engine and do not integrate aspects of life such as jobs and housing, the destruction of the environment, the possible pollution of the north Atlantic from oil drilling and all other environmental impacts such as greenhouse gas emissions and pollution from vehicles will worsen. We cannot solve the problems of the whole world, but we can certainly do our bit in this country. We have signed the target set in Kyoto—I wish that it was 20 per cent. and not 8 per cent., but at least we signed up to something. Road traffic planning and integration of public transport is an important part of such a commitment. We can make a cleaner and better environment. It is dreadful to look over every city and see a pollution cloud, which is caused largely not by industry but by cars driven by one person going in and out of the city day in, day out. City centres are being destroyed as more and more car parks are built.

The Greater London council showed during its brief tenure that it is possible to make public transport cheap, efficient and popular. The GLC was abolished by the Tories, but when we again have an elected authority for London, I look forward to the integration of planning and transport, and rational thinking—away from the madness of the free market.

11.57 am

Mr. Owen Paterson (North Shropshire): You have asked me to be brief, Mr. Deputy Speaker, because other hon. Members want to speak. I shall try to carry out your instruction.

I congratulate the hon. Member for Ceredigion (Mr. Dafis) on bringing the Bill to the House. He has been an indefatigable campaigner on the issue for many years. It is splendid that he has brought the Bill so far.

I am an amateur on traffic. I have travelled to 60 or 70 countries in my business career and experienced good and bad traffic systems. I whole-heartedly agree that traffic growth cannot continue. That is the basis of the Bill. I agree that there are evils that come from traffic. I have two asthmatic children, and we have all suffered from noise and congestion and know about the hideous problem of road deaths.

Motor vehicles are not an unmitigated evil. They have brought extraordinary liberty and prosperity to millions of people. I clearly remember a farmer's wife telling me when I was about 12 that she had never seen the sea. She lived 30 miles from it. There has been an extraordinary increase in the variety in people's lives and their ability to generate wealth. The car has increased the sum of human happiness. None of us is not wearing a product that has been taken somewhere by truck. The truck is not an unmitigated evil. A modern market economy cannot work without the motor car and the lorry.

That is particularly true of a rural constituency such as mine, where it is not practical to substitute private motor vehicles with public transport. The local economy of north

[Mr. Owen Paterson]

Shropshire has done well in recent years. Unemployment is a little over 3 per cent. Arbitrary national targets could damage such a rural economy, where the private motor car is essential. My local economy has a high percentage of car owners. We are penalised when that is taken into account for calculations, because it is not an indication of wealth, but an essential of everyday life.

National targets are not the answer. The past 70 years have shown that central planning does not work. Gosplan did not deliver the kaleidoscopic requirements of the people of the Soviet Union. We cannot lay down national targets on traffic.

Mr. Brake: Does the hon. Gentleman agree that there is a strong case for setting national targets for health?

Mr. Paterson: We can legislate that the moon is made of green cheese, but it will not necessarily work.

I should like to see more bite in the Bill—it will not achieve a lot as it stands. It is regrettable that the Minister has taken the bite out of it.

I understand that the Bill originally set a target of a 5 per cent. reduction on 1990 traffic levels by 2005—I think that the hon. Member for Stoke-on-Trent, North (Ms Walley) probably knows the figures from her early-day motion—and a 10 per cent. reduction by 2010. The Minister supported that in her previous incarnation in opposition. The Bill has been emasculated.

I should like a real commitment from the Government to address the problem through the price mechanism. If the price mechanism is taken away, the market hits back with rationing. If I try to drive from Shropshire to London at any time after 6.30 am, the traffic is solid where the M54 hits the M6. That is rationing. If I am stupid enough to do that, I shall be on the motorway for two hours achieving nothing. The most ludicrous example that I can give from my travels is that two years ago a customer of mine insisted on a 5 am appointment in the centre of Los Angeles. Because of the traffic, at any time after that it would have been uncertain that either of us would arrive.

I sympathise with the sentiments expressed by the hon. Member for Islington, North (Mr. Corbyn), but I draw the opposite conclusions. The marginal cost of a journey such as that in Los Angeles does not hurt anyone. Petrol is extraordinarily cheap there. The situation is similar here. Once someone has bought their car and paid their car tax, the extra is in the marginal cost of the petrol. We should put more bite on people to decide whether their journey is necessary.

I know a business man who had a crucial series of appointments in the centre of London, but did not know when he was due to be at certain addresses or where some of the appointments would be. It was easier for him to take a car, a driver, a box of papers and a mobile phone and drive all the way from the north-west of England, through the central conurbation of Birmingham on the main motorways into the heart of London than to take the train, because the railway was competing with its hand tied behind its back. There was no bite on that car journey. There should have been a question in his mind about whether he could afford to drive through Birmingham and cross the boundary formed by the M25. I do not think that he should be banned from doing that, but there should be a penalty on going anywhere near the centre of London. I should be grateful if the Minister gave a commitment that part of the review in the White Paper due this spring will be a serious study of road pricing. I would criticise the previous Government for having been far too timid on that issue.

The technology is there now. I have been to Bergen and Oslo, where one drives into the centre of the town with an electronic gadget on the windscreen that automatically clocks up the journey. There is no infringement of civil liberty, which could be a worry; one simply gets a bill at the end of the month. Similarly, when one drives down an Italian autostrada today, there is an electronic counter, and one can drive through the toll barriers at 60 or 70 mph.

I should like the country to be zoned. The people of north Shropshire should have the right to drive around on their everyday business. I do not like the arbitrary use of increases in fuel tax, because that penalises rural areas. However, if those people want to travel further—into the middle of Birmingham, for example—that should begin to cost them money.

That would generate funds, which could be put aside for mass transport schemes, which I hope would be run by the private sector. We could have buses, and help could be provided with toll lanes and schemes such as those in Leicester, which have already been mentioned.

Unless those problems are addressed, traffic will increase to the point at which congestion damages the market economy. We need to put a market element back in, and I should be grateful if the Minister commented on that idea.

12.5 pm

Mr. David Chaytor (Bury, North): I shall be brief, Mr. Deputy Speaker, because I know that many other hon. Members wish to speak. I, too, congratulate the hon. Member for Ceredigion (Mr. Dafis) on his work on the Bill, and pay tribute to the thousands of people throughout the country who have worked on it and supported it for some time.

Over the past five years, the emerging consensus in favour of traffic reduction has been striking. The turning point came in the early 1990s, when the Government predicted that by the second decade of the next century, traffic would have increased by 140 per cent. From that moment, people understood that that trend was simply unsustainable. The recognition by the Standing Advisory Committee on Trunk Road Assessment of the fact that building new roads simply resulted in more traffic was also an important turning point.

The consensus has come about because people understand now that the great car economy has taken us to the brink of economic disaster. Many hon. Members have spoken about the impact of congestion on cities, about the impact on children's health and about the destruction of local communities, small towns and villages, whose roads were built for horses and carts, and not for the internal combustion engine.

I want to make two points above all, the first of which concerns the need to grasp the nettle of green taxation. I agree with the hon. Members who have said that there are many ways in which the Government can encourage

and induce people to leave their cars at home. Those include providing safer routes to school, and encouraging people to cycle and walk, to make more of their journeys by public transport and to think whether their journeys are really necessary.

However, there are limits to the extent to which we can change people's behaviour by encouragement. Other hon. Members have spoken of the need to adopt a carrot-and-stick approach. I believe that it is important to wield the stick firmly—subtly, but firmly. Unless we wield the stick, there will not be sufficient investment to fund the carrots. That is why it is critical that when the Government legislate following the White Paper, they grasp the nettle of green taxation. That includes road pricing—there is now an emerging consensus in favour of that—and a steady and continuous increase of taxes on fuel. That started a few years ago at 3 per cent. annually, then it rose to 5 per cent. and now it is 6 per cent. annually. Three years ago, the royal commission on environmental pollution recommended a doubling of fuel prices by 2005.

The striking aspect of the annual increases that have been introduced is that motorists have largely accepted them. There is little complaint and no mass campaign against them. I believe that most motorists, although they like cheap fuel and benefit from the mobility and freedom that the car brings, understand that the unrestrained growth in traffic is not sustainable and has to be stopped. That is why they are prepared to pay more, as part of a package of measures designed to bring that about.

I want to link the carrot with the stick. We must go ahead with the continuing increase in fuel prices and consider other imaginative ways in which to increase the cost of motoring. That has to be done to get people out of their cars. I would like the Government to consider a measure that was first taken on board by the previous Labour Government 20 years ago: the switch of road tax to the cost of fuel.

As was mentioned earlier, abolishing vehicle excise duty and transferring the cost to petrol would be revenue neutral for the average motorist in the average small car; in fact it would be a considerable advantage, because the cost would be phased throughout the year, rather than being paid up front once or twice a year.

It is crucial to tackle the issue of vehicle excise duty and either switch the one-off annual cost to the cost of fuel or introduce a phased form of duty that is related to engine size, fuel efficiency or volume of emissions, as happens in almost every other European country—and as happens here for heavy goods vehicles.

We must grasp the nettle. Hard choices will have to be made about the level and range of green taxation as part of our integrated transport strategy. The transport infrastructure does not exist in isolation: it simply reflects the wider economic patterns—the life styles and culture—of any society. In Britain, the culture of private car ownership is powerful and dominant.

Unless we take into account all the issues that determine our economic structures—including land use policy, the nature and location of housing, and the development of new technology so that more people can work at home—we shall simply scratch the surface by tinkering with the transport system. The whole question of the economics of private car ownership needs to be explored further. People who are deeply attached to their cars incur far greater costs for themselves and their families by insisting on private ownership than they would by a much greater use of taxis, public transport or occasional car rental. More research needs to be done to demonstrate that it is cheaper, and equally convenient, to rent or lease a car or to use taxis occasionally.

This is not an issue on which we can be self-righteous or pontificate, because we are all dependent on the car to a greater or lesser extent. We all bear a responsibility for changing our own patterns of behaviour as well as encouraging our constituents and others to do the same.

12.12 pm

Mr. David Lepper (Brighton, Pavilion): I add my congratulations to the hon. Member for Ceredigion (Mr. Dafis), to all the Bill's supporters and to Friends of the Earth, which has done a great deal of work in preparing the Bill.

By the time that we reach the millennium, I shall be one of those odd people who will have survived the second half of this century not only without owning a car, but without even being able to drive. That has not prevented me from holding down a secure job; being the leader of a council; ensuring that my children got to school regularly and did well there without needing lifts in a car; or, indeed, being elected to Parliament.

I will admit that without cars, my campaign might not have been so successful and, of course, if my hon. Friend the Member for Brighton, Kemptown (Dr. Turner) offers me a lift home from time to time, I do not refuse. It seems to me that that emphasises the importance of car sharing. We heard this morning about Fiestas in contrast to other, more expensive cars—the one crammed with passengers, the other with a single passenger. There is an aspect of car sharing that has found favour in this country—taking children to school. At other times of the day, car owners seem to fight shy of it.

I have managed to survive for a long time without being able to drive. One of the reasons for that is, fortunately, that I live in an urban constituency—I do now and I always have done. However, there are drawbacks to being unable to drive. There are now areas of the wonderful countryside of East Sussex and West Sussex around my constituency that I find difficult to visit. That was not so 20 or 25 years ago, when I first moved to the area, as there was then a rural bus network. Where do we look for the reasons for the decline in rural bus services? We need look no further than the deregulation policies of the previous Government, which have done so much to harm the rural way of life.

One of the strengths of the Bill is that it recognises the need for flexibility; it recognises that the needs of different parts of the country are themselves different. The Bill also provides a vital link between the agreements that this Government did so much to ensure were eventually reached at Kyoto and the local Agenda 21 programmes which are in operation in all our areas.

My constituency has acute traffic problems. It is a Regency and Victorian town in the main, with streets that were not designed for the kind of traffic we have today. There are conflicting demands of tourism, commerce and conservation. Tourism is linked to the appeal of our Regency terraces, for instance, and to the street pattern of an 18th-century fishing village in the Lanes, which many hon. Members will have visited at party conference time.

[Mr. David Lepper]

We cannot widen the roads without destroying part of the character of the town in which I live—the character that draws people to Brighton in the first place.

I pay tribute to the work that is under way across the Brighton area. The bus companies are working in conjunction with the local council in the kind of quality partnership which, I am glad to say, has resulted in a 5 per cent. increase in bus usage across the Brighton area in each of the past four years. This Government—and, I must say, the previous Government—have played a part in that by ensuring that funding is in place for the bus lane network, which will be completed in the near future.

I was glad that Ministers saw fit to support that programme in this year's transport policies and programmes settlement to Brighton and Hove council. The bus companies have played their part by investing in newer, cleaner vehicles with lower platforms which are easily accessible for disabled people, people with lots of shopping or people with baby buggies. That is helpful to travellers—if the bus can get close enough to the kerb when it pulls up to enable them to make use of those improvements in design. All too often, we find that an inconsiderate driver has parked in the place designated for a bus stop and that the bus cannot get close enough to help those people. The work is under way. Such quality partnerships between bus companies and local councils are vital.

Much more can be done. Earlier this week, my hon. Friend the Member for Peterborough (Mrs. Brinton) told the House of the virtues of the home zones scheme. Locally, we are beginning to work towards producing safer routes to school, but the national framework to encourage that work, which I am sure will be provided by an integrated transport policy, is vital.

One aspect of the transport system in my area is in many respects woefully inadequate—the rail system. I find it easy to get up and down fairly quickly from Brighton to London, but to the east lie Ashford and the channel tunnel link. Anyone who tries to make the journey by rail from Brighton and Hove to Ashford must be prepared for hours—if not days it sometimes seems—of travel.

There was a dispute between the promoter of this Bill, whose constituency's name I will not attempt to pronounce again, and the hon. Member for Truro and St. Austell (Mr. Taylor) about the inventor of the railway. Brighton has the honour of having the longest surviving electric railway in Britain—the Volk's railway—but much of the track between Brighton and the channel tunnel link at Ashford is not yet electrified. For much of the way, it is single track. That does nothing to encourage passenger travel or to encourage businesses to use the line for freight. There has been a startling lack of imagination on the part of Railtrack and the privatised rail companies and operators in respect of investing in the system. My constituency is losing out on many of the economic benefits that should be provided by the channel tunnel link, so close as the crow flies, but so far in terms of transport links.

Everyone recognises that simply building more roads will not help to solve the problem. A week or so ago, I attended, with many other hon. Members of all parties, a presentation by Baroness Hayman and her team on the results of consultation by the Government office of the south-east on the trunk road building programme. It was interesting that a major factor that came out of the consultation was the recognition that more roads were not the answer to our problems. I urge support for the Bill, which enables us to put our transport and environmental problems in a context in which there are clear links between what is happening in local councils and what the Government have achieved internationally at Kyoto.

12.22 pm

Caroline Flint (Don Valley): It is clear from the debate that the Bill is part of an emerging political consensus aimed at tackling the environmental damage of inefficient road transport usage. "Inefficient" means inefficient methods of transport, inefficient and unnecessary journeys, and the overloading of inappropriate roads, particularly with heavy vehicles. I hope that the Bill will complement measures to improve public transport and enable sensible decisions about our road infrastructure.

A balance needs to be struck. I represent a semi-rural constituency. When I spoke to the Doncaster Ramblers annual general meeting after doing four surgeries, I had to confess that I had not walked or even cycled between them because it was a 30-mile round trip. The car has its place in our daily lives.

A point that I would like to make on behalf of women, particularly working mothers, is that they use cars to take children to school not only because of safety, but because of changing life styles over the past 30 years. More women are working. The combination of pressure of time to get to child care, to school and then to work often means that the car is the only viable option for such women. I hope that, when considering proposals in that respect, we consider people's life style and recognise that some trips—especially the combination trips with which many women have to cope every day—are a necessary feature of their lives. That said, there are plenty of examples of unnecessary car use.

In the borough of Doncaster, there is heavy congestion in the town centre at certain times of the day. I also receive persistent complaints from people in the outlying villages that the bus services connecting those villages to the town travel at inappropriate times, miss certain villages and are irregular. As my hon. Friends the hon. Members for Islington, North (Mr. Corbyn) and for Brighton, Pavilion (Mr. Lepper) mentioned, our constituents are clear about who is to blame for that chaotic system—the previous Conservative Government, who deregulated our bus services. We have evidence to show that, because of that policy, passenger numbers on buses have fallen by a quarter.

I also have constituents who complain about the pollution from heavy vehicles that have to make long winding journeys through villages at relatively slow speeds. Both residents and road hauliers point out that short link roads could replace those inefficient polluting journeys through residential areas, with short efficient routes to the major road and motorway networks. That is what I mean by making sense of the road infrastructure; my constituency is criss-crossed by motorways and major roads, but it suffers from a lack of link roads to industrial centres.

In the past six months, in local discussions about the new deal programme, I have been pleased by how we have tried to tackle the problem of transport to work so

as to encourage people back into the workplace. Very often, it is the lack of transport that prevents people from getting jobs or from getting to work on time, and that has become an important feature of the Government's employment policies.

In the past decade, we have become increasingly aware of the adverse impact on health of poor air quality and the sudden rises in hospital admissions when air quality deteriorates. I do not believe that there is a teacher in this land who does not take a daily count of the number of inhalers used in his or her classroom. I speak not only as the mother of a daughter who suffers from asthma, but as one who can remember that, when I was at school, hardly anybody had an inhaler. In 30 years—in living memory—that has changed completely and having an inhaler is no longer the exception to the rule. I also represent a constituency with a large proportion of elderly people who suffer from industry-related breathing difficulties such as emphysema. For such people, the quality of air has a daily impact on their lives.

I am delighted that the Government are supporting the broad principles of the Bill. The Bill also complements efforts to cut emissions through fuel technology. I have visited a firm in my constituency, K. H. Manufacturing Ltd., which has developed an air-steam inspirator which halves emissions and guarantees a fuel saving of 5 per cent. on any vehicle. That Denox device, which can be fitted to buses and heavy vehicles and to old or new cars, is just one example of the ground-breaking research and development being carried out by British companies which recognise the environmental challenges we face. I look forward to bringing more details of that device and its innovation to the attention of my hon. Friend the Minister.

I congratulate the hon. Member for Ceredigion (Mr. Dafis) and everyone else who has taken part in the debate. I can say with confidence that the Bill and the Government's approach to transport and the environment will be warmly endorsed by my constituents.

12.27 pm

Mr. David Drew (Stroud): Thank you, Mr. Deputy Speaker, for calling me to speak in this important debate. My remarks will be brief, owing to the large number of hon. Members who wish to speak. It is gratifying to see so many hon. Members on the Government Benches, if not on the Opposition Benches.

I welcome the Bill, which is an important stepping stone in our being able to deal with congestion on our roads. It follows the successful Act pioneered by the hon. Member for Bath (Mr. Foster), who was in the Chamber at the beginning of the debate. I congratulate the hon. Member for Ceredigion (Mr. Dafis) on his dogged pursuit of the issue which I sincerely hope ends in success. I am also happy to recognise the role of the sponsoring organisations: I shall immediately declare my membership of Friends of the Earth and, although not a member of the other two organisations—the Green party and Plaid Cymru—I congratulate them on their collaboration with hon. Members on the Bill. It is an important example of the new politics bringing forth a new, positive environment, where people can begin to take back control over their lives and collectively show responsibility to each other, the country and, indeed, the planet.

I also welcome the fact that the Government are supporting the Bill. That is important because it shows our commitment to a more rational integrated transport system. The White Paper that is expected shortly will display that commitment and will, I am sure, be widely greeted and supported. It shows the Government's belief in the need to deal with the excess of the car, and demonstrates the Government's commitment to tough, national targets to deal with and cut CO_2 emissions and to meet stringent air quality standards.

I note the remarks by my hon. Friend the Member for Islington, North (Mr. Corbyn) about the problems of urban pollution, but when I was trying to save a well-loved and well-known rural hospital, which deals with patients with chest complaints, the high ozone levels on the site were used as arguments against me. The hospital is quite close to the motorway and the ozone rises up above the motorway and dumps itself on top of the site. The problem, therefore, is not just an urban one, but a rural one.

We also intend to double the amount of cycling and reduce the number of road traffic accidents, a not inconsiderable problem. The Government will build on the Road Traffic Reduction Act 1997 by publishing guidelines on its implementation and requiring local authorities to consider how to meet local reductions in the number of cars on their streets.

While I accept that some minor amendments to the Bill will almost certainly be necessary as it passes through its Committee stage, in the spirit of collaboration, I ask the Bill's sponsors to seek a compromise to ensure that the measure receives the widest support. That is not to underestimate the rigorous requirements that the targets will involve, but both new and existing legislation will show what is possible and where we can obtain public support.

I do not intend to talk about forecasts, about which we have heard enough already. I do not intend to talk about congestion costs, environmental degradation or the horror of road accidents. I want to concentrate on the ways in which we can encourage less use of the car. That can start in some fairly simple but effective ways. For example, if we can start to reverse the decline in the number of schoolchildren either walking or cycling to their place of education, we can immediately reduce the pressure on our roads at what is now, for many of us, the busiest time of the day. That will, I hope, make schools more pleasant places to be when children are dropped off or picked up. It will also provide a long-term benefit as children will become less reliant on the car and healthier in the process.

It is that sort of win-win situation that we should be seeking through education and encouragement. We should be aiming to change perceptions so that it no longer appears to be safe for children to choose the traditional means of making their way to school.

If we can further reduce the amount of money that we currently spend on road building, we can expand creative schemes such as park-and-ride. If handled properly, pedestrianisation can not only be a boon to town centres, but can change people's cultural attitudes so that they become more willing to ride, then walk, rather than simply jumping in a car at the earliest opportunity and staying in it come what may.

If we can make cycling a more general pursuit by dramatically extending the number of cycleways and by giving greater preference to cyclists, we can improve

[Mr. David Drew]

safety and give freedom to people to use the most convenient method of travelling between short distances. Given the number of people who own bikes and the increasing cachet of being a cyclist, if we can double their use, as implied by the Government's targets, that alone will make a significant difference.

We must make the greatest changes in public transport in order to make any legislation a reality rather than a dream. I know that I shall not be the only person to use my experiences this week to show how miserable travelling on public transport has become. Anyone who travels on a train can graphically describe the late running, the overcrowded carriages, the poor facilities and the catalogue of excuses. If one uses a bus, it often seems that there is a competition between operatives as to who can run the dirtiest, smelliest, oldest vehicle on the road. We have just got to be able to solve those problems.

If the Conservative party had to be attacked on two grounds alone, I am sure that a valid case could be made for citing the way in which the Conservative Government privatised the railways after years of neglect and the way in which they deregulated the buses. We have heard much about those things, both of which have been an unmitigated disaster. Starved of real investment, appalling at customer relations and only interested in the bottom line, our so-called "public" transport is now a charade.

I am sure that I am not the only person in the Chamber today to be convinced that, if we had not allowed our provision to slip so deplorably, we would not be in the mess that we are in today, and we would not need to debate this type of Bill.

With that in mind, I would devise what I call the alternative transport test, which can be put not only before Government but before individuals. It would allow everyone to test out ways to branch out travel-wise by comparison and contrast. I do not pretend that it will be without sacrifice, but one person's sacrifice is another's gain. In these days of counterfactual analysis and contingent valuations, it should not be beyond the rhyme or reason of personkind to take decisions based on new scenarios, which place obligations on the individual as well as expecting Government action.

The alternative transport test would ask three questions. The first question would be, "Is another form of transport available?" I ask that deliberately for, in the semi-rural constituency that I come from, many villages have little or no access to public transport. That is why I hold bus deregulation in contempt. It has been an unmitigated failure in rural areas. However, even there, people can respond positively by car sharing and initiatives such as community transport. Local authorities, by careful use of bus tokens and subsidies, can help rural and other areas. That is just the type of joint responsibility that is needed in the alternative test.

The second question that should be asked is, "What is the cost, reliability and convenience of different forms of transport?" That also needs to be thought through. Individuals need to make a proper assessment of what it would be like to use other forms of transport. Obviously, the Government can make commitments to those other forms of transport, but individuals can really make a jump, in the sense that they can understand what they do every time that they jump in a car, and what they could do if they chose not to do so. The real costs need to be factored into anyone's equation.

Thirdly, and finally, we should ask, "How can the alternatives sit with regard to planning and the tax system?" Time will not allow me to explore that issue in detail, but several hon. Members have done so in sufficient detail. Suffice it to say that we need to place other forms of transport at the front end of all our planning, and not simply to treat it as an afterthought. More thought needs to be given to the relationship between where people live and where they work, and to the type of transport that is available to them. The individual must take the lead in that regard, but it is also a matter for Government.

The difficult issue of tax cannot be avoided indefinitely, and the Government must face up to it. If we genuinely want to make our society a better one in which to live, we must evolve a green tax strategy which penalises the use of the car while allowing moneys raised to go into other forms of transport. I am very pleased to hear that my right hon. Friend the Deputy Prime Minister has been making utterances to that effect in recent days, and I congratulate him. I hope that he holds faith and that we support him.

I am emphasising that the Bill is about Government action and about placing the onus on the individual, in equal measure. The old adage that you can take a horse to water—we have heard a lot about horses and carts—is very apposite in this respect. In supporting the Bill, which I do whole-heartedly, I would ask that its resonance is felt, not just in the House this morning—now this afternoon—but, more especially, among the general public. They need to get the message and to find alternative ways of moving themselves about, and if they do so our society will definitely be a better one in which to live.

12.39 pm

Mr. Andrew Dismore (Hendon): I join all those who have congratulated the hon. Member for Ceredigion (Mr. Dafis) on coming high in the ballot and on choosing such an important subject for his Bill, which takes up an issue that has received widespread support from the House. I am pleased to add my support to the Bill.

The growth in road traffic has caused our country many problems. Congestion causes delay, which has an impact on the economy. Pollution has an effect on people's health. Health problems arise also through lack of exercise. Road safety issues arise. In Barnet, for example, there are 2,000 personal injury road traffic accidents every year. That is an issue that is especially close to my heart. Before entering this place I had been a personal injury solicitor, working with accident victims, for 20 years.

I have seen some of the victims of road accidents. I have met the bereaved families, the children without a father and the wife without a husband. I have met people suffering from paralysis as a result of road accidents, along with those who have received severe brain injuries, right down to the humble whiplash, which is an extremely painful and disabling condition.

I am talking about real people, not statistics. More often than not, these people were pedestrians, cyclists or motor cyclists rather than car drivers, who are responsible in the main for traffic accidents.

The general issues of congestion and pollution, for example, are best illustrated by the growth in the school run, which was referred to earlier by my hon. Friend the Member for Cambridge (Mrs. Campbell). When I was at school, which was quite a few years ago, hardly any pupil went there by car. I suspect that that would be said by practically every Member in the Chamber. That applied to both primary and secondary schools.

I am informed by the Library that nationally one in 10 trips by car—a fifth of peak hour traffic—is a school run. In 1975–76, 12 per cent. of children travelled to school by car. In 1994–95, that had risen to 27 per cent. Those national figures are mirrored locally. In Barnet, during school holidays, car traffic falls by about 10 per cent. at peak times.

School runs cause many problems for local people. For example, there is a secondary school in my constituency near Apex corner. It is an excellent school and I am not singling it out because it presents any particular problems in the area. It does not represent an especially difficult traffic problem, merely a problem that is created typically by the school run.

Many people who live in north London will be aware of the congestion at Apex corner. Those who travel into London will also be aware of it. The congestion in the area is contributed to by the traffic that is generated by the school as it cuts into narrow residential streets where the school is situated. It is a largish school and the nearby streets were not designed for the level of traffic that uses them. There are tremendous problems for local residents. Recently, while knocking on doors in the area, in Mill Hill, I heard many complaints about the difficulties caused by school traffic.

Why has that happened? Obviously there are safety considerations. Apparently, 25 years ago, 50 per cent. of nine-year-olds were allowed to cross the road alone. Nowadays only 10 per cent. are allowed to do so. There are concerns about personal security. There is an increased perception of the dangers of school journeys that does not necessarily reflect the reality.

Part of the problem stems from the Conservative Government's education policy. They implemented an admissions policy that created more selection. That restricted choice for local people, making it more difficult for them to send their children to local schools. At the same time, the geographical catchment area was increased, thus contributing to traffic difficulties. I am sure that when schools are interviewing parents of prospective pupils, one of the questions that they do not ask is how the children will be taken to school. Perhaps the schools do not take into account, as they should, the impact on the local community of the traffic that is generated.

The school run does not have an impact only on traffic levels, congestion and pollution. It has an impact also on children's health. We know from statistics produced by the Library that between 1985 and 1992 the average distance walked by children overall fell by 20 per cent. Over the same period, the average distance cycled by children fell by 26 per cent. There is thus an increased risk of a lower level of fitness along with a risk of obesity.

We should encourage parents to consider ways of taking their children to school that do not involve the use of a car—perhaps walking or cycling with them. As my hon. Friend the Member for Cambridge said, we should make it safe for them to be able to do so. Walking or cycling would probably be quicker than using the car. In Barnet, journeys up to 3.7 km are as quick by bike as they are by car.

The school run is only one of the symptoms in the growth in traffic. We need clear strategies and targets, which the Bill is designed to provide. There is a need for strategic targets both locally and nationally. Barnet council has been responding to the wishes of residents in developing a clear transport strategy, and one is certainly needed. An Association of London Government survey was conducted in the area in 1996, which showed that 26 per cent. of local residents were concerned about traffic levels.

Barnet council held a conference a couple of years ago, called the Barnet 2000 conference, which considered where the area should be headed by the millennium. The conference repeatedly stressed the importance of setting targets for traffic reduction. That strategy went out to consultation last summer, and it goes to the full council next week for final approval.

We must tackle not only the problems caused by traffic, but the social inequalities created by car ownership. The centralisation of facilities—shopping centres, hospitals and schools—has generated more traffic, as well as increasing social inequality. There are 120,000 cars in Barnet and 20 per cent. of families have two cars or more, but 30 per cent. have no access to a car at all.

As services and facilities become geographically concentrated, non-car owners lose out, because of public transport difficulties, and car owners use their cars more. That is particularly exemplified by the Conservative Government's decision to close Edgware hospital. One of the big issues that arose from that was the transport difficulties to alternative facilities at the Barnet and Northwick Park hospitals, in particular. Constituents without cars face a one-and-a-half-hour journey and need to change buses. Those with access to cars complain of the difficulty of their journey, especially at rush hour. That is why I am extremely pleased that the Health Minister announced last week that services would be returned to Edgware hospital, putting local services back where people need them—in their local communities. That will restore what the Conservatives took away.

Barnet's transport strategy contains ambitious targets for traffic reduction, but I regret to say that the Conservative party in Barnet has not seen fit to support that comprehensive range of measures. It sees them as being anti-car, whereas I see them as being pro-people. It is only by reducing car usage that we can do something about the problems.

It is important that local strategies should be linked into the national strategies identified by the Bill. Barnet probably has more trunk roads and greater lengths of trunk roads running through it than any other London borough. In 1996 an average of 414,000 vehicles used the motorways and trunk roads in Barnet every day. In my part of Barnet, in my constituency of Hendon, we have not only Apex corner, but the north circular/A41 interchange at Brent Cross, and perhaps busiest of all, Staples corner, the roundabout complex linking the M1, the A5 and the north circular. In those roads we have some of the most heavily used networks in London.

I am sure that many hon. Members have sat in traffic jams at those junctions, waiting to get out of London for the weekend and wondering why they are stuck there.

[Mr. Andrew Dismore]

I remind them that those roads go through heavily populated residential areas, which motorists probably do not even notice as they add to the local pollution. We know from the traffic studies that have been done for the Brent Cross extension that pollution levels are already above European limits. That is why the Bill is so important.

I shall conclude by reading extracts from a letter to the Government office for London from Mr. Franklin, the chairman of the Brent Cross residents association, which he has copied to me. The letter, from a resident who lives near those very busy roundabouts, states:

"For the past 20 years and more we have had to suffer ever increasing problems from traffic, noise, dust and pollution. People who have chosen to live in quiet, suburban roads and avenues have seen them transformed into traffic rat-runs and parking nightmares . . .

On any weekday Hendon Way is solid with traffic, and we now experience jams on Sunday afternoons . . .

Everyone acknowledges the need to curtail traffic, as one means of reducing the effects of pollution, and no doubt appropriate legislation is anticipated."

I am pleased to say that I consider the Bill to be the start of that legislation. I willingly lend it my support on behalf of my constituents and the residents in my area, such as Mr. Franklin.

12.48 pm

Mr. Martin Caton (Gower): This has been a good, if rather one-sided, debate. I am aware that others wish to speak, so I shall be brief in support of the Bill and against monogamy.

I realise that this is probably not the most propitious time in the world's political history to launch an attack on monogamy, but it must be done. The monogamous relationship that must come to an end in Britain is the unhealthy, obsessive and dangerous love affair that, for far too long, we have enjoyed with a metal box that has a ring of rubber at each corner.

Our passion is understandable. For many of us, it is a relationship that has been the most liberating experience of our lives. It has enabled us to see, do and enjoy things that would otherwise have been beyond our reach. The love of our lives has made us feel more significant, more powerful and more independent than any other lover we have ever known. We are besotted, but in our hearts we know that it cannot continue because, quite literally, it is proving to be all-consuming.

We have to begin to shed ourselves of the monomaniac, exclusive love for our motor cars and appreciate the special virtues of polygamy. We have to start nipping off for romantic weekends with the railway system. We have to be prepared to get together day or night with many other new lovers—the good old bus as well as trams, light railway systems, guided buses and the bicycle. We have to be prepared far more frequently to indulge in a practice that involves only the stimulation of our own bodies—walking.

The reasons have been spelt out already in the debate, especially by the hon. Member for Ceredigion (Mr. Dafis), whom I congratulate on introducing the Bill. I also thank him for reminding the House that the first railway system was in Wales—the Mumbles railway, which is partly in my constituency. I wish that we still had it as it would enable 10,000 of my constituents to travel to the heart of Swansea without having to queue in traffic jams.

Our monogamous relationship with the car is damaging our economy, killing our children, destroying our environment and stressing us out. In more and more towns, cities and villages, it is making life quite intolerable.

We have to share ourselves out a bit more. I suspect that persuading us to do so will take an armoury of sticks and a shed full of carrots. Different sticks and carrots are likely to be appropriate for different geographical areas and circumstances. Many have already been mentioned in the debate and others are outlined in the Library research paper.

In employing various mechanisms to achieve change, we need to set ourselves realistic and achievable targets for reductions in road use and then we have to develop strategies to meet those targets in respect of transport, land use and local and national taxation. The Bill's objective is to establish those targets.

If we can get more people to embrace alternative ways of getting about, they will learn to love them for their own special attractions. The Bill will help us become a nation of happy transport polygamists.

12.52 pm

Ms Christine Russell (City of Chester): I am sure that we are all grateful to my hon. Friend the Member for Gower (Mr. Caton) for injecting some humour into a rather heavy and serious debate. I also congratulate the hon. Member for Ceredigion (Mr. Dafis)—I have been having some Welsh tuition from my hon. Friend the Member for Conwy (Mrs. Williams), who is sitting behind me—on introducing the Bill.

As I am conscious of the time, I shall limit my remarks to a particular way in which we can reduce the volume of traffic on our roads—the reintroduction of the school bus. I congratulate the Minister and the Government on the excellent start that we have made in tackling the adverse impact of road traffic by setting targets for CO_2 emissions and limits on air pollution. I am delighted that the Government support the Bill, with minor amendments.

Like my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) and others, I represent an historic and highly congested city—Chester. Whether I talk to residents' or tenants' groups, parents or parish councils, the call is always the same: please do something about traffic congestion and pollution.

I want to speak on behalf of children and about their safety. More than 90 per cent. of children now live in urban areas. They can no longer play or travel safely in their local neighbourhoods because the once quiet residential streets of Chester are now used as rat runs by motorists trying to avoid congestion. Children attempting to cross the road to go to school, the corner shop or the local play area risk being mown down by speeding drivers.

Other hon. Members have given local statistics and I shall give some that relate to Chester. They show that in the past 20 years, the number of 11 to 15-year-olds walking or cycling to school has fallen by more than 30 per cent. The proportion of seven and eight-year-olds

travelling to school unaccompanied has fallen from 80 per cent. to under 10 per cent. It is now calculated that in Chester more than 70 per cent. of journeys to school are less than two miles, which could easily be walked or cycled, as it would have been when most hon. Members went to school. Now, however, parents take their children to school because they believe that their children's lives are at risk from the ever increasing traffic volumes.

I wish to focus on the fact that less than 5 per cent. of children travel to school on a designated school bus. That is why the Government need to look again at the issue of school transport. The provision of school transport dates back to the Education Act 1944, but times and circumstances have changed dramatically since then. Only children who live more than three miles from school are granted free public transport; others must pay the full commercial fare. Given that more than 70 per cent. of school journeys in Cheshire are less than two miles—I suspect that the figure is much higher in my urban constituency—we should consider giving all children free travel, or a subsidised flat fare, irrespective of the distance that they live from school. We should do that not only for reasons of safety but because many parents choose to drive their children to school because it is cheaper than the commercial bus fare.

All hon. Members whose local authorities have not yet taken up the initiative should urge them to introduce the safe routes to school project, which was mentioned by my hon. Friend the Member for Cambridge (Mrs. Campbell). It was launched a couple of years ago by a consortium of local authorities together with Sustrans. Its objective is to improve the safety and well-being of children travelling to school, and to give parents the confidence to allow their children to walk and cycle to school.

May I outline the plans for Chester? My hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) talked about disused railway lines. In my area, a disused line goes from Shotton in north Wales to Mickle Trafford. The hon. Member for Hazel Grove (Mr. Stunell) is smiling: I am sure that he remembers it well. Three of our main high schools and numerous primary schools are within a short distance of that disused line. The two local authorities are working with Sustrans to turn that line into a safe cycle and walkway that hundreds of Chester schoolchildren can use to get to school.

The Government have said that education is their No. 1 priority, and I urge the Minister to include in that the journey to school. Many hon. Members have commented on the research that shows that children's more sedentary way of life is taking its toll of their physical well-being. Moreover, our children are becoming less aware of the dangers of traffic.

The school bus has many advantages, not least the fact that the journey to school can aid a child's development of social skills. I end by reminding hon. Members of the effect that the school bike shed had on their emotional, mental and even perhaps their physical development.

1 pm

Mr. Tony Clarke (Northampton, South): It seems as if hon. Members are as one in support of the Bill, except for a few dissidents who opposed it earlier on and then quickly disappeared. By now, they are probably in their Mercedes cars clogging up the roads in the constituency of my hon. Friend the Member for Hendon (Mr. Dismore), in their rush to get away from London before the traffic jams. Many of us are present not only because we welcome the Bill, but because we are concluding unfinished business. I add my sincere congratulations to the hon. Member for Ceredigion (Mr. Dafis), and I thank him for his support now and in the past. I also congratulate hon. Members who have tried to get the House to take seriously the effects of traffic pollution and the need for national targets to be set, so that we can make progress towards the protection of our environment.

The debate has been made easier by the Government's decision to support the Bill. It is now a matter not of whether we accept the need to reduce traffic, but of how we achieve that. We could argue about what is a sensible target, but I accept the Government's view that we should take on board the targets that have already been set and build into them new targets for road traffic reduction.

The Road Traffic Reduction Act 1997 puts the onus on local authorities to produce plans for reducing traffic in their areas. They also measure the effects of pollution on air quality. Eight of the nine pollutants that they monitor are from road traffic emissions. If ever there was a need to reduce road traffic, it is now, because we must ensure that those pollutants are removed so that the air is cleaner.

As chair of environment services on Northampton borough council and chair of the local Agenda 21 forum, my experiences were both exciting and frustrating. We tried desperately to reduce car use; sometimes with good effect, but sometimes with frustrating consequences. Northampton was one of the first towns to undertake real-time air quality monitoring. As chair of the committee, I was able to see from the machines what roads were being polluted at what times of the day. I saw the huge polluting effects of the M1, which passes my constituency. No matter how polluted the town became due to wind direction, the local authority could do nothing about it. We knew that we needed Government assistance if we were ever to solve the problems of congestion on that motorway. Northampton's air quality literally depends on which way the wind blows. If the wind blows away from the M1, our air quality is high. If it blows towards the M1, our air quality reduces.

We have tried hard to raise public awareness, and to get people out of their cars and on to public transport. We have tried all sorts of methods. I remember having quotations placed on the back of Northampton buses, which we think worked. It led to some interesting correlations between myself and the back of Northampton buses, which I would rather not go into. But as long as it achieved the desired effect, it was obviously worth while.

We have also been working closely with the private sector, to try to promote rapid light transport in Northampton. The local authority is working to try to introduce the necessary measures to effect the reduction of traffic in our county. We cannot do that alone; we need Government intervention and support to ensure that there is a national strategy to reduce car use.

Ms Helen Southworth (Warrington, South): I am pleased to hear what my hon. Friend is saying about partnership, which is important to the Bill. I should like to comment on the contrast between the previous Government's consideration of traffic and transport in our communities and this Government's approach. Under the previous Government, RAF Burtonwood in my

[Ms Helen Southworth]

constituency, about which I have spoken before in the House, was made a publicly accessible distribution centre, which resulted in heavy vehicles travelling through local communities on narrow country roads. In contrast, this Government have decided to work closely with the local authority, in consultation with local people, to determine appropriate use of the site. There is a possibility that the site will become an urban village with cycleways, resulting in effective use of public transport and bicycles.

Mr. Clarke: My hon. Friend makes a valid point. There must be a realistic partnership between national and local government, to put forward some of the desired measures in order to reduce traffic levels. That was the fault of the Road Traffic Reduction Act 1997, inasmuch as it placed all the onus and responsibility on local authorities.

I still receive letters from constituents—and ward constituents, as I still have the pleasure of serving on Northampton borough council—about traffic problems, such as car parking and the speed and volume of traffic. To use a term from the Green party campaign concerning the national march, my constituents are, "fuming mad". They say, "This is dreadful. You must get rid of this traffic." Most people are coming round to accepting that there are simply too many vehicles on our roads—21 million at the last count—and that we must reduce the number.

The original target set was the number of cars in 1990. For some of us, that does not go back far enough. I imagine that many of today's 21 million cars already existed in 1990. We should look forward to the day when there are fewer cars than there were in 1990. Perhaps the number of cars in 1971 would be a good target.

Reference has been made to the number of children who no longer walk to school but rely on the motor vehicle. In 1971, 80 per cent. of seven and eight-year-olds walked or cycled to school. I should know, because I was one of those who chose not to go to school by car. I am giving away my age; I am a spring chicken. Now, less than 8 per cent. of children walk or cycle to school. When one considers that incredible difference in such a short time, one sees the need for quick and clear action.

Opponents of the Bill have said that it is anti-car, which is absolute rubbish. We are all car owners or have used them in the past. The Bill is certainly anti-pollution, pro-health and pro-public transport. It gives us the chance to work with colleagues in considering an integrated transport system, to ensure that the Government meet their strategic responsibilities in reducing pollution.

I said that I would be brief. I shall close by observing that it is 100 years—almost to the day—since the Government repealed the laws requiring motor vehicles to be preceded by persons carrying red flags. Hon. Members might reflect on how the roads would be had that law not been repealed. Some of us might welcome the sight of 21 million people marching down the high streets with red flags aflame—I see that my hon. Friend the Minister is dressed accordingly—but we must look to the day when we can use less restrictive measures on the motor car and entice people out of their vehicles on to public transport or bicycles, or persuade them to walk short distances. That would bring about the improvements that we all want.

I congratulate the hon. Member for Ceredigion on bringing the Bill forward. I hope that it will receive full support from all hon. Members.

1.10 pm

Mr. Harold Best (Leeds, North-West): I should also like to place on record my appreciation of the hon. Member for Ceredigion (Mr. Dafis), for bringing the Bill forward. It is universally approved of. The word universal is relevant, because the Bill is about politics—universal and personal.

Five of my seven grandchildren suffer from asthma to varying extents. That causes particularly stressful problems. Anyone who has seen a victim in terrible distress with that childhood ailment knows how panicking and damaging it can be. One of my grandchildren lived in Newcastle in his early years. He recently moved to Morpeth, which is 15 or 18 miles from Newcastle. Suddenly, his health improved. The air is cleaner and the problems of pollution are fewer. He found it markedly beneficial going to a local school.

There is always a down side. My daughter moved to find some fresh air for my grandchild, but she now has to travel to Newcastle for work by motor car, whereas she previously went on a bicycle. There are swings and roundabouts. That shows the need to balance public transport with people's needs.

I have had personal experience of that. Since my election on 1 May, my constituency office has been approximately six miles from Leeds city centre. I try to use the buses. One night, as I was waiting with my assistant to catch the bus back home, we watched bus after bus going in the other direction, out of the city. After 50 minutes, not one had come back. I wondered whether it was like a Monty Python sketch and there was a gigantic hole further along the route down which all the buses were disappearing.

The next day we wrote to the passenger transport executive to complain. We got a reply within a few days saying that the problem was caused by traffic congestion in the city centre. I found that an inadequate reply to my complaint about where the buses had gone. Only later, when one of my constituents complained about a similar event and said that empty buses had passed her by out of service, did it come to light that the bus company's solution to being behind schedule was to run the buses back out of service and empty, leaving stranded passengers all along the route into the city centre. That is an idiotic way to run a service, because it is not a service. The company could afford to do that because it was receiving substantial sums from the public purse to support the service. Passenger income did not seem to matter.

I gather from all the contributions that I have heard today that, given the nature of the Bill, no one will reasonably object to its contents. I have undertaken to mention very few of the things that I originally intended to talk about, to make time for one more Back Bencher to speak.

However, there is one element of the problem that I owe it to my constituents to mention. Many hon. Members have mentioned the problems generated by school-related traffic, and we should be most careful about what happens if and when it is felt necessary to

close a school. We have been involved in several school closures, especially closures of primary schools, because numbers have fallen.

We must be careful that as a result of closures, we do not generate additional journeys, with people having to take children further by car to school. Our Victorian forefathers understood the need for schools to be within easy walking distance of their would-be pupils, and we should return to that aim.

I have great pleasure in supporting the Bill, and look forward to its successful progress through Parliament.

1.15 pm

Mr. Ian Stewart (Eccles): Thank you, Mr. Deputy Speaker, for allowing me to participate in this important debate; I understand the time pressures. It is unfortunate that not one Conservative Back Bencher is in the Chamber to hear the end of the debate and the Minister's comments. I congratulate the hon. Member for Ceredigion (Mr. Dafis) on bringing the Bill before the House.

Eccles, my constituency, is one of the three Salford seats, criss-crossed by one of the world's finest motorway, trunk and local road webs. That web is vital for communications and commerce, but the paradox is that it exacerbates the problem of increasing road transport and the resultant pollution and health problems.

Eccles, Salford in particular, and the north-west of England as a whole have some of the oldest and most used industrial roads in the world. It is not uncommon to look out of one's office or home and see an unplanned crater in the road, with the resultant standing traffic.

We are not only increasingly conscious of the nuisance and frustration that that causes for industry and the public alike, but we are more acutely aware of the devastating effect on the health of constituents and the pressure that that places on the national health service.

Two main trunk roads lead into Salford from the west—the A6, which goes through Swinton and Pendlebury, and the A57, which passes through my own town of Irlam and Cadishead, through Barton and Winton into the centre of Eccles.

I should like to draw to the Minister's attention what happened recently, when there were road works, both planned and unplanned, on all the major trunk roads, and the Highways Agency gave notice that a major section of the M602, which runs into Salford from the west, was to be closed for repairs.

That meant that all the roads on the west side of town were either closed or had major repairs taking place on them. I wrote to the Highways Agency to ask what liaison had taken place with the city of Salford highways department. The Highways Agency has yet to respond to my letter, but the principle of maximum liaison between the various agencies, and of the clearest and highest-quality information for the public and industry, is essential.

I support the Government's strategic approach to both trunk and local road policy. I believe that we need a strategic but flexible approach that allows resources to be directed quickly to unforeseen problems.

In my town of Irlam and Cadishead we have an unfinished bypass that emerges at the worst bottleneck in the village of Cadishead. The town is a one-road ribbon development along the north bank of the Manchester ship canal. There is only one road in, and one out. That is already unacceptable and dangerous, and it could deteriorate into a state of collapse when the massive shopping city, the Trafford centre, comes on stream.

We need a flexible strategy that allows cities such as Salford either to receive funds from Government or to raise the necessary revenue locally, at the same time as we develop an integrated transport system. I support the Greater Manchester bid to run a pilot integrated transport system. It should be noted that some local authorities, such as Salford, to their credit, anticipated the new Labour Government's prioritisation of education and health by investing more than the Governments in the previous 18 years allowed in education and social services.

The city of Salford is to be congratulated, but it is all too conscious that those priorities have meant that, among other services, highways have suffered underinvestment. The situation is now chronic, and special support and consideration must be given to areas of special need, such as Salford and other places throughout the country, where chronic problems may deteriorate into a state of collapse in the all too near future.

I have highlighted the need for maximum planning liaison and public information; a parallel trunk and local roads strategy that allows for the unexpected; and a recognition that local authorities such as Salford may need special understanding, funding or permission to raise funds locally. Above all, most of those issues should not be seen in isolation. As well as an integrated transport policy, we must have an integrated society. That means that we must consider all the knock-on effects of policy on our constituents.

The country is much like the human body. There is no use having good veins and arteries if the capillaries are not working properly, and vice versa. There is little sense in having a national trunk roads strategy if the local roads are not dealt with at the same time. I commend the Bill to the House and thank the hon. Member for Ceredigion for promoting it.

1.21 pm

Mr. Christopher Chope (Christchurch): I, too, congratulate the hon. Member for Ceredigion (Mr. Dafis) on his success in the ballot and on being so persistent on this subject.

I also congratulate my hon. Friend the Member for Mid-Dorset and North Poole (Mr. Fraser) on an eloquent plea for common sense and on the balanced judgment that he displayed. He drew attention to local issues in Wareham and Poole, including the need for investment in the new Poole bridge and the important role of the car in an area heavily dependent on tourism and with a largely elderly population. As my constituency is in the same county as his, I understand many of his points.

I add my plea for the link between the A31 and Poole bridge to be completed and for the bridge itself to be constructed. Transport by sea is an important part of the overall picture. Poole harbour brings in much traffic from overseas, and if we do not find the routes to enable it to get to other parts of the country without affecting the residents of areas such as Ferndown and Poole, it will be very bad news for them. Many lorries en route to Poole harbour are destroying the quality of life in Ferndown, in my constituency. That would not happen if the new link road for which we have been calling were constructed.

[Mr. Christopher Chope]

My hon. Friend the Member for Meriden (Mrs. Spelman) made a realistic speech, calling for restraint in traffic growth rather than an arbitrary reduction overall, which she said was unrealistic. She identified the need for specific measures to back any targets and expressed a concern, shared by so many Conservative Members, about the Government's cavalier attitude to green-belt issues, and the consequent fears among her constituents and many others throughout the country.

My hon. Friend the Member for North Shropshire (Mr. Paterson) brought an international dimension to the debate by stating from his experience overseas where some measures have worked and where others have not worked to reduce traffic, and traffic congestion in particular. He argued against arbitrary targets and expressed concern about an adverse impact upon the economy in Shropshire if arbitrary targets to reduce traffic were introduced there. He contributed in a way that will be telling in future, in the debate about whether we should engage in road pricing as a means of curbing congestion.

Earlier this month, the joint sponsors of the Bill—the Welsh nationalists, the Green party and Friends of the Earth—sent a circular letter to their supporters, enclosing a copy of what was described at that time as the latest version of the Bill, together with a commentary upon it. Although the Bill had not been published, I presumed that it would be in similar terms to the version sent with that letter. How wrong that presumption was.

The Bill, published on Wednesday this week, is very different from the draft. I was surprised that the hon. Member for Ceredigion was so relaxed about the emasculation of the Bill which he has held dear for so long. The Opposition welcome the fact that the Bill in substance is so different from the more extreme, proscriptive version promoted by Friends of the Earth. That is why we shall not oppose it today.

In government and now in opposition, the Conservative party has adopted a consistent stance on the issue. We want to reduce road traffic congestion and increase the proportion of travel by public transport. We believe that an arbitrary target for reducing road traffic is, in itself, meaningless. Targets are no use unless the means by which they are to be achieved are spelt out and command popular support. Holland introduced a national target for traffic reduction and then experienced the largest increase for years.

Mr. Alan Simpson (Nottingham, South): Does the hon. Gentleman recognise that the CBI has come out in favour of a 10 per cent. reduction in one year—a target that seems anything but arbitrary? In the commercial sector, a company in my constituency, Boots, set a target that has produced a 10 per cent. shift towards car sharing. It has subsidised 50 routes to cut staff travelling time, as part of a commitment to a citywide reduction of 30 per cent. in commuter travelling in three years. That would seem to be anything other than arbitrary.

Mr. Chope: The hon. Gentleman makes the point that individual companies and organisations can make targets, which they set for themselves and do their best to achieve. That is different from the Government laying down an arbitrary target for every individual. That is why we think that it is better to look at the issue locally, where traffic issues are best dealt with.

Much was made during the debate of journeys to school. If ever there were an issue that one would have thought could be dealt with locally, it would be journeys to school. Surely we do not need national targets for the proportion of journeys to school by car—what we need is local action. It is because the Conservative party supports local action that we passed the 1997 Act, and we are pleased that the Government have issued draft guidance on it.

Dr. Jenny Tonge (Richmond Park): It is interesting to hear the hon. Gentleman say that these matters should be dealt with locally. If the previous Government were interested in reducing traffic—especially in our towns—why did they persistently and continuously allow the development of out-of-town and edge-of-town supermarkets?

Mr. Chope: Those two issues are not connected.

Caroline Flint: Does the hon. Gentleman accept that the previous Government's national policy of deregulating bus services had an impact locally, which has resulted in one quarter fewer passengers using bus services? Is not that a case of national policy affecting local supply and demand?

Mr. Chope: I am reluctant to take any more interventions because of their poor quality. The hon. Lady misses the point. Bus deregulation delivered more bus services and more investment in buses. I can speak from personal experience of the many smaller buses that have been brought into use by private companies. Their municipal predecessors thought that double-decker buses driving around the countryside was the only way. Now we have smaller buses more suited to the purpose.

Several hon. Members *rose—*

Mr. Chope: I am not going to give way.

The hon. Member for Ceredigion made much of the idea that a reduction in road traffic would not damage the Welsh economy. I think that the hon. Member for Wrexham (Dr. Marek) suggested that the best thing in the world would be to close off a whole lot of roads. A survey by the Welsh economy research unit at Cardiff business school showed that the building of the Bangor-Chester expressway—100 km of road in north Wales that cost £732 million—had a wide-ranging and significant impact on the economy of north Wales and the lives of its people. Increased accessibility has raised standards, improved choice and relaxed an important location constraint, improving the region's attractiveness. The diversion of traffic from seaside communities, which in the short term has reduced trade, offers opportunities for improving the coastal resorts in the longer term. Surveys show that people think that the new road has improved the region's competitiveness, and reduced journey times and congestion along the route. That is typical of the success that comes from wise road investment.

In contrast, the closure of Hammersmith bridge for repairs—there is talk of permanent closure—has meant that Putney bridge has had an increase in traffic from an

average of 49,000 vehicles a day to more than 70,000. Let us not delude ourselves that closing bridges or roads does not adversely affect neighbouring communities.

Dr. Tonge: Will the hon. Gentleman give way?

Mr. Chope: I want to make progress first.

Looking at some of the arguments deployed by Friends of the Earth, I was struck by the juxtaposition of two statements:

"Road building cannot solve the problem of excess traffic";

and

"this campaign has no view on whether any particular road may or may not ease a local situation. So there is no inconsistency in supporting this Bill and in supporting a particular road. For that reason, for instance, David Rendel MP supported the Newbury by-pass, but is also a keen supporter of this Bill."

I am glad that that is its view, because it is consistent with the approach of Labour Members. Only this week, the hon. Members for Shipley (Mr. Leslie), for Bradford, South (Mr. Sutcliffe) and for Keighley (Mrs. Cryer) promoted a campaign in an Adjournment debate for the completion of the Bingley relief road. The hon. Member for Shipley said that completion would bring tremendous relief to the local community. He accepted that there would be an increase in the volume of traffic but said:

"Capacity will be sufficiently increased to relieve congestion in the town and ameliorate the problem of rat running".—[*Official Report*, 28 January 1998; Vol. 305, c. 315.]

As a trans-Pennine route, it would be important for the local community.

Expensive road investment has also been supported by the hon. Members for Portsmouth, North (Mr. Rapson), for Braintree (Mr. Hurst), for Dover (Mr. Prosser), for North-West Norfolk (Dr. Turner) and for Waveney (Mr. Blizzard).

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Chope: I shall in a minute. I know that it is embarrassing for Labour Members to realise that Conservative Members have been consistent in saying that we need increases in capacity to deal with road congestion, as well as measures to discourage people from using their vehicles. We need to have both measures used in tandem, rather than simply concentrating on restricting the ability of people to use their cars.

I was saddened by the way in which some of the speeches by Labour Members and the propaganda from Friends of the Earth played on the emotional issue of child health and air quality. Nobody in the House can be other than concerned about the substantial increase in child asthma and in asthma generally, but it is wrong to assert that that is solely because of traffic pollution. A 1998 new vehicle creates only one tenth of the atmospheric pollution created by a similar car produced in 1970, such is the progress in technology in motor vehicle production. In Sweden, levels of nitrogen dioxide in urban areas have fallen by two thirds in the past decade, despite growth in traffic. Since 1992, toxic emissions from motor vehicles in this country have fallen by no less than 25 per cent.

In the draft guidance on the Road Traffic Reduction Act 1997, the Government recognised that it was a Conservative Act—the Environment Act 1995—that paved the way for the national air quality strategy, which is now in the process of being implemented at local level. We can get better air quality while not reducing the number of vehicles on the road, if each vehicle is less polluting.

Mr. Drew: It may well be true that newer vehicles are more technologically advanced and pollute less, but what about the many old vehicles still on our roads? How are they to be improved? Would the hon. Gentleman be prepared to take measures against them?

Mr. Chope: We are prepared to take measures against them, but what is happening is that the cohort of vehicles is gradually becoming more modern, because every year about 2 million new vehicles come on to the road and the proportion of older vehicles declines. It is also fair to say that less use is made of older vehicles than of the latest vehicles: new vehicles tend to travel up to 20,000 miles a year, whereas many of what may be described as old bangers are taken out only occasionally and cover about 5,000 miles a year.

In the remaining time, I wish to draw attention to some of the points in the draft guidance on the 1997 Act, which was issued for consultation by the Secretary of State. That guidance demonstrates that the Government show a welcome understanding of the realities that must underpin policy. Paragraph 24 states:

"An area where employment and population are growing rapidly will, other things being equal, experience a high rate of traffic growth."

That is a recognition that growing employment brings greater traffic growth. There is also a recognition that it is better to refer to reducing growth and the rate of growth, rather than to reducing actual levels of traffic. We think that that is a more realistic way forward.

Finally, I shall refer to a letter circulated by the three organisations sponsoring the Bill, because road users will be alarmed by the terms in which the draft Bill was presented to the supporters by Friends of the Earth, Plaid Cymru and the Green party. The letter, which was sent to those supporters earlier this month, states:

"Dear Supporter

Four Years Hard Work: Now We Spring The Trap

Enclosed is Traffic Reduction File No 10. It springs the trap that you have all worked so hard for over the last four years. All your letters; your phone calls; all your lobbying have set this trap."

It continues:

"But a trap is most effective when properly sprung. In the run-up to the Second Reading of the Bill on 30th January we must snap this trap shut as hard as possible. We have this opportunity now to make all the work really bite and bite hard."

The letter then sets out recommendations to the supporters, including writing to Ministers who in the past have signed early-day motions supporting a much more extreme version of the Bill than the one before the House today. It recommends issuing press releases challenging the Government to keep to their promises. Finally, it recommends that the supporters should organise stunts and picket MPs' offices.

It shows poor taste for the Bill's campaign team to use the metaphor of the illegal and vicious gin trap to put their case. Friends of the Earth has been successful in media manipulation and influencing public opinion. The extract that I read out shows that it is a past master of the darker arts of political campaigning. It is not clear whether the

[Mr. Chope]

change to the Bill is because the organisation seduced the Minister or vice versa; we look forward to her telling us the truth.

1.40 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I compliment the hon. Member for Christchurch (Mr. Chope) on managing to keep his 100 per cent. record of demonstrating to the House in all his contributions, regardless of the subject of debate, his masterly failure to grasp the issues. Having begun by averring support for the Bill, the hon. Gentleman's final diatribe was unseemly and unnecessary but, regrettably, somewhat familiar.

In common with, I believe, every Member of the House and, I would argue, millions of people in this country, I am grateful to the hon. Member for Ceredigion (Mr. Dafis) for introducing the Bill. It addresses issues of particular concern to people in this country, issues that it is my Department's responsibility to deal with and find solutions to.

This has been a good debate in that contributions from all hon. Members have, in the main, been supportive of the Bill's aims; they have, in general, been clear as to why the Bill is so necessary. Consistent themes have run throughout the contributions that we have heard. I think that all hon. Members would agree that the witty contribution of my hon. Friend the Member for Gower (Mr. Caton) underlined how the car, which has been perceived for so long as a symbol—indeed, an actual provider—of individual freedom, has, by virtue of its numbers, begun to be a real threat to so many people and areas of this country.

There have been recurring themes running through all the contributions. The hon. Member for Ceredigion outlined many of them and explained where our concerns lie as we attempt to reduce the amount of traffic on our roads. He touched on the damage done to health, to the economy and to both the built and natural environment. He also pointed out that those dangers are often directed at the most vulnerable—the very young and the very old and, particularly, the poor. The same points were made by other hon. Members.

I am grateful to the hon. Gentleman for highlighting the statement made by my right hon. Friend the Deputy Prime Minister to the Environmental Audit Committee on the importance of targets. It is our perception that targets are important because they act as building blocks. They can be the driving force to define policies, which are of no value unless they inherently show that they can produce the achievable target.

The hon. Member for North Shropshire (Mr. Paterson) tended to discount the idea of targets in any shape or form. I can tell him that we already have national targets for reducing carbon dioxide emissions and for improving air quality. We have a target of doubling cycling—which was introduced by the Conservatives when in government, and which we have accepted—and targets for reducing road deaths.

The hon. Member for Carshalton and Wallington (Mr. Brake)—who, I regret, is not in his place—drew attention to the fact that we set targets for health and for education, so it seems entirely appropriate that we should consider using targets to help us when we are, as this Government are, in the process of producing an integrated transport policy. Targets can be valuable and important in that process.

The hon. Member for Truro and St. Austell (Mr. Taylor) made an argument which was repeated by many hon. Members—that land-use planning was important in taking any decision regarding transport. He also emphasised the marked anxieties of people in rural areas; there, too, land-use planning is vital in the siting of hospitals, schools, shops and so on. The importance of land-use planning in devising an integrated transport policy is one reason why my Department is now the Department of the Environment, Transport and the Regions.

My hon. Friend the Member for Cambridge (Mrs. Campbell) spoke about the possible damage caused to children by traffic and about the school run—an issue that many hon. Members mentioned. As many hon. Members have done, she suggested a range of options whereby an overdependence on the car could be eased for all of us. She also spoke of the benefits of cycling, as she has done consistently—and, if the report is to be believed, triumphantly.

I am happy to tell the House that the Government, despite very tight spending limits, found an additional £1 million for the London cycle network, and we hope that the money will be used strategically, concentrating on junctions and roundabouts, because many cyclists have brought to our attention the need for such improvements.

We were privileged to have among our number in the Chamber this morning a member of the Select Committee on Environmental Audit—which the Deputy Prime Minister has described as the terrier snapping at the heels of Government—in the person of my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley). She, my hon. Friend the Member for Cambridge and the hon. Member for Ceredigion have consistently made parliamentary speeches on environmental issues. Today, she presented her arguments cogently, as she always does. I say to her that the creation of a comprehensive, strategic overview of all transport modes, to enable us to define the real contribution that each makes, is central in our consideration of such issues and in the devising of our White Paper.

The hon. Member for Mid-Dorset and North Poole (Mr. Fraser) rightly made a case on behalf of his constituency. Several hon. Members have managed to do so, as it is entirely proper that they should, to communicate their constituents' specific anxieties. The hon. Member for Mid-Dorset and North Poole asked for clarification about which social aspects were being damaged that could be improved by the Bill. I know of families in my constituency who are separated by a river not of water, but of traffic. In areas where regeneration and job creation are needed, some employers have advertised that people need not apply for a job if they do not have a car. Obviously, that is an absurd situation. There must be a provision for all people, if they have the qualifications, at least to present themselves for a job interview, and the fact that they do not own a car should not preclude that opportunity.

My hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) said that the debate on the Bill would have an effect on our children's health and argued, as had the hon. Member for Ceredigion and many other hon. Members, that it was not an anti-car Bill.

The hon. Member for Meriden (Mrs. Spelman) called for integrated transport and land-use planning. She also made a call for cleaner fuel. It is a pity that that call was not heard by the Conservative party when in government. Many years ago, the campaign was started to remove lead from petrol. If I remember rightly, the then Conservative Government fought tooth and nail to delay that process.

Mr. Chope: Will the Minister give way?

Ms Jackson: I regret no. We are running rather short of time.

Mr. Chope *rose—*

Ms Jackson: Very well.

Mr. Chope: I am grateful to the hon. Lady.

Mr. Mike Hall (Weaver Vale): The hon. Gentleman did not give way.

Mr. Chope: I gave way on a number of occasions.

I was involved as a Minister in the Department of the Environment. I know the enthusiasm that my right hon. Friend the then Secretary of State put into the campaign to reduce lead in petrol. A vigorous campaign was orchestrated and run by the then Conservative Government. That may stick in the hon. Lady's throat.

Ms Jackson: I deeply regret giving way to the hon. Gentleman. That was shameful.

Ms Walley: I put it on the record that during the time to which the hon. Member for Christchurch (Mr. Chope) referred, I was an Opposition Front-Bench spokesperson on the environment. I remember well the debates that took place with the Society of Motor Manufacturers and Traders, with the Government saying that they did not want to make the proposed concessions.

Ms Jackson: I am grateful to my hon. Friend.

My hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) stressed that the Bill was not an anti-car measure. He said also that it was not all pain in seeking to reduce overdependence on road transport and drew attention to the inherent gains in stimulating new ideas and processes. He rightly stressed that there could be great benefits.

My hon. Friend the Member for Islington, North (Mr. Corbyn), in his inimitable way, took up the issues that are so important to our children's health. He underlined the enormous part that good public transport can play in our lives.

I have touched on the issues raised by the hon. Member for North Shropshire. My hon. Friend the Member for Bury, North (Mr. Chaytor) advocated land-use planning. My hon. Friend the Member for Brighton, Pavilion (Mr. Lepper) stated, with no small pride, I felt, that he was neither a car owner nor a car driver. He highlighted how really good partnerships between local authorities and bus providers, as in the area that he represents in part, can make a vast difference to the quality of people's lives.

My hon. Friend the Member for Don Valley (Caroline Flint) highlighted the present inefficient system. We have it because for far too long, there was no attempt to create a properly integrated transport strategy. My hon. Friend also highlighted health dangers.

My hon. Friend the Member for Stroud (Mr. Drew) drew attention to the concerns about children in regard to their needs and health. He stressed the importance of public transport and argued that we must seek to provide a high-quality service.

My hon. Friend the Member for Hendon (Mr. Dismore) also spoke about children. My hon. Friend the Member for City of Chester (Ms Russell)—she represents my former county town—reiterated children's needs. There have been continuous themes throughout the debate.

My hon. Friend the Member for Northampton, South (Mr. Clarke) argued that the Bill is anti-pollution, not anti-car. The current dangers to children's health were related by my hon. Friend the Member for Leeds, North-West (Mr. Best) from direct family experience.

If my hon. Friend the Member for Eccles (Mr. Stewart) will allow me, I shall write to him on the particular constituency issue that he raised.

I believe that the Bill should be allowed a Second Reading, subject to the will of the House and to the agreement of the hon. Member for Ceredigion. If there has been a real difficulty this morning, it has been in the pronunciation of the hon. Gentleman's constituency. He knows where I am talking about. If the hon. Gentleman will agree to a number of amendments being made in Committee, I shall touch on the detail of those that the Government believe are needed. They will not alter the main thrust or intention of the Bill as it has been published.

Mr. Matthew Taylor: The Government have sought amendments to the Bill which would mean that they would have the power not to set national targets. Can the hon. Lady confirm to the House that it is, nevertheless, the Government's intention that there should be such national targets?

Ms Jackson: I shall touch later on the particular changes—the minor amendments—that we shall propose. I have already said, and the hon. Member for Ceredigion made the point, that the presentation to the Environmental Audit Committee by the Deputy Prime Minister and the Minister for the Environment underlined how important the targets will be in our White Paper and in formulating an integrated transport policy.

The promoter and sponsors of the Bill share the same aims as the Government. We cannot carry on as we are. Congestion on our roads is increasing and it delays people and the movement of freight. It causes personal frustration and cost to both the individual and the national pocket. The damage to our local and global environment is affecting our health and our climate. Those who cannot afford a car, or who do not have access to one, face growing social exclusion. Increased road traffic can also reduce social amenity, by making it less safe for children

[Ms Jackson]

to play on the street, for example—as was pointed out by several hon. Members—or for elderly people to cross the road.

Current forecasts suggest that the situation will be even worse in 20 years' time. The latest national road traffic forecast shows that road traffic is predicted to increase by around 38 per cent. from 1996 to 2016, and by 60 per cent. by 2031. Average journey times are also expected to increase. In the worst case, journey times on urban motorways in peak periods are predicted to double by 2031. That assumes that there is no change in current policies. That is why the Government are committed to developing a new approach to transport policy, with the simple aim of making life better for us all.

Dr. Tonge: In considering targets and estimating the rise in traffic congestion over the next few years, will the Department take into account the terrible effect that any expansion at Heathrow airport would have on traffic congestion in west London? In view of the effects of that disastrous development, will the hon. Lady consider asking the Minister of State to call off the inquiry now?

Ms Jackson: The hon. Lady is well aware that it is not within the powers of the Secretary of State to call off the inquiry.

Many respondents have highlighted the need for targets, both national and local. I can assure the House that targets will be a significant feature in the Government's White Paper. Targets that are already in place—especially on greenhouse gases, as agreed at Kyoto, through the national air quality strategy, and on reducing road casualties—are likely to be significant drivers of new transport measures, at both national and local level. We are considering carefully whether there is a need for additional targets, including national road traffic reduction targets, to provide a further impetus to the policies that are adopted.

There is a role for non-governmental voluntary targets. My hon. Friend the Member for Nottingham, South (Mr. Simpson) highlighted the initiative in his constituency, where local businesses are taking steps to provide green transport plans for their employees. The hon. Member for Ceredigion, I believe, referred to the advisory committee on business and the environment, whose recommendation is that, where practical, business should seek to reduce by 10 per cent. the number of people commuting to work in solitary state by car.

I have already referred to the Road Traffic Reduction Act 1997, passed in the dying days of the previous Government. There is, inevitably, as there should be, a link between the Bill and the duties placed on local authorities under the Act. Two weeks ago, we issued draft guidance to local authorities on meeting their obligations under the Act. At present, we are consulting publicly on the guidance. However, we envisage that local authorities will have to produce reports under the Act by July 1999. In these reports, authorities will need to set out the results of their reviews of existing and forecast levels of traffic on local roads in their area. Crucially, the reports will have to contain targets for reducing traffic levels on such roads, or their rate of growth.

The Government recognise, however, the incredible variety of our country. Regional and local variations mean that traffic levels and the transport needs of different settlements will also vary. It would be absurd and, I believe, detrimental to insist that all authorities should set identical traffic reduction targets for their areas. The Act allows local authorities to decide, after close consultation with local residents and businesses, what targets they should set, or whether there are good reasons for not setting targets for all or any part of their area.

I now turn to the first amendment that the Government believe is necessary before we can offer the Bill our support. It relates to clause 2(5), which requires the Secretary of State to publish the report under subsection (1) within 12 months of the Act coming into force. I would ask the hon. Member for Ceredigion to reconsider that requirement. Subsection (1) places a duty on the Secretary of State, subject to subsection (2),

"to set and publish in a report to Parliament, national targets for road traffic reduction".

Under subsection (2),

"The Secretary of State is not obliged to specify targets under subsection (1) if he considers that other targets, or other measures, are more appropriate for the purpose of reducing the adverse impacts of road traffic, but in that case the report must explain his reasoning and make an assessment of the impact of the other targets or other measures on road traffic reduction."

I trust that as local authority reports are not due for completion until July 1999, the hon. Gentleman will agree that it would be more realistic for the report to be published within 18 months of the Act coming into force.

The second amendment that the Government consider necessary would delete from clause 2(4) the requirement for reports to be published

"no less than once every three years".

Although the Government recognise the value of regular reports, we do not see the need for such a requirement to be enshrined in legislation. It would mean that, unless amending legislation were introduced, such reports would have to be produced ad infinitum. That does not seem sensible and I would be grateful if the hon. Gentleman agreed to reconsider the proposal.

The Government also wish to introduce amendments to clarify the position of whether separate targets will be set, and reports prepared, by my right hon. Friends the Secretaries of State for Scotland, for Wales and for Northern Ireland, in addition to any targets set and reports prepared for England by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions.

Having pointed out the key changes that the Government would like to make to the text of the Bill, I close by stressing once again that we strongly support and share its main aims. Subject to the will of the House, I look forward to working with the hon. Member for Ceredigion to secure a mutually acceptable outcome. I can confirm that the Government are prepared to make Parliamentary Counsel's time available to assist with the redrafting that is required to address the points above and any further redrafting that may be required to ensure that the Bill is in a legally acceptable form. If I have the hon. Gentleman's agreement, I am content to recommend to the House that his Bill be given a Second Reading.

2.2 pm

Mr. Dafis: With the leave of the House, I should like briefly to sum up the debate. First, may I ask the House's forbearance if I do not mention the constituencies of

hon. Members? I have the greatest difficulty in getting my tongue around these English names. I find "Cam-brid-ge" and "Milton Key-nes" particularly difficult—*[Laughter.]* One name that I can say without difficulty is Bath and I should have mentioned in my opening speech the hon. Member for Bath (Mr. Foster), who introduced the first Road Traffic Reduction Act in 1997.

I welcome the Minister's support for the Bill and her offer of help from parliamentary draftsmen to make sure that it is legally acceptable. Her proposed amendments are acceptable. That is very good news and I trust that the Bill will receive a Second Reading.

We have had a fascinating, well-informed debate, acknowledging the variation of circumstances in different areas. We have also had some competent descriptions of local circumstances and hon. Members have thought hard about the realities and the logistics of achieving the desired aim.

Some of the concerns raised by Conservative Members were perfectly legitimate, but others were a little dubious. Their legitimate concerns can be addressed in the detailed strategies that will be devised to operate within the broad framework of the Bill. I should imagine that enlightened Conservatives, such as the hon. Member for South Suffolk (Mr. Yeo) and the former Secretary of State for the Environment, whose constituency I cannot remember and could not pronounce if I could, support the Bill.

As things have turned out, it is highly unlikely that any hon. Member would object to the Bill. Indeed, it would be astonishing if anyone dared to object to it after what we have heard today. Given the strength and breadth of support for the Bill and the enormous importance of enacting it, it is essential that we complete the remaining stages in good time for the Bill to proceed to the other place and get on the statute book. I hope for co-operation from the usual channels to ensure that that happens.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Breeding and Sale of Dogs Bill

Order for Second Reading read.

2.6 pm

Mr. Mike Hall (Weaver Vale): I beg to move, That the Bill be now read a Second time.

I wish to place on record my thanks to the Royal Society for the Prevention of Cruelty to Animals, particularly Mr. Alex Ross, for the preparation and drafting of the Bill. I also thank Lord Williams of Mostyn, the Home Office Minister, for his guidance and encouragement. I hope that the Bill will now receive the Government's support and that we can claim that it has all-party support.

The Bill seeks to clamp down on large-scale, unlicensed commercial puppy farms and reduce the suffering of thousands of puppies that are bred each year. The dog—man's best friend and the family pet of millions of households—is all too often bred in lousy conditions and transported long distances for sale. Many dogs are bred by people who appear to have no idea about the conditions in which they should be bred and brought up. Animal welfare considerations are put on one side to boost the profits of unscrupulous dog breeders. The conditions compare badly with those of good dog breeders, who provide decent welfare standards in their kennels and look after their puppies by exercising and socialising them.

All too often, dogs are kept in cramped, filthy conditions, bitches are bred far too often and dogs receive no exercise or human contact. Puppies are taken away from their mothers at a young age and transported hundreds of miles to be sold in pub car parks, motorway service stations and other outlets.

One need only look in the classified sections of local newspapers and magazines to find advertisements of dogs for sale. It is all too easy to buy a dog. Many of the puppies advertised start their lives in large-scale, unlicensed puppy farms in squalid conditions. They are taken away from their mothers at five weeks old, sold to dealers for some £150 and resold to unsuspecting people for £250.

I have received a letter, from constituents not of mine but of the hon. Member for Tatton (Mr. Bell), from the village of Northwich, drawing to my attention the terrible tale of a kennel in Antrobus. When the couple went to the kennel, they found the reception area unclean and dishevelled. They said that

"a very unpleasant smell filled the room . . .

We asked if we could see a West Highland White Terrier puppy, two pups were consequently brought to us, supposed to be brother and sister. They were so different that we asked if we could see the mother and father."

The breeder left the room, and came back with a west highland terrier bitch. The dog was placed on the floor, but did not seem interested in the puppies: she growled at them when they came near her. The alleged mother was in a terrible condition: she could hardly walk and her fur was tainted yellow. They knew that they had to buy a puppy.

The couple paid £236 for that puppy in 1990. When they took it home in the car, they noticed that it was bleeding from its rear end, and was covered in fleas.

[Mr. Mike Hall]

They took it to the vet, who discovered that it had one eye smaller than the other, no tear ducts, an undershot jaw, its legs, tail and ears were too long, it had only one testicle and the texture and colour of its coat were wrong. They contacted the breeder to find out why they had paid all that money for a defective animal. Instead of apologising, he took a "tough luck" attitude, gave them a load of abuse and slammed down the phone.

That is one example of what can happen when puppies are bought from a puppy farm. In 1995, after growing concern, the all-party animal welfare group inquired into this matter. Its report "The Commercial Breeding and Sale of Dogs and Puppies" was produced with the support of the RSPCA, the Kennel Club, the British Veterinary Association and the British Small Animal Veterinary Association. It made a number of recommendations to improve the welfare of dogs and puppies. The Bill reflects those recommendations and builds on them.

I have consulted widely to improve the Bill. The views of local authorities, animal welfare organisations and many others have been taken into account. I have also consulted dog breeders and dog owners to ensure that the Bill is fair and does not punish the responsible dog breeder who has high animal welfare standards in his breeding establishment. The Bill is necessary because the Breeding of Dogs Act 1973 is badly written and prosecutions are difficult to achieve. The 1973 Act focuses on the conditions of breeding premises and ignores the animal welfare issue, so I hope to redress that balance in my Bill.

The current law makes it easier for breeders to avoid being licensed, allows them to cut corners on welfare, and makes it much more difficult for prosecutions to be brought. The all-party animal welfare group showed the extent of the problem when it discovered that in the three counties of west Wales there are 230 licensed and almost 300 unlicensed breeders. Unlicensed breeders are not subject to inspection, even though they sell thousands of puppies every year. The evidence that those puppies suffer serious health problems is there for all to see. They are often lice ridden, worm infested, have physical disabilities, skeletal deformities and behavioural problems.

The primary aim of the Bill is to ensure that commercial puppy farms are licensed and provide healthy conditions for their animals, and that the welfare of the dogs is paramount. The current law is ambiguous and allows breeders to avoid licensing. Dogs can be bred in lousy conditions and sold almost anywhere. There is no requirement to promote the animal welfare of the dogs and puppies involved.

It will be of no surprise to the House to know that the biggest culprits are the large-scale, unregistered, commercial breeders. My Bill will target those breeders. It has four main objectives: to stamp out unlicensed breeders who are breaking the law; to ensure high animal welfare standards at all licensed premises; to better regulate the way in which puppies are sold; and to achieve that without placing further burdens on the small-scale, responsible breeder.

To ensure that local authorities can stamp out unlicensed breeders who are breaking the law, the Bill will crucially amend the definition of a breeding establishment. If it is enacted, only those businesses breeding dogs for massive profits will be required to license. A breeding establishment that produces more than four litters a year will be presumed to be running a business under the terms of the Bill, and will have to be licensed.

To improve animal welfare at licensed premises, the Bill introduces minimum and maximum age gaps between which bitches can be bred from, and it restricts the frequency with which bitches can be mated. The measure is supported by the Kennel Club, the RSPCA and the British Dog Breeders Council.

The Bill will require veterinary surgeons to carry out initial and annual inspections of all potential and existing licensed breeders and their reports will be considered by the local authority before a licence is issued or renewed. That will help improve welfare standards at all licensed breeding establishments. Breeders will be required to keep records of the dogs that they breed. That will help local authorities to verify the number of dogs bred and help in any legal action.

The Bill contains a new measure to prevent unlicensed dog breeders from supplying puppies for sale to the public. The Bill will therefore prevent the sale of puppies by anyone other than a licensed breeder or a licensed pet retailer. I assure the House that I am quite prepared to revisit the clause concerned to ensure that we do not make it an offence for a wife or partner of a breeder or people who work in licensed pet shops to be engaged in the sale of puppies.

The measure will help to get rid of unlicensed dealers and the go-between who sells puppies to the public through classified advertisements, in pub car parks and at motorway service stations. In addition, the Bill will require pet shop retailers who want to sell puppies to ensure that the puppies are properly cared for. Veterinary inspections of such shops will be required. The House will be delighted to know that there is a beneficial spin-off for the welfare of other animals on sale in pet shops.

Under the current law, those convicted of offences relating to dog breeding often escape with a minimum fine. A pedigree puppy litter can be sold for up to £3,000. That can be multiplied by dozens of breeding bitches. A puppy farm income can be in excess of £50,000, so a fine of £100 is totally inadequate and pointless. The Bill will give magistrates the power to imprison breeders who break the law or to confiscate the animals of those convicted. Where legal proceedings are instigated, those facing prosecution can have their animals seized and rehoused in the event of a prosecution.

Caroline Flint (Don Valley): Will my hon. Friend give way?

Mr. Hall: No, I am sorry. I cannot give way.

The measures are aimed at encouraging commercial puppy farmers to be licensed and adopt good animal welfare practices and at protecting members of the public who buy puppies.

I am acutely aware that hundreds of families buy puppies in the hope that they will have a companion that they can enjoy for its full life, only to find that they have bought a dog with serious health and behavioural problems due to the way in which it has been bred and sold. The best advice that I or the House can give to

anyone buying a puppy is to check out the breeder, see the puppy with its mother and to get as much information as possible on the history of the puppy that they intend to purchase.

This Bill, with the support of local authorities, animal welfare organisations, responsible dog breeders and pet retailers, will change the law to deal with the huge problem of puppy farms. I commend it to the House.

2.17 pm

Mr. John Greenway (Ryedale): I congratulate the hon. Member for Weaver Vale (Mr. Hall) on his success in the ballot and on introducing the Bill. It gives me particular pleasure to say that because—he will not realise this—I was born and raised in Northwich and attended Sir John Deane's grammar school in his constituency. I vividly recall as a child walking our collie dog—long since departed—along the Trent and Mersey canal, where I learned the love of dog ownership. We have two splendid Norfolk terriers at home in Yorkshire. Like many dog lovers, I derive great pleasure from being with my dogs and walking them at weekends. I commend such a leisure pursuit to others.

As the hon. Member for Weaver Vale has said, this issue is primarily one of welfare. He is right to suggest that a legislative change is overdue. There is not time today for the House to consider, in as much detail as we might have preferred had time allowed, some of the issues in the Bill.

The Conservatives believe that the issues deserve greater consideration and deliberation. The best opportunity for that would be provided by the Bill proceeding to a Standing Committee, where the issues could be aired and addressed. I am glad that the hon. Member for Weaver Vale rightly pointed to the need to ensure that those who wish to sell dogs in proper circumstances are not outlawed. He is also right to draw attention to the fact that the Bill might prevent people from mistakenly purchasing a dog from an unscrupulous breeder—which is all too easy—and ensure that those who want to purchase a pet and a friend for life purchase a young pup that is physically sound and has been properly reared.

We are prepared to give the Bill a Second Reading today. We hope that there will be room in Standing Committee C for consideration of it and the Road Traffic Reduction (United Kingdom Targets) Bill, which was given a Second Reading a little earlier.

2.20 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I congratulate my hon. Friend the Member for Weaver Vale (Mr. Hall) on his good fortune in drawing a place in the ballot. The Bill deals with unlicensed dog breeding, with the aim of raising standards in the industry. There is a general consensus that that is a worthy objective. It would extend the provisions of the Breeding of Dogs Acts 1973 and 1991.

I do not need to describe the existing legislation or go into the detail of the Bill, because my hon. Friend did so eloquently and comprehensively. However, I shall give some background to the Bill. There has been concern for some time about the effectiveness of existing legislation, with arguments for the regulation of the dog breeding. The all-party parliamentary group for animal welfare—in which the hon. Member for North Thanet (Mr. Gale), who is in his place, has played a prominent role—has recommended changes to the licensing system under the 1973 and 1991 Acts. My hon. Friend has taken account of the parliamentary group's report. The Bill also has the support of the RSPCA.

My hon. Friend and the RSPCA have consulted widely and met with interested parties, including my noble Friend Lord Williams, my colleague at the Home Office. He has taken note of the concerns that we expressed and made changes. The Bill is better for that.

However, some concerns remain to be addressed. First, there is a problem with record keeping. Clause 1(3)(i) places additional burdens on local authorities. There may be difficulties with enforcement. Secondly, clause 8 introduces a regime for pet shops selling puppies that would ban the sale of puppies from pet shops. Thirdly, the pet trade remains concerned about the possibility of hobby breeders—such as those who breed to show rather than for business purposes—being caught in a licensing system. Finally, doubts have to be expressed about the value of compulsory inspections by a vet. The inspection could take place where there are no puppies on site, leaving little for the vet to inspect.

Having expressed those concerns, I shall give some idea of where the Government stand on the broad thrust of the Bill. The concerns certainly need to be addressed, and as the hon. Member for Ryedale (Mr. Greenway) said, it will be appropriate to do that in Committee.

The Government are sympathetic to the aims of the Bill, which are consistent with the Labour party's document, "New Life for Animals", which was issued before the general election. There is certainly a well-documented problem with rogue breeders, and we accept that it needs to be dealt with.

There are three concerns associated with indiscriminate dog breeding. First, of course, come welfare concerns about bitches and puppies kept in unsuitable conditions, with resultant health problems. My hon. Friend the Member for Weaver Vale gave some examples of that phenomenon.

The second problem is the increased likelihood of unhealthy puppies being sold to the public. We are all concerned about that. Last but by no means least, there is the danger of unscrupulous dog breeders tainting the legitimate businesses.

The Bill seeks to address those issues, so it is not my intention or that of the Government to oppose it. We support the principles behind it, but to make it acceptable to the Government, amendments will have to be made in Committee to deal with the concerns that I described earlier.

The Government do not object to the Bill's having a Second Reading and we wish it good progress. I hope that the House will allow it to proceed into Committee, and that while it is there the faults can be remedied and our concerns about the current drafting addressed.

My hon. Friend and those who have supported the Bill will then have done a service to the public, especially to those who care about the welfare of animals. The Bill is a good one and deserves to be taken further. I am sure that, provided that it can be modified, it will reach the statute book—notwithstanding any difficulties that may

[Mr. George Howarth]

exist in relation to Standing Committee C—and that my hon. Friend will then have the gratitude not only of the House but of the wider public.

2.26 pm

Mr. Mike Hall: With the leave of the House, Mr. Deputy Speaker, I shall respond briefly to the Minister's comments and welcome them. I believe that it is clause 5(8) that concerns him, not clause 8. I am prepared to re-examine all the issues that he has raised concerning the technical details that need additional thought in Committee, and I look forward to taking the Bill there at the earliest opportunity.

I thank the hon. Member for Ryedale (Mr. Greenway) for his encouraging remarks, and I thank the chairman of the all-party animal welfare group, the hon. Member for North Thanet (Mr. Gale), for being here to give his support to the Bill. I ask the House to agree that the Bill be read a Second time.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Public Records (Amendment) Bill

Order for Second Reading read.

2.27 pm

Mr. Norman Baker (Lewes): I beg to move, That the Bill be now read a Second time.

I am delighted to have the opportunity to promote this important Bill. The Government have announced their intention to introduce a White Paper to free up our information supply. That is welcome, and what was presented by the Chancellor of the Duchy of Lancaster was in many ways a superb Government document. However, it fell down in one important respect: it sought to preserve the 30-year rule.

We have a historical problem with secrecy in this country, much of which is linked with the administration of public records. For example, a file from 1935 entitled,

"Taxi drivers carrying fares without depressing flag",

is still secret. More importantly, there are papers from the Atomic Energy Authority dating from the 1950s that are still secret. There are many other documents that it would be useful for Members, and for members of the public, to see.

I hope that the Government will give my proposal a fair wind.

There is perhaps a cost implication; that would explain why the Government have been reluctant to endorse the idea of a 20-year rather than a 30-year limit, because I know that they are sympathetic in principle to freedom of information. If cost is the problem, it is important that we have a wide debate in the House to try to overcome it. It may be possible, for example, rather than giving a blanket exemption for all documents, to prioritise certain documents—from the Cabinet, for instance—that could be released earlier, at the 20-year limit. I ask the Government to consider that proposal.

I intend to table an amendment designed to introduce a 20-year rule to the Government's freedom of information legislation if the Bill is not successful. I hope that the Government will view it sympathetically.

2.29 pm

The Attorney–General (Mr. John Morris): The time is far too short for the hon. Member for Lewes (Mr. Baker) to set out his stall and, regrettably, for me to reply to him. I know of his long-standing interest in the matter. He tabled a whole series of questions and secured an Adjournment debate on the subject almost as soon as he came to the House. My right hon. and hon. Friends—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 27 March.

Remaining Private Members' Bills

BRITISH NATIONALITY (ST. HELENA) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 20 March.

TELEVISION LICENCE PAYMENTS (AGE EXEMPTION) BILL

Mr. Deputy Speaker (Sir Alan Haselhurst): Not moved.

ELECTRO-CONVULSIVE THERAPY (RESTRICTIONS ON USE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 March.

ENERGY EFFICIENCY (INFORMATION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 20 March.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 February.

EMPLOYMENT RIGHTS (DISPUTE RESOLUTION) BILL [*LORDS*]

Considered in Committee.

[SIR ALAN HASELHURST *in the Chair*]

Clauses 1 to 17 ordered to stand part of the Bill.

Clause 18

SHORT TITLE

Amendment made: No. 1, in page 13, line 13, leave out subsection (2).—*[Mr. Healey.]*

Clause 18, as amended, ordered to stand part of the Bill.

Schedules 1 and 2 agreed to.

Bill reported, with amendment.

Bill, as amended, to be further considered on Friday 6 February.

COMMUNITY CARE (RESIDENTIAL ACCOMMODATION) BILL

Considered in Committee; reported, without amendment.

Bill to be read the Third time on Friday 6 February.

COLD WEATHER PAYMENTS (WIND CHILL FACTOR) BILL

Order read for resuming adjourned debate on Question [23 January], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 6 February.

REFERENDUM (ENGLISH PARLIAMENT) BILL

Mr. Deputy Speaker: Not moved.

REPRESENTATION OF GIBRALTAR AT WESTMINSTER AND IN THE EUROPEAN UNION BILL

Mr. Deputy Speaker: Not moved.

REPRESENTATION OF DEPENDENCIES AT WESTMINSTER BILL

Mr. Deputy Speaker: Not moved.

WIDENING OF THE M25 MOTORWAY BILL

Mr. Deputy Speaker: Not moved.

WAR WIDOWS AND PENSIONERS (EQUAL TREATMENT) BILL

Mr. Deputy Speaker: Not moved.

MENTAL HEALTH (AMENDMENT) BILL

Mr. Deputy Speaker: Not moved.

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 February.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 March.

TRIBUNALS OF INQUIRY (EVIDENCE) ACT 1921

Resolved,

That it is expedient that a Tribunal be established for inquiring into a definite matter of urgent public importance, namely the events on Sunday 30th January 1972 which led to loss of life in connection with the procession in Londonderry on that day, taking account of any new information relevant to events on that day.—*[Mr. Dowd.]*

BUSINESS OF THE HOUSE

Motion made, and Question proposed,

That, at the sitting on Thursday 5th February, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Community documents), the Speaker shall put the Questions on any Motions in the name of Mr. Secretary Prescott relating to Local Government Finance not later than Ten o'clock.—*[Mr. Dowd.]*

Hon. Members: Object.

SELECT COMMITTEE ON EUROPEAN LEGISLATION

Motion made, and Question proposed,

That Mrs. Anne McGuire and Ms Hazel Blears be discharged from the Select Committee on European Legislation and Mr. Jim Dobbin and Mrs. Rosemary McKenna be added to the Committee.—*[Mr. Dowd.]*

Hon. Members: Object.

SELECT COMMITTEE ON MODERNISATION OF THE HOUSE OF COMMONS

Motion made, and Question proposed,

That Mr. Huw Edwards be discharged from the Select Committee on Modernisation of the House of Commons and Mr. David Drew be added to the Committee.—*[Mr. Dowd.]*

Hon. Members: Object.

Mr. Owen Paterson (North Shropshire): On a point of order, Mr. Deputy Speaker. Has there been any request by the Paymaster General to make a personal statement in view of the fact that he has been accused in an article published in *Business Age*—an influential business journal—of conniving in defrauding the Maxwell pension funds, an offence that would, if shown to be true, carry a potential sentence of imprisonment?

Mr. Deputy Speaker: Order. I have received no such request.

Land (Public Access)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.38 pm

Mr. Gordon Prentice (Pendle): I am grateful to have the opportunity to raise an issue of great concern and importance to millions of people who enjoy our countryside. Today, as we approach the millennium, hundreds of thousands of acres of some of the nation's most beautiful countryside are, in effect, out of bounds to most people.

We live in a densely populated country. Here in London, we are all crushed together, 4,500 people to the square kilometre. Out there, we are fortunate still to have unspoilt rural areas all around us where we can breathe freely, but we do not have a right of access to them. They are Britain's no-go areas—vast tracts of land where access is denied to the many by the few. Individuals may hold the legal title, but really the land is owned by us all.

The demand to walk over open country goes back decades to the days of the mass trespasses and has enormous resonance in the Labour movement. For many of us, it is unfinished business. We want a legal right of access over uncultivated land. There must be restrictions to protect the landscape. Nesting birds and delicate habitats must be protected. No one wants literally to trample roughshod over land that must be safeguarded, but it is unacceptable to deny the public access to land solely because of its ownership. That is no longer a sufficient reason.

In my constituency in north-east Lancashire, we are very fortunate. Immediately to the north-east, we have the Yorkshire Dales national park. To the west is the Trough of Bowland, much of which is owned by His Grace the Duke of Westminster; 90 per cent. of the land that he owns is out of bounds to the general public. To the east, straddling the county boundary, is the looming bulk of Boulsworth hill and open country beyond it right across to Haworth and Brontë country—open moorland as far as the eye can see, but out of bounds.

Last year, in high summer, Lord Savile graciously allowed my right hon. Friend the Minister for the Environment to walk over his moorland estate on the Lancashire-Yorkshire border. I was with him, along with lots of people from the Ramblers Association including its chair, Kate Ashbrook, and about 20 others. It was a memorable day. It was gloriously sunny with a clear blue sky. The air was as fresh as could be. The next day, the signs went back up: "Private" and "No Access".

The plain fact is that many landowners do not want people walking over their land. They think that it is a grotesque intrusion and fear a legal right of access. With the election of the Labour Government last May, things changed slightly. The Country Landowners Association began to smile at us. It was all sweet reason. It said that the solution was voluntary access agreements. They have never worked in the past and are unlikely to in future. Despite the new face presented to the world, too often the mask slips and we can see

all the old prejudices shining through in their glory. I have a million examples, but I will cite only one or two recent ones.

Three weeks ago in the *Farmers Guardian*, the Country Landowners Association's spokesman in the east midlands said that the right to roam

"would apply to everyone, including the minority of vandals, sheep stealers, badger baiters, horse slashers, illegal hare coursers, poaching gangs, birds' egg thieves and those responsible for a rising tide of crime in rural areas, many of them forced out of the towns and cities by improved policing and surveillance techniques."

The regional secretary of Country Landowners Shire Counties, Betty Bowes, is quoted in the *Coventry Evening Telegraph* as saying:

"The right to roam is effectively the nationalisation of land use. But a right to roam cannot just be a right for ramblers to roam. We don't want all and sundry roaming over our land, especially not criminals, drug pushers and vandals."

People like Betty Bowes think that the rest of us carry anthrax spores on our boots and shoes. How dare we walk over land that belongs to others, infecting it in that way?

Closer to home, the CLA regional secretary for the north-west told the ramblers' Bowland access committee last year:

"I wish to emphasise that it is utterly out of the question for the Country Landowners Association to contemplate interfering with or in any other way attempting to influence decisions made by individual landowners, be they CLA members or not, on matters specifically concerned with their own land."

There we have it. The policy of the CLA nationally is to press for voluntary access agreements and to say that a general right to roam would cost £2 billion—a preposterous figure.

Set against such primeval attitudes, the voluntary approach simply will not work, which is why Labour in opposition made clear commitments to legislate for a legally enforceable right of access. I shall not weary the House by listing all of them, but about half the present Cabinet spoke out clearly and unequivocally on this issue. My right hon. Friends the Secretary of State for Culture, Media and Sport and the Secretary of State for Health made unequivocal pledges on behalf of the Labour party. Indeed, I may have been present when, in 1995, my right hon. Friend the Secretary of State for Health, then shadow Secretary of State for the Environment, said:

"On behalf of the Labour party, I make this promise. The next Labour Government will give people a right to roam. It will make the right to roam a legal reality. We will change the law to give people that right."

My right hon. Friend the Member for Sedgefield (Mr. Blair), now Prime Minister, told the ramblers by letter on 10 October 1995:

"A Labour Government will give the people the 'right to roam' which will be coupled with a duty to respect crops, livestock and valuable habitats."

The Labour manifesto—about which we hear so much these days, as it is of symbolic and practical importance—promised

"greater freedom for people to explore our open countryside".

In view of all those clear, unequivocal pledges, I was greatly concerned to read the report in *The Independent* on 18 January under the headline:

"Labour caves in to rich over your right to roam".

It was a mischievous article, written by Geoffrey Lean, the environment correspondent. I do not believe it for one moment. The first paragraph states:

"Tony Blair is personally blocking one of Labour's most frequently repeated and deeply felt promises—to give everyone a legal right to walk freely in open countryside."

That is rubbish—I know that my right hon. Friend the Prime Minister would not do such a thing. However, that report and other reports like it have set the cat among the pigeons.

The ramblers—200,000 of them—are worried that the consultation paper, which has been constantly delayed, will propose a solution of voluntary access agreements, which, as I said, do not work and are unacceptable. Any solution based on voluntary access agreements is unacceptable. That is because the voluntary approach depends on the initiative and good will of individual landowners, and many of those individual landowners want to pull up the drawbridge and keep the hoi polloi away from their land.

The Country Landowners Association sent out a briefing last week as soon as it found out that I had secured today's Adjournment debate; 24 hours later, I received my copy. Again, it returned to the voluntary approach and cited the Access 2000 scheme. I do not believe the briefing for a moment, but it said that the voluntary approach was more practicable, cheaper and more workable than the legislative approach. There is no evidence for that assertion.

Where does all that leave us? We have a new Labour Government with an enormous majority that will never be bigger. We have a mandate from the people and we have a policy, which has a deep resonance going back to the 1930s, of opening up the land to the people. What we have is a determination to legislate and we should now get on and do it.

2.49 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the Member for Pendle (Mr. Prentice) and I am grateful to him for the opportunity that he has afforded the House to discuss this subject, which is one to which many people attach great importance. As he said, the subject has a long history and a deep resonance in our country. Many people hold strong views about it; it therefore attracts lively and, if some of the phrases that my hon. Friend used in his speech have passed others' lips, sometimes offensive debate.

My hon. Friend's address demonstrates his knowledge and interest in access issues and his commitment to them. I am grateful to him for setting out his views so clearly and I hope that I shall be able to outline the Government's position in equally cogent terms.

While there may be arguments about how best to provide access to the countryside, I would hope that most of us—clearly, from what my hon. Friend has said, not all of us—are agreed about the value of such access. The Government's position in the manifesto, and the support that we subsequently gained at the general election, support that.

Walking in the countryside brings tremendous benefits to people's well-being—physically, spiritually and mentally. It offers the chance for people to enjoy

[Angela Eagle]

healthy exercise while experiencing the wonders of our countryside, its landscape, its wildlife and its history. The countryside is an invaluable national recreational resource. Now, more than ever, people need to be able to escape from the stresses and strains of everyday life.

It is difficult to overstate the importance of maintaining and enhancing opportunities for access to the countryside in terms of the benefits that this most popular form of recreation brings to millions of people. It is therefore right that we should wish to ensure that people have the opportunity to benefit from access to parts of our most beautiful countryside.

As my hon. Friend said, our manifesto makes it clear that we wish to promote greater freedom for people to explore our open countryside. My hon. Friend rightly reminded us that that is something to which the Labour party has long been committed. We shall honour that commitment. It was a Labour Government who, under the National Parks and Access to the Countryside Act 1949, gave local planning authorities and landowners some means to provide public access to open country for quiet enjoyment. It is fair to say that the achievements gained from that Act in terms of promoting greater access did not live up to the optimism of the immediate post-war years. But we have much to celebrate in the Act, particularly the national parks.

The reason we need greater freedom to open countryside is clear. Although some use has been made of existing access provisions, generally, they have not been implemented sufficiently widely. There is also confusion about the de facto access that has grown up in some areas.

Some people argue that, given this country's extensive rights-of-way network, we do not need to extend access over open countryside. However, rights of way do not cater for every demand for access to the countryside. Some people seek a different experience in more open country and there should be opportunities for them to do so. Others are excluded from open land because there are no existing rights of way and no other provision for access. That is why we are intent on issuing a consultation paper setting out our proposal for extending access opportunities in open countryside.

I realise that many organisations and individuals are keen to know when we shall issue our consultation paper, and I know that my hon. Friend will understand that our proposals raise several important issues, which must be considered carefully within Government. However, I am happy to assure him that the Government intend to issue the paper as soon as possible.

My hon. Friend will also understand that I cannot tell the House yet what the consultation paper will say. What I am able to do, and wish to do, is to take the opportunity to explode a few myths about what our commitment to greater access is—or, perhaps more accurately, is not—about. It is not about allowing people to trample over farmers' crops or land, or through people's back gardens. It is not about sheep stealers, horse slashers, drug dealers and any other number of the parade of villains that some members of the Country Landowners Association appear to be talking about.

I must say, having listened to my hon. Friend, that the Country Landowners Association does its argument no good by making such ludicrous exaggerations and offensive and insulting caricatures of those who wish to make use of access. If we are to have a debate about this, we must respect one another's positions, not resort to caricature or insult.

Access is not about giving people unrestricted rights to do what they like. It is certainly not a charter for rural crime. Our commitment is about giving people greater access to open countryside for their quiet enjoyment and relaxation. It is about balancing the rights and responsibilities of those benefiting from greater access, and of those affected by it.

For example, it is vital to reconcile the interests of walkers with those whose livelihoods may depend on open countryside. Visitors who use and enjoy the countryside must recognise the rights and needs of those going about their daily business. Our commitment is about balancing the need to promote greater access with the need to conserve and protect our landscape, wildlife and archaeological legacies.

Providing greater access to open countryside is not an attack on the countryside, as some would have us believe. It is not about town versus country. Just as many people living in towns and cities wish to explore the countryside surrounding them, so do rural dwellers. Providing greater access may bring more custom for businesses that supply facilities and refreshments in rural areas.

The benefits of greater access will be widespread. Visiting the country is the most popular out-of-home leisure pursuit, and walking is by far the most popular activity in the countryside. Nearly half of all adults regularly go for a walk of two miles or more. Of course, we wish to improve access for other groups, and we shall consider carefully any proposals for achieving that, but our consultation paper will be aimed primarily at benefiting the millions who go walking.

More generally, the Government will be open to views and suggestions about the best way of securing our aim of greater access. Experience does not suggest that it will be very costly, but we shall carefully consider the financial implications. The key requirement is that, whatever approach is chosen, it must deliver substantially greater access in a practical and cost-effective way, which is of lasting benefit to the people of this nation.

We need a system that not only extends access, but creates greater certainty and understanding of areas that are subject to access. For example, large areas are covered by de facto or other forms of access arrangements, yet information about that is not always readily available, and often there is confusion about the extent and nature of rights and responsibilities.

We shall need to consider carefully the results of the consultation exercise, including arguments for and against the voluntary approach. We shall give both the voluntary and statutory route to greater access proper consideration, but the principle of greater access is not open to argument. With the support of my hon. Friend the Member for Pendle, I hope to reach the stage when we issue the consultation paper and the stage when we can move to put into effect the principle in which we both believe.

Question put and agreed to.

Adjourned accordingly at two minutes to Three o'clock.

House of Commons

Monday 2 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Drug-related Crime

1. **Mr. Corbett:** What recent estimate he has made of the amount of drug-related crime. [24612]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): My hon. Friend may be aware that the Home Office is conducting research into this phenomenon. We hope to publish the results in the next few months. The research shows, as we suspected, a strong link between drug use and crime.

Mr. Corbett: Given that the criminal activities of drug offenders are estimated to cost £1.5 billion, will my hon. Friend ensure that the Home Office works closely with the Department for Education and Employment and the Department of Health so that there is a combined attempt to tackle the causes of drug abuse, rather than merely its symptoms? Will he confirm that personal responsibility is a better antidote to drug abuse than are chemical substances?

Mr. Howarth: My hon. Friend is right. It is necessary for all Departments to work together on the matter. My right hon. Friend the Prime Minister established a high-powered committee, chaired by the President of the Council, with exactly that objective. The United Kingdom anti-drugs co-ordinator, Keith Hellawell, was appointed for that purpose. He is examining those links, where money is spent and where it could be better spent in the future. Of course, personal responsibility is an important concept which, if taken seriously, leads people away from, rather than towards, drug abuse.

Sir Brian Mawhinney: Bearing in mind the fact that supplying drugs to prisoners is a crime, can the hon. Gentleman tell us how many people were charged with supplying drugs to prisoners in the past year? In an attempt to bring that number down, will he undertake to make available to each prison ring-fenced money so that each may have a trained drug detection dog available for prison visits?

Mr. Howarth: I do not have to hand information on the number of visitors who have been caught taking drugs into prisons, but I shall write to the right hon. Gentleman. It is important to stress that that is a prominent way in which drugs are getting into prisons. The right hon. Gentleman is right; it is an offence to take drugs into prisons. There is an increasing tendency to use sniffer dogs, passively or actively. The Prison Service and individual prisons are considering that.

We are concerned about the prevalence of drug abuse in prisons. The Prison Service is conducting research into precisely what is going on. We hope to report the findings in due course. Many useful drug initiatives are taking place in the Prison Service, ranging from counselling to detoxification. We are committed to such programmes as well as to the extension of a voluntary drug testing unit in each prison, as resources permit and over time.

Ms Abbott: Is my hon. Friend aware that in prisons such as Holloway many women go in drug-free and come out with a serious drug habit because of the easy availability of drugs? Is he aware that many people in the voluntary sector who work in prisons believe that some prison officers are bringing drugs into prisons? Is he prepared to see them tested, as well as visitors?

Mr. Howarth: On my hon. Friend's last point, it is often asserted that that is the case, although unfortunately—perhaps I should say fortunately—there is no evidence that prison officers are responsible for bringing drugs into prisons. If there were, we would have to consider introducing voluntary testing. My hon. Friend points out that it is not unknown for people to go into prison—a women's prison or a male establishment—drug-free and to acquire a habit in prison. There is concern about that and it is why we have programmes to deal with it: counselling, detoxification, or voluntary testing regimes. Mandatory drug testing is already done randomly in each prison.

Asylum and Immigration Detainees

2. **Dr. Harris:** What monitoring exists in respect of health care provided for asylum and immigration detainees in privately run detention centres. [24613]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Medical services at detention centres are subcontracted. The local director of public health is consulted as necessary on the specifications of the contract. The contracts are closely monitored, both by the contractor and the immigration service. There are regular meetings of the detention medical co-ordination committee, involving medical officers, the Prison Service and the immigration service.

Independent visiting committees monitor all aspects of the operations at detention centres and report to the Home Office. At Campsfield house in the hon. Gentleman's constituency there is a general practitioner on the visiting committee, Dr. Pander, who liaises on medical care with the centre doctor. Her Majesty's chief inspector of prisons has carried out recent inspections at both Tinsley house and Campsfield house; both reports dealt with medical issues. The United Nations High Commissioner for Refugees has also recently visited to look into these issues.

Dr. Harris: I am grateful to the Minister for that answer. Does he share my concern that the increasing subcontracting—as between the immigration service, then a privately run security service, then a private medical company, and then private practitioners—may prompt questions about accountability? Is he not worried about the alleged under-provision of psychiatric services for people who are detained indefinitely without being given a reason? Is there not an opportunity to carry out good health screening on these people, who are least able to be their own advocates and who do not have access to patients charter rights?

Mr. O'Brien: I am grateful to the hon. Gentleman for giving me notice of at least some parts of his question. There is a need for more co-ordination of medical standards in detention centres. Indeed, the detention medical co-ordination committee meets regularly to improve co-ordination. The local director of public health is often consulted—I understand that at Campsfield house there is regular contact with the local director.

In some places, the quality of psychiatric care provided for detainees is better than the quality of care available to the hon. Gentleman's other constituents. Not only are doctors and nurses on call 24 hours a day, but consultants can be brought in when needed and services are provided quickly—perhaps more quickly than they are for the general population.

I do not accept that any detainees are detained without a reason.

Mr. Cox: What accountability do private contractors for health and other services have to boards of visitors?

Mr. O'Brien: Contractors are accountable in the sense that they have a closely monitored contract with the Home Office and the immigration service, and the Home Office and immigration service pay great heed to the reports of the visitors' committees. We are moving towards regular special reports on the medical facilities at detention centres because, as the hon. Member for Oxford, West and Abingdon (Dr. Harris) and my hon. Friend have said, we need to get standards right. As for contractors' operations, we must ensure greater co-ordination and allow visitors' committees the control that we should like them to have.

Mr. Wilkinson: As Heathrow airport, the largest port of entry to the United Kingdom, is in the same borough as my constituency—with Harmondsworth detention centre alongside it—can the Minister tell me whether any of these medical monitoring costs fall on the local authority?

Mr. O'Brien: Only in the sense that there is regular consultation, given that the people in the area are likely to be treated by local doctors. We must ensure proper control procedures and high standards of medical provision for detainees. The costs are limited; they are aimed at maintaining the highest quality of care for detainees.

Immigration Advisers

3. **Mr. Cranston:** What plans he has to regulate immigration advisers. [24614]

The Secretary of State for the Home Department (Mr. Jack Straw): A consultation paper setting out the options for the control of unscrupulous immigration advisers was published on 22 January in line with our manifesto commitment. Copies of the consultation paper have been sent to interested parties. Comments are invited by 23 March.

Mr. Cranston: I congratulate my right hon. Friend on the consultation paper. He has acted swiftly—unlike the Conservative party—which did nothing for 18 years. In my short time in the House, I have been approached by a number of immigration advisers who are obviously incompetent. As the consultation document suggests, some are unscrupulous and even criminal.

May I draw my right hon. Friend's attention to a specific point in the consultation paper? Does he agree that there is a strong case for compensation and appeal provisions for those who fall into the hands of bogus advisers?

Mr. Straw: I am grateful to my hon. Friend for his remarks. As every hon. Member who has any connection with immigration or asylum cases knows, the problem with unscrupulous advisers is not just their incompetence, but often their dishonesty and sometimes their criminality. My Department has a list of 250 firms of unscrupulous immigration advisers, including nearly 40 firms of solicitors that are engaged in such practices.

Our aim is to have a system of registration that would, in almost all cases, exclude unscrupulous advisers. It is plain that we have to think about whether there should be a system of compensation in cases where such advisers have crept within the net.

Mr. Malins: I thank the Home Secretary for what he has said. He will be aware of my involvement in the Immigration Advisory Service, which has, over the years, provided the best possible expert help free of charge. Does the right hon. Gentleman accept that many in the ethnic minority community will be very unhappy at the news that he is to cut the special grant of £500,000 to the IAS, which was awarded specifically to help destitute asylum appellants? Will not most of them suffer enormously as a result of the cut that he proposes? Will he consider reinstating the grant?

Mr. Straw: I am grateful to the hon. Gentleman for his opening remarks. What is frustrating about the fact that a large number of people use unscrupulous immigration advisers is that reputable charities, such as the Immigration Advisory Service, provide—on the basis of Government grant—a free service which, in my experience as a Member of Parliament, is infinitely superior to the service that they receive from any of these so-called advisers. As to the hon. Gentleman's last point, no decision has yet been made.

Electoral System

4. **Mr. Winnick:** When he will make a statement on what electoral system is to be used in the next general election. [24615]

Mr. Straw: The independent commission on the voting system has begun its work and has been asked to report

within a year. After that, we intend to introduce legislation for a referendum so that the electorate may decide on the future electoral system for the Westminster Parliament.

Mr. Winnick: Why is there any need for a change to the system for elections to Westminster? Were not those who argued that the existing system meant permanent Tory government proved wrong—fortunately—last May? What we do not want is permanent coalition government.

Mr. Straw: My personal views on the matter are well known and I have not changed them in recent weeks. I set them out at some length on Second Reading of the European Parliamentary Elections Bill.

Many people believe that we should have a different system. My hon. Friend will recall that the former leader of the Labour party, the late John Smith, proposed that the matter be resolved by way of the electoral commission and then by referendum. I was pleased to advise the 1995 Labour party conference that that was the way forward. Those of us who take one view should be sufficiently confident in it to believe that it will be shared by the British people.

Mr. Forth: Will the Home Secretary do his best to ensure that the electoral commission and, thereafter, the electorate, are made fully aware of the experience in New Zealand, where people were persuaded to choose what appeared to be a rather simple and easy option and, according to the evidence, have bitterly regretted it ever since?

Mr. Straw: I know that the commission under Lord Jenkins is to make several trips. [HON. MEMBERS: "Who is he taking with him?"] I have no idea whether commission members are taking their wives or partners—and I am not sure whether they will travel as far as New Zealand.

There is much to be said on both sides of the issue. One of the difficulties with the New Zealand referendum was that it was conducted in two stages. In the first stage, the New Zealand electorate were asked simply to vote for the status quo or for an undefined change. The New Zealand people voted for change on the basis of some sentimental belief in the future and were then presented with a system that has caused great problems.

Mr. Skinner: Is it not a fact that Italy has had proportional representation in some shape or form for God knows how long and that it has had about 50 different Governments since the end of the second world war? Does not the cockeyed idea of PR come from the Euro-fanatics among the Liberal Democrats? It is part of the common market disease. We have had a basinful of it on account of the next Euro-elections—as recommended by the Liberal Democrats. I urge my right hon. Friend to stand firm and ensure that Westminster elections are conducted according to the first-past-the-post system—and we shall knock the living daylights out of all of them.

Mr. Straw: I must admit that I have noticed rather less enthusiasm for proportional representation on the Labour side of the House since 1 May. I point out to my hon. Friend that the Labour party commission under Lord Plant—

Mr. Skinner: He is not standing for election.

Mr. Straw: No, he secured a position of permanent election in the other place. The Labour party commission under Lord Plant recommended changes to the electoral system that led to John Smith's proposal for a referendum. I do not believe that my hon. Friend should be uncustomarily generous and give credit for this proposition, which was in our manifesto, to the Liberal Democrats.

Mrs. Virginia Bottomley: At a time of regrettable cynicism about politicians and growing confusion about democratic accountability, does the right hon. Gentleman agree that the link between the Member of Parliament at Westminster and the constituency is widely recognised? Is it unfair of those who believe that the Labour party wishes to diminish the authority of Westminster to see tinkering with electoral systems as part of that campaign?

Mr. Straw: The right hon. Lady's latter point is profoundly unfair: in no sense do we want a reduction in the authority of Westminster. However, I profoundly agree with her first point. If we look to continental systems, where there is no constituency basis, we see the development of political elites that are detached from the electorate. I have spent 18 years on the Opposition Benches and nine months on the Government Benches and I believe that it is our constituency base which gives vibrancy to British politics and a proper accountability.

Young Offenders

5. **Mr. Peter Bradley:** What plans he has to ensure that young offenders are asked to repair the damage they do to victims and to the community. [24616]

Mr. Straw: A key aim of our plans to reform the youth justice system is to encourage young offenders to face the consequences of their behaviour and to make amends to their victims. We have brought forward, in the Crime and Disorder Bill, proposals for a new reparation order, which will require the young offender to make reparation to the victim, where the victim desires it, or to the community. Reparation will also be an element of the new action plan order, the existing supervision order and the proposed final warning scheme.

Mr. Bradley: Does my right hon. Friend agree that, when it comes to crime, prevention is a great deal better than cure? Will he join me in commending the Wrekin community safety partnership, which has done much to divert young people from offending, to reduce levels of crime and to enhance the quality of life in the community in my constituency?

Does my right hon. Friend agree that the time is ripe to put the victim back at the centre of our judicial system? Does he accept that reparation orders will play a great role in doing exactly that?

Mr. Straw: I am happy to commend the work of the Wrekin community safety partnership.

My hon. Friend is right to say that we want to put the victim back at the centre of the system. The problem at present is that far too many offenders do not understand that there are victims of their crimes other than themselves. Part of the purpose of our youth justice

system is to ensure that young offenders face the fact that they have offended, that there is a victim, and that the victim is not them.

Mr. Evans: Does the Home Secretary agree that it is wrong to suggest that the majority of young people offend? The vast majority do not and it is a shame that they are all tarred with the same brush. In the context of the small proportion of young people who do offend, surely it is right that the victim should be properly consulted about reparation. We should endeavour to ascertain how he or she feels about how the young offender should pay back the price to society—or even to them, the victim.

May I ask the right hon. Gentleman to reconsider the decision about boot camps? When the system was operating, it was shown to be extremely effective. The vast majority of my constituents, who are neighbours of the constituents of the right hon. Gentleman, thought that the idea of boot camps was long overdue. They will think it a great shame if they are done away with. Indeed, doing away with them might send the wrong message to young people, who might be given the impression that they can get away with crime.

Mr. Straw: I agree with the hon. Gentleman that it is crucial that the victim is consulted; there are a number of schemes to extend that process.

The previous Administration set up two high-intensity schemes that were described as boot camps. I can tell the hon. Gentleman that they are nothing like the brutal boot camps that exist in the United States. There is one at the Thorn Cross young offender institution; the other is at Colchester military prison.

I had to close the Colchester military prison experiment on the ground of cost; each place was running at £32,000 compared with £17,000 in an ordinary young offender institution and £21,000 at Thorn Cross. Furthermore, the evidence is that the Thorn Cross experiment does a marginally better job than that at Colchester.

Fire Service

6. **Mr. Gerrard:** If he will make a statement on the fire service settlement for 1998-99. [24617]

Mr. George Howarth: The proposed settlement of 4.8 per cent. for the fire service has been widely welcomed in the fire service community. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions will set out his proposals for a final settlement for the standard spending assessment later today.

Mr. Gerrard: My hon. Friend will be aware that while an extra £4.4 million in London will help to stop some of the most serious cuts, there will still be a difficult financial situation for the London fire and civil defence authority. There may still be some cuts and the possibility of station closures. Will my hon. Friend tell us what further steps he may be able to take to help the authority get out of the difficulties? Will he look especially at the fire service pension scheme, which was allowed to run into crisis by the previous Government? It is one of the root causes of the present financial difficulties.

Mr. Howarth: The settlement that we have proposed compares favourably with that proposed by the previous Government, who over the past three years announced settlements of 4.2, 1.5 and 0 per cent. respectively.

My hon. Friend is right to say that there have been concerns. Indeed, a section 19 application is currently under consideration by Her Majesty's chief inspector in respect of London. When I receive the inspector's recommendations on station closures and the arrangements for the Thames, they will be given serious consideration.

My right hon. Friend the Home Secretary and I have said repeatedly that we will not take any decisions that place the London public in danger of being in any way damaged or injured by fire, and that consideration will be uppermost in our minds.

There is concern throughout the country—not only in London—about the pension scheme and the costs involved. The previous Government set up a review and I hope shortly to publish the results of it, but there is no easy solution to the difficulties facing the fire service pension fund—and, for that matter, the police service pension fund.

Sir Sydney Chapman: Does the Minister agree with—or will he dissociate himself from—the remarks made by the general secretary of the Fire Brigades Union in the latest edition of "Firefighter", who said

"many . . . fire authorities simply do not have the financial resources to provide a safe and effective service for the public"?

Will the Minister confirm that any fire station closure or appliance relocation could be done only with the approval of the Home Secretary, and even then only when he is satisfied that there will be no loss of safety or effectiveness to the public?

Mr. Howarth: Yes. Her Majesty's chief inspector examines every proposal and advises the Home Secretary and me—on every occasion—whether it is safe to go ahead with it. Whatever the general secretary of the Fire Brigades Union may have said, the fire services are in quite good shape—and in even better shape since we announced last December the best settlement that they have had for many years.

Crime

8. **Mr. Sheerman:** What measures he will take to enhance the role of local authorities in tackling crime. [24619]

The Minister of State, Home Office (Ms Joyce Quin): The Crime and Disorder Bill will substantially improve the ability of local authorities to contribute to the fight against crime. The Bill includes measures that will require local authorities and the police service to conduct an audit of local crime and disorder problems, to draw up a strategy to tackle them and to publish targets for delivering the strategy. That process must be conducted on the basis of full consultation with local people and a wide range of other key partners. Local authorities will be

empowered to apply new orders to protect the community and required to establish multi-agency youth offending teams.

This is a substantial package of proposals which will put local authorities at the heart of action to combat criminal and anti-social behaviour. I am glad that local authorities have warmly welcomed them.

Mr. Sheerman: I welcome my hon. Friend's comments. Bringing the local community together in partnership in the fight against crime has been close to the hearts of Labour Members for a long time.

Did my hon. Friend listen to Professor Richard Sparks this morning on BBC Radio 4, and to his pessimistic view of what will happen in towns and cities over the next 10 or 15 years? Will she ensure that our community groups and the local authorities that lead them have targets for crime reduction year on year so that we can measure our success?

Ms Quin: There is an important reason for targets, as my hon. Friend has described. I am afraid that I did not hear the interview to which he refers—I may have been on a train at the time—but I am sure that the information will be taken into consideration. There have already been many successful examples of partnership, and it is on those that we want to build in the Bill.

Sir Brian Mawhinney: Did the hon. Lady notice what the hon. Member for The Wrekin (Mr. Bradley) said about the excellent work that he tells us is being done in his area without any statutory obligation? What is her estimate of the extra costs that would fall to local authorities in implementing their statutory duties under the Crime and Disorder Bill? Why should the country believe that she and the Home Secretary are serious when the Government are reducing social services budgets throughout the land?

Ms Quin: The right hon. Gentleman makes a valid point about some of the partnerships that exist, but the Government want to ensure that those experiences and lessons are learnt throughout the country. That is why we want a statutory duty along the lines that we have included in the Crime and Disorder Bill—we believe that it will help to tackle crime throughout the country.

I should point out that the police and local authorities warmly welcome the proposals that we have placed before the House, on which we consulted widely in the past few months.

We estimate that the cost is likely to be about £130 million, but that does not take into account some of the savings that we believe can be made by reducing offending, and by such measures as the home detention curfew which my right hon. Friend the Home Secretary announced to the House at the end of last year.

Mr. Barry Jones: Senior citizens in my constituency tell me bitterly of their anxiety about young offenders who are involved in drug abuse, vandalism and, indeed, more serious crimes on the larger housing estates. Would it help local authorities if police authorities could recruit more special constables, thus freeing experienced officers to tackle the root of the problems, early rather than late?

Ms Quin: A strong partnership is developing which involves special constables, but we believe that the problems described by my hon. Friend will be tackled effectively in the Bill. Although it is called the Crime and Disorder Bill, in many respects, the emphasis is on crime prevention and early intervention, which we think will help to stop such problems developing.

Special Constables

9. **Mr. Burns:** If he will make a statement on the recruitment of special constables into the Chelmsford area. [24620]

The Minister of State, Home Office (Mr. Alun Michael): In the current financial year, 34 additional special constables have been recruited in the Chelmsford area. There are now 82 specials in the Chelmsford division. During specials week, I went to Essex and met some of the Essex specials with the chief constable, John Burrow, and I am very impressed by the increasingly professional nature of their work.

Mr. Burns: I am grateful to the Minister for his reply. Does he share my concern—and that of my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) and of West Chelmsford Labour party—about the difficulty of recruiting and retaining high-calibre special constables, despite the availability of funds? The Essex police are doing a tremendous job in seeking to recruit special constables in the Chelmsford area, but does the Minister feel that local authorities also have a role? If so, does he think that Chelmsford borough council is playing its full part?

Mr. Michael: I am surprised at the reported lack of enthusiasm of Liberal Democrats in Chelmsford for what is an essential act of citizenship—ordinary citizens acting as volunteers to help to make the community safer for others.

Yes, local authorities can play a role as, indeed, can the business sector. We would encourage all parts of the community to work together to meet the objective that—as my hon. Friend the Minister of State pointed out—we are setting out in the Crime and Disorder Bill, and to cut crime.

Private Security Industry

10. **Mr. Bob Russell:** What estimate he has made of the number of people currently employed in the private security industry; and what proposals he has to regulate this industry. [24621]

Mr. Michael: In evidence to the Home Affairs Select Committee in 1995, the Policy Studies Institute put the total size of the industry at about 162,000 employees and over 8,000 firms in 1992.

The Government are committed to statutory regulation of the private security industry. While waiting for an opportunity to legislate, we are consulting and working with the industry and others on the best way in which to design regulation that is simple and effective.

Mr. Russell: So far, so good, but did not the previous Government also conduct a consultation exercise? This is the second such exercise, and I wonder when we can have a decision on some action.

Does the Minister agree that it is strange that, although someone cannot start up a taxi firm and become a taxi driver without being subjected to a number of checks in the public interest, people can leave prison, start up their own security firms—as, indeed, people have done—and to all intents and purposes, by their demeanour and their uniforms, give the impression of being police officers? Is it not time that such people were brought under some form of regulation, in the public interest?

Mr. Michael: Yes, we do think that there is something very odd about the situation. That is why we welcomed the Select Committee's recommendation on regulation, and why we were surprised when the previous Government, year after year, voted against amendments that we tabled to various Bills in order to introduce some form of regulation. We warned them that a new Government, with the pressure of legislation to tackle the whole criminal justice system, would not easily find an early legislative slot in order to take action that had long been needed. We will take such action as quickly as we can, however, and we believe that it is necessary.

Mr. Campbell-Savours: Would not operating practices in the better-run parts of the private security industry be greatly helped by the introduction of a national identity card?

Mr. Michael: A national identity card does not necessarily resonate with what is required for the private security industry. One of the problems is that managers and owners of private firms and their employees are unregulated, and there is a lot of movement among employees. As my hon. Friend suggests, we need a private security industry that meets the standards of the best. The industry and the trade unions agree with us that legislation is necessary.

Electoral Registration

11. **Mr. Barnes:** If he will make a statement on the advantages and disadvantages of a system of rolling electoral registration. [24622]

Mr. George Howarth: My hon. Friend will be aware that I am chairing a working party that is examining rolling registers and other electoral issues.

Mr. Barnes: Are not the current static electoral registers out of date as soon as they come into use? Masses of people are missing from the registers, and many people who have moved or died are still included. We need a much more modern system. According to the figures showing the eligible population in England, 4.7 per cent. of people are missing from the electoral register, and in Richmondshire, the local government area represented by the right hon. Member for Richmond, Yorks (Mr. Hague), 15.8 per cent. of people are missing. Perhaps some politicians turn people off more than others. We need a modern, up-to-date, electoral registration system that is compatible with a mobile society.

Mr. Howarth: I pay tribute to my hon. Friend's work on this subject over a number of years. He has raised concerns about the absence of people on the register due to the poll tax and for other reasons. The specific points that he has raised will be examined by the working party, which met for the first time a couple of weeks ago and includes representatives from the Liberal Democrats and the Conservative party. We are aware of the problems, and that we need to modernise our electoral registration system and the conduct of elections. I hope that we shall come up with a set of conclusions and recommendations that will resolve the problems that my hon. Friend describes.

Mr. Collins: Does the Minister recognise that a rolling registration process runs the risk of an increase in honest and dishonest mistakes due to multiple entries? Will he undertake not to support any mechanism that could increase the risk of electoral fraud?

Mr. Howarth: The integrity of our electoral system is of paramount importance to all of us, and I would not be party to any decision that undermined that. There would have to be a cut-off point at some realistic date so as to preserve the integrity of the system. Provided that we take those pointers into account, it should be possible to have a rolling register with a cut-off point before it comes into effect for any particular election.

Mr. Rammell: Does my hon. Friend agree that, given that the turnout, especially for local government and European elections, is significantly lower in this country than in other European countries, we should actively explore other radical new initiatives, such as electronic voting, voting in a wider variety of places, including supermarkets, and voting on a Sunday, which is considered on the continent to be the best way in which to maximise turnout because people do not have so many alternatives?

Mr. Howarth: My hon. Friend the Minister for Local Government and Housing has established a working party that is considering the re-invigoration of local elections, and issues such as electronic voting form part of its considerations.

It is important to increase turnout in local elections because that in itself increases the authority and accountability of local government. My working party will also take those issues into account. While I would not rule out Sunday voting for all time, there are one or two changes in the pipeline already and it might be a little confusing to introduce too many changes at one go. For example, I do not suspect that Sunday voting would be a sensible option for the next round of European elections.

Firearms Compensation

12. **Mr. Flight:** What has been the total amount of compensation paid to those handing in their firearms as a result of the recent firearms legislation; and if he will make a statement. [24623]

Mr. Michael: As at 21 January, £31.6 million had been paid to shooters and more than 28,000 payments have been made. A one month hand-in period for .22 handguns started yesterday, fulfilling our undertaking before the election and the overwhelming will of Parliament which was expressed in a free vote.

Mr. Flight: I and, I have found, many colleagues have had many complaints from constituents who have handed

in their weapons, but who have not received compensation for considerably longer than the 21 days average that is claimed by the Home Office. The Revenue charges people interest if they pay their taxes late. First, will the Minister undertake that if compensation is unduly late, people will receive interest? Secondly, could he confirm that in assessing retail values, the Home Office is not factoring in a charge that is equivalent to VAT? Some of my constituents complain that they are not receiving full retail value as a VAT equivalent has been deducted.

Mr. Michael: I must make it clear that we have no intention of paying interest, and neither had the previous Government. The arrangement is not a commercial transaction, but the fulfilment of a promise to pay compensation to shooters for the loss of their sport, and for the fact that they cannot use their weapons and ancillary equipment as they could before the legislation. I think that the hon. Gentleman and some others underestimate the size of the task that was taken on by the previous Government, with our support. There were some 40,000 applicants. Some of them applied under the simpler parts of the scheme and some applied under the more complex parts. The rules are quite clear. All those who have handed in their guns and ancillary equipment will receive compensation in the fulness of time. We will pay the compensation as quickly as possible.

Mr. Mullin: Now that the ban on handguns is on the statute book, what are the Government's plans for reducing the huge quantity of shotguns in circulation and for the introduction of some sort of licensing system for air weapons which, as hon. Members will be aware, cause a great deal of low-level mayhem and some serious injuries?

Madam Speaker: The Minister is not required to answer that question as it does not relate to the main question.

Mr. Greenway: Does the Minister realise that he must be the only person in the country who thinks that this compensation scheme is being run fairly and efficiently? Everyone else knows that it is a shambles, and it is about to be made worse by the needless banning of .22 calibre pistols. The Minister told the House that there was no need for the Government to accept a 30-day time limit for compensation payments because payments would be made as quickly as possible. Will he agree to pay interest on all claims that are outstanding not for 30 days, but for three months?

Mr. Michael: The answer to the hon. Gentleman's last question is simple and I have given it already. It is no, and the hon. Gentleman's Government would not have paid interest either. There is some inconsistency in the hon. Gentleman's question. He is speaking about the legislation that was passed by his Government, and that is the legislation on which we have been compensating up to now. The .22 legislation relates to additional guns—about 10,000—that are to be handed in over the next month. [HON. MEMBERS: "A shambles."] It is not a shambles; the matter is being handled well. It is a major task which is being undertaken properly and as swiftly as possible. I am surprised by the pettiness of Opposition Members in a discussion on the removal of handguns from private possession to protect the British public.

Youth Offending

13. **Mr. Fitzpatrick:** What measures he plans to implement to ensure that there is a framework for local action to tackle youth offending. [24624]

Mr. Straw: The Crime and Disorder Bill establishes new youth offending teams throughout the country, bringing the relevant local agencies together in partnership to work more effectively with young offenders. The Bill also establishes a youth justice board for England and Wales, which will provide a clear national framework for that local action to tackle youth offending.

Mr. Fitzpatrick: I thank the Secretary of State for his response. I am sure that he knows that his proposals have been widely welcomed. However, it is also accepted that we need to be tough on the causes of offending. With that in mind, does he agree that, as part of the framework, we must have adequate resourcing of youth services, as well as promotion of education, training and employment opportunities for young people?

Mr. Straw: I pay tribute to the work of the youth service, which is a much neglected service. The issue in all these cases—this applies generally throughout the public sector—is not just the money that is spent on the service, but how effectively that money is used. As we saw from an Audit Commission report last week for the police, the police forces that have been most effective in reducing crime have not necessarily been those that have had an increase in resources.

Mr. Clappison: I congratulate the Home Secretary on his good fortune in being in the Prime Minister's good books. We hope that relations with No. 11 are equally good. May not the Prime Minister have less reason to feel pleased with the Home Secretary if he considers local authority secure accommodation? Is it not true that, in the previous Parliament, when a substantial amount of extra local authority secure accommodation was being provided, the Prime Minister, then the shadow Home Secretary, promised that he would provide more? Is it not true that it was said that sending 15 and 16-year-olds to adult prisons rather than secure accommodation was a scandal? Is it not true that, under this Home Secretary, the Government are not providing a single extra local authority secure accommodation place, are set to continue remands of 15 and 16-year-olds to adult prison accommodation long into the future and, on top of all that, have abandoned the promising experimental regime at Colchester? Is all that not proof that they have failed to deliver on a commitment?

Mr. Straw: Even by the standards of the Opposition Front-Bench team, that was a remarkably poorly researched question. The truth on secure accommodation is that, in 1991, the previous Administration promised a programme to increase the number of secure accommodation places by about 170 and it took them nearly seven years to achieve that. They also completely confused the legislation, with the result—until the introduction of the Crime and Disorder Bill—that some of those places were having to remain empty for 12 and 13-year-olds, while there were insufficient places for the

remands of 15 and 16-year-olds. We will take no lectures on the issue of secure accommodation for young people. We have proposed a national youth justice board. One of its tasks will be to sort out the present incoherent and expensive system of custody for young people.

European Convention on Human Rights

14. **Ms Beverley Hughes:** What plans he has to implement the incorporation of the European convention on human rights. [24625]

Mr. Mike O'Brien: The Human Rights Bill gives effect to our manifesto commitment to incorporate the convention. It will enable everyone in the United Kingdom to enforce their convention rights before our courts. It will bring rights home to the British people. Our judges must be trained and our courts ready to implement the convention's incorporation.

Ms Hughes: I thank my hon. Friend for that information and welcome the Government's initiative. He has rightly told us that the process of implementation will inevitably be lengthy, despite the Government's swift action. That makes the previous Government's failure all the more regrettable. When does he expect that the British people will be able to apply the protection of the convention in UK courts?

Mr. O'Brien: We want to ensure that this important step for giving British people rights is done in the best possible way and that all the facilities and training are in place. Therefore, we have not yet set a date for completing incorporation, but we want to ensure that it is done as quickly as possible because it is enormously important that we bring those rights home to the British people.

Sir Brian Mawhinney: Those who approach the Prime Minister and ask his views on the introduction of privacy legislation are firmly told that he is against it, even by the back door. However, the Lord Chancellor—both in another place and elsewhere—has let it be known that he is fanatically in favour of judicially driven privacy law. The Home Secretary sits on the fence, a leg dangling on either side, waiting to see who will win. When will the Government speak with one voice and ensure that if there is to be privacy legislation, it emerges from this place and not from the law courts?

Mr. O'Brien: The shadow Home Secretary is somewhat confused, is he not? Does he not understand that the European convention on human rights applies in any event? Legislation will not change the substantive rights under the convention, but it will enable British people to enforce their rights in British courts. Why is the Conservative party so unwilling to allow the British people to enforce their rights under the European convention in the British courts?

The Labour party has always supported the freedom of the press. We want to ensure that the rights of the British people are properly enforced. Indeed, the shadow Lord Chancellor appears to be of that view, too. He said:

> "One thing you can say in favour of the Bill is that it domesticates the powers of the institution of the Convention with the result that our own judges are now making decisions instead of the judges in Strasbourg."

Why do some members of the Conservative party want to keep rights in Europe, rather than bringing them home?

Car Accident Investigations

15. **Mr. Hanson:** If he will ensure that revised guidelines are issued to police forces with regard to the retention of vehicle evidence in car accident investigations. [24626]

Mr. Michael: The Home Office issued general guidance to forces on the disclosure provisions of the Criminal Procedure and Investigations Act 1996, which includes the length of time material obtained in a criminal investigation should be retained. The retention of vehicle evidence is an operational matter, but we are discussing with the Association of Chief Police Officers and the Crown Prosecution Service the implications of recent court decisions, including the Regina *v.* Beckford judgment on the retention of vehicle evidence.

Mr. Hanson: Is my hon. Friend aware of the tragic case of my constituent Sarah Burton? She was killed in a car crash and the case went to court, but it collapsed because the police had destroyed the car that was needed in evidence. Although it is an operational matter for chief police officers, will my hon. Friend ensure that they introduce guidelines to ensure that cases such as Regina *v.* Beckford, and Sarah Burton, do not happen again?

Mr. Michael: My hon. Friend has brought an important matter to the House. Indeed, it is partly as a result of a letter that he wrote to me that we have decided to look afresh at the issue. As he rightly said, these are operational decisions for chief constables, but we need to consider the implications. That is why we are discussing the matter with ACPO and the CPS.

Age of Majority

16. **Mr. Chope:** What plans he has to lower the age of majority. [24627]

Ms Quin: The Family Law Reform Act 1969 reduced the age of majority to 18. The Government have no plans to change it.

Mr. Chope: I accept the Minister's response, but has she thought about the anomalies in this country, such as the age of majority being 16 in Scotland but 18 in England? In view of the much-publicised events over Christmas and the new year involving the reporting in Scotland of proceedings affecting 16 to 18-year-olds in England, will she think again about whether the age of majority in England should be the same as the age of majority in Scotland—whether that means reducing the age in England to that in Scotland, or raising the age in Scotland to that in England?

Ms Quin: Although we do not have any plans to change the system in England, we are studying the handling of cases involving juveniles before the courts, along the lines mentioned by the hon. Gentleman.

Ms Ward: Is my hon. Friend aware that our system means that although at the age of 18, members of the

public may vote for their elected representatives, they may not stand to be an elected representative of either this House or a council until they have reached the age of 21? They cannot indulge in a number of other activities until they reach the age of 16, 17, 18 or 21. There should be consistency in the ages at which people attain rights. Will my hon. Friend review the matter and carefully consider whether we should ensure that people attain rights at one age?

Ms Quin: We believe that it is important to examine the separate issues, and then to decide the most appropriate age that might apply in the circumstances. Although we do not have any plans to change the age at which people may stand as a candidate, as it seems to be very much in line with practice across Europe, the working party on electoral procedures, which was mentioned earlier and is chaired by the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), may wish to examine that issue.

Mr. Bercow: Has the Minister received any representations on lowering the age of majority from the Minister without Portfolio—who, in a desperate search for supporters for the millennium dome project, has very wisely hired the services of an eight-year-old boy?

Ms Quin: The citizens of the future are important voices to listen to in that process, but I have received no such representations.

Iraq

3.30 pm

Mr. Michael Howard (Folkestone and Hythe) (*by private notice*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest developments on Iraq.

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): I thank the right hon. and learned Gentleman for this opportunity to update the House on the latest developments.

On Saturday, I held a two-hour meeting with US Secretary of State Madeleine Albright at the Foreign and Commonwealth Office. The primary purpose of the meeting was to discuss how best to deal with Iraq's continuing refusal to grant full and unrestricted access to United Nations Special Commission teams. The meeting formed part of intensive efforts to find a diplomatic solution to the crisis.

I met Russian Foreign Minister Primakov on 26 January, and I spoke to French Minister Vedrine on 29 January. Our permanent five partners are also active: President Chirac has sent an envoy to Iraq; the Russian Deputy Foreign Minister is returning from there after his talks with Tariq Aziz. We support those latest efforts to end the deadlock.

The United Kingdom is currently taking the lead in the Security Council. We have prepared a draft Security Council resolution, which we shall be discussing with our Security Council partners. The resolution makes it clear that Saddam Hussein must obey the will of the international community. He must allow full and unrestricted access to all UNSCOM teams and reveal all details of his weapons of mass destruction programmes.

Saddam Hussein is persisting with his attempts to thwart UNSCOM's vital task of destroying and dismantling Iraq's weapons of mass destruction. UNSCOM cannot carry out its duties while Saddam continues to deny access to presidential sites. Neither can there be any deadlines for UNSCOM to complete its work. The Security Council must be assured that all of Iraq's weapons of mass destruction and related facilities have been destroyed. Even then, UNSCOM may have to continue working and monitoring for some time, to ensure that they are not rebuilt.

Saddam must be left in no doubt about our determination to secure his compliance with Security Council resolutions. Although we are pursuing a diplomatic solution, we have not ruled out, nor will we rule out, the use of force. The best way for us to achieve a diplomatic solution is to prove to Saddam that we are prepared to use all means necessary to ensure that he complies. As a precautionary measure, HMS Invincible has been deployed to the Gulf and has engaged in work-up training with allied naval forces in the northern Gulf waters. In due course, it will be replaced by HMS Illustrious.

The United Kingdom Government are very aware of the sufferings of the Iraqi people. We have no quarrel with the Iraqi people. The difficulties and hardships that they face result from Saddam's failure to meet his international obligations. Even when offered a chance to provide for his people through oil-for-food arrangements, he repeatedly refused to avail himself of the opportunity. Since the scheme's introduction, he has repeatedly obstructed its implementation. The United Kingdom has been in the lead in proposing and steering through the Council resolutions on oil for food. We are especially pleased that the Secretary-General will be reporting to the Security Council later today with recommendations to improve and expand that programme. We shall give his proposals our strong support.

Iraq's weapons of mass destruction remain a serious threat. Iraq has developed the know-how and equipment to produce biological and chemical weapons on an industrial scale. Despite all that UNSCOM has achieved, we cannot be certain that important parts of that capability are not being retained. Without effective UNSCOM monitoring, Iraq could produce enough anthrax every week to fill two missile warheads and could within weeks be producing a large volume of nerve gas. It is vital for regional and international peace and security that Saddam Hussein is stopped. He should not underestimate our resolve to make sure that he is stopped.

Mr. Howard: I am grateful to the Foreign Secretary for his statement. As he knows, we share his determination to take whatever steps are necessary to make Saddam Hussein comply with the resolutions of the Security Council and relieve the world of the threat that he will use weapons of mass destruction. We all hope that that can be achieved by diplomatic means. If, however, force proves necessary, will the Foreign Secretary assure the House, not least for the sake of the British service men and women whose lives may be put at risk, that clear objectives will be set?

The Foreign Secretary told us a little about the new Security Council resolution that the Government intend to sponsor and to which reference was made in this morning's newspapers. Does he agree that it would be far better if new initiatives of this kind were reported to the House rather than leaked to the newspapers? How would the new resolution fit in with resolution 687? Is it the Government's position that resolution 687 provides sufficient authority for military action to be taken? If so, what is the purpose of the new resolution?

Finally, I welcome from the Conservative Benches what the Foreign Secretary said about his support for the proposal made by the Secretary-General of the United Nations for the expansion of the oil-for-food programme. We agree with what the Foreign Secretary said about the suffering of the people of Iraq. It is not with the people of Iraq that we quarrel, but with Saddam Hussein.

Mr. Cook: I am grateful to the right hon. and learned Gentleman for his support. In response to his last point, it should be understood in all corners that there is no sanction against the import of food or medicines by Saddam Hussein. The international community has at no stage sought to stand in the way of those essential humanitarian supplies. On the contrary, the international community has a better record in trying to provide the oil which can pay for them than Saddam Hussein.

Of course, I can assure the right hon. and learned Gentleman that there will be clear objectives for any use of force. He would not expect me to say what they are, and he will understand that they are kept under close review.

As for the Security Council resolution, I felt that the right hon. and learned Gentleman was a bit hard in accusing us of leaking it when we formally made clear what we were doing. There are Security Council resolution initiatives by Britain every week, and it would not be normal to report them in advance to the House on every occasion. However, the right hon. and learned Gentleman asked about the purpose of the new resolution. He is quite right to say that resolution 687 and the successor resolutions repeatedly condemned the Iraqi violations of the terms on which the Gulf war ended. He is absolutely right to say that there is plenty of authority in those resolutions for pressure to be put on Saddam Hussein.

However, it is very important that it is clearly seen that it is not just the United States or not just Britain, or not even just the permanent five that are concerned about Saddam Hussein's flouting of those resolutions; it is important that the whole of the Security Council makes it clear that it condemns the present impasse and the obstruction of the UN monitors. It must be understood not only that Saddam Hussein poses an immediate and very serious threat to countries in his region, but that if the Security Council resolutions cannot be enforced, the whole authority of the Security Council is undermined.

Mr. David Winnick (Walsall, North): Is it not clear that if, as we all hope, Saddam Hussein backs down over weapons inspections, it will be only because of the threat of military force? Does my right hon. Friend agree that Saddam Hussein, the murderous dictator, has never backed down without the threat or deployment of military force? In respect of critics in the House, is it not clear that, had we listened to them at the time, the liberation of Kuwait would never have taken place in 1991? Should we not bear that in mind when we are denounced as warmongers?

Finally, does my right hon. Friend agree that if, as he rightly said, we have no quarrel with the people of Iraq, who were the very first victims of that murderous regime, it is absolutely essential that any military action should concentrate first and foremost on the weapons of mass destruction and that, if possible, the people of Iraq should not become the victims of bombing? Although military action can provide no guarantees, it is important that the United States, ourselves and others involved in such action should bear it in mind not only that is military action possible, but that there may well be a need for propaganda campaigns to demonstrate that the international community is acting for one reason alone, as stated by my right hon. Friend: to destroy the weapons of mass destruction.

Mr. Cook: My hon. Friend is absolutely correct to say that Saddam Hussein uses fear and force quite explicitly as a political weapon. It is therefore important that we make sure that he understands that we are prepared to go all the way, if necessary, in enforcing his compliance with Security Council resolutions. The paradox is that if we want a diplomatic solution, we have to demonstrate that we are prepared to use military force. Those who counsel against military force, but want a diplomatic solution, make it more difficult to obtain by undermining the credibility and possibility of military force.

Finally, I echo what my hon. Friend said about the oppression of the Iraqi people. Nobody has done more to increase their suffering than Saddam Hussein. As we consider the importance of dismantling his chemical and biological weapons, we should remember that this year, it will be 10 years to the year since Saddam Hussein used nerve gas against his own people in Halabja, and that a leader who is prepared to use chemical weapons against his own people will be prepared to use them against others.

Mr. David Heath (Somerton and Frome): Does the Foreign Secretary recognise that there is a wide consensus that those who cheat on international law will not and must not prosper? Does he agree that every possible diplomatic avenue must be explored strenuously and with expedition to secure agreement, particularly with Mr. Primakov and Mr. Vedrine, so that all the international community is moving in the same direction? Will he continue—as far as is consistent with military security—to make clear the full horror and scope of the terrifying destructive capacity of the aggregation of weapons of mass destruction on which Iraq has embarked? Finally, in extremis, does he recognise that Britain must not flinch from joining the international community in taking effective but proportionate action? If he does, he will have our support, but in turn he must make clear the political objectives of such action and the end result that would be desired.

Mr. Cook: Let me respond straight away to the hon. Gentleman's final question. The objective of any action would be to achieve compliance with the Security Council resolutions. That compliance is easily measured by unconditional and unrestricted access to the sites that UNSCOM wishes to visit. The reason why we must achieve that unconditional and unrestricted access is precisely to prevent Saddam Hussein from retaining the capacity to which the hon. Gentleman referred. Currently, he has 17 tonnes of growth media for biological weapons agents. He cannot be allowed to retain that capacity. We must find the material and destroy it, as the UNSCOM team has done on other occasions.

Of course, we shall continue to have close dialogue with Russia and France on the issue. They both share our objective of making sure that UNSCOM is able to operate effectively. Nothing would do more to improve our chances of getting Saddam Hussein to back down than confronting him with the unity of the permanent five.

Mr. Tam Dalyell (Linlithgow): What happens when a bomb hits 17 tonnes of biological agents? What happens to the spores when a bomb hits an anthrax installation?

Mr. Cook: My hon. Friend raises a serious issue which will be addressed in the targeting plans. I assure him that if military force is used, any civilian damage or threat will be reduced as much as is within our power.

Mr. Dalyell: Will they be targeted?

Mr. Cook: My hon. Friend must not suggest that we are planning that planes will target the dumps that he describes. There is a lot of technology required for chemical and biological weapons that does not necessarily require the agents. My hon. Friend must accept the logic of his question, which admits that Saddam Hussein possesses such weapons. My hon. Friend was among those who condemned Saddam Hussein when he used

[Mr. Cook]

such weapons against the Kurds in 1988. He cannot accept our standing back while Saddam Hussein retains that capability.

Sir Peter Emery (East Devon): Does the right hon. Gentleman accept that, while the Conservatives accept the Government's support for the Americans, the issue goes further than that? There is a great need to keep the same alliance with the Arab nations surrounding Iraq that we have had before. Does he realise that one of the major criticisms that holds back certain Arab opinion is that we appear to have two voices—one against Iraq and another against Israel? If we were seen to be pursuing the United Nations Security Council resolutions against Israel, it might be much easier for the Americans and our Government to maintain the alliance that we want. Many Arab countries understand even better than we do the dastardliness of the Hussein regime.

Mr. Cook: The right hon. Gentleman raises a serious issue. I recognise the basis of his concern. We are trying to achieve the maximum understanding and support in the Arab world for our policy towards Saddam Hussein. I hope to be in contact with some of those countries later this week. The right hon. Gentleman is also correct to say that there is a perceived link between the two issues in some Arab capitals. We have repeatedly and robustly criticised the Government of Israel for their obstruction of the middle east peace process. We have called on them repeatedly to refrain from gestures that obstruct that process, such as the expansion of settlements, and to carry out a realistic and acceptable further redeployment that would put the peace process back on the road. We shall continue to do everything that we can to remove those obstructions to the middle east peace process. I tell every Arab leader whom I meet that they are more at risk than anyone from Saddam Hussein's ambitions and are on the front line from the chemical and biological weapons if he is allowed to retain them.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that Arab countries understand better than any others the difference between the noxious and loathsome policies of the Israeli Government and the internationally aggressive and dangerous policies of Saddam Hussein? Does he further accept that it is strange that an hon. Friend should intervene to say that we must not attack Saddam Hussein because he is so dangerous that we dare not? Will he pay no attention to those who scurried off seven years ago to truckle favour with Saddam Hussein when he was occupying Kuwait and holding British citizens hostage?

Is my right hon. Friend aware that in going to the United Nations and seeking to secure a resolution to authorise the actions that the Government regard as appropriate, he is following Labour party policy of the past eight years? The Labour party has consistently based its policy on support for the Security Council. That support was inserted into the Labour party constitution by certain hon. Members, who seem to forget that they did so. We do not want war, but let Saddam Hussein understand that if he brings us to war, it will be his responsibility.

Mr. Cook: I am not sure whether many of my right hon. Friend's questions were addressed to me and not to others who prompted such observations. I agree with him particularly on two points. First, it is important that everybody in politics in Britain and in the international community shows unity on this question. What encourages Saddam Hussein is a sign of division in the international community. We know that he began the original obstruction because of the appearance of division among the permanent five in October. It is important that we convince him that there is a unity of resolve and that he must recognise it.

Secondly, I entirely agree with my right hon. Friend about the importance of the United Nations both to Labour party policy and to the international community. If Saddam Hussein is allowed to ignore and flout Security Council resolutions, there will not be much point in the Security Council meeting on future occasions to pass resolutions.

Sir Teddy Taylor (Rochford and Southend, East): If we do not know where these dreadful weapons of mass destruction are located, will the Minister explain how on earth we shall go about destroying them when the British and American Governments go all the way? Will he also indicate whether the Government have sought the opinions of the Government of Iran and their people, who suffered hugely in the Iran-Iraq war, when the Iraqi dictatorship, at the same time as it was killing Kurds, appeared to have the full and undivided support of the United States of America and indeed, much of the western world?

Mr. Cook: On that count, the hon. Gentleman needs to answer for the Government who were in charge of Britain at the time. Many Opposition Members at that time were indeed critical of the tolerance that was shown to Saddam Hussein. I agree with the hon. Gentleman that—possibly—if a more robust attitude had been shown to Saddam Hussein in the 1980s, we might not now be having this exchange in the late 1990s. Having recognised the threat, and having also—perhaps—understood better than the hon. Gentleman's colleagues in government could have done in the 1980s the extent to which Saddam Hussein is willing to be aggressive and the way in which he took over a neighbouring country, it is important that we do not leave him with such a capability again.

Mr. Tony Benn (Chesterfield): Is the Foreign Secretary aware that, while there is absolute unanimity in the House on the hatred of Saddam Hussein's regime and the dangers that might follow from it, Britain and America are not the international community? Nor, indeed, does he speak for the Security Council, which has not authorised military action by two countries only, contrary to the charter. He does not speak for the European Union, of which Britain is President, and in which there are different views. Jean-Pierre Chevènement, a member of the French Foreign Affairs Commission, recently came out very strongly against intervention. My right hon. Friend does not speak for the Gulf war coalition, because the Arab League is opposed to it.

Before British troops and service men are exposed to what would be another war with Iraq, will my right hon. Friend give a clear undertaking that there will be not just a series of statements but a debate in the House, in which the Government's objectives, of which he says today he cannot tell us, can be fully explored, and in which the

House can determine whether it wishes to follow this course of action, which will inevitably cause many more casualties among not only American and British troops but Iraqi civilians?

Mr. Cook: The question of a debate in the House is a matter for the usual authorities. I, personally, would have no problem in defending our position and putting forward the case that I have made to the House today at greater length. I did not say that I could not tell the House what our objectives are. They are quite clear: to ensure compliance with Security Council resolutions. What I cannot tell the House, and what the House would not reasonably expect me to tell it, are our precise targeting plans in the event of any military action.

My right hon. Friend is, of course, right that the United States and the United Kingdom are not the international community. That is precisely why the Government, whom he supports, are taking the lead in the Security Council to secure a further resolution, to demonstrate that Saddam Hussein is taking on the international community. The greater the unity that we can achieve in the international community, the better the chance we have of winning.

Mr. John Wilkinson (Ruislip-Northwood): If the most powerful democracies in the world cannot curb the aggressive potential of Saddam Hussein, will it not be a grave precedent for the international community and for the world order generally? Is it not the case that there are other countries with despotic Governments who are equally capable of flouting United Nations regimes on the manufacture of weapons of mass destruction? Would they not gain encouragement were Saddam Hussein to remain in power and to increase his arsenal?

Therefore, is it not crucial that the Foreign Secretary secure that wider consensus, beyond the permanent five of the Security Council that he spoke about? Is he, in any sense, encouraged by the attitude that he discovered in his French counterpart, given that the French are leading members of Western European Union, a collective security organisation, and given that the French, with ourselves, are the best able among the European countries to project the military power necessary to underpin the diplomatic efforts?

Mr. Cook: I obviously agree with the hon. Gentleman. As I have said in response to several questions, what is at stake is not just the issue of Iraq and Saddam Hussein, but the authority of the Security Council and, therefore, its ability to intervene on any future occasion when we are faced with similar threats.

I have learnt from my conversations with my French opposite number and my Russian opposite number that they both deeply share our concern at the way in which Saddam Hussein is flouting the resolutions. That feeling of impatience is especially felt by the Russians, who feel that he has broken an agreement that they understood that they had achieved in November 1997.

Mr. Ernie Ross (Dundee, West): I support everything that my right hon. Friend has said in the House today, as I did the answer to the private notice question last week by the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd).

I welcome our intention to return to the Security Council to obtain a further resolution. The middle east countries that may find it difficult, in isolation, to say publicly what we know they are saying privately, may find themselves able, in a debate on a new Security Council resolution, to say exactly where they stand.

I welcome our intention to support the report of Kofi Annan, the Secretary-General, which said that oil for aid should be increased from $2 billion to approximately $3.2 billion. I also welcome the fact that my right hon. Friend said that we shall support that move when the Secretary-General brings the matter to the Security Council.

Mr. Cook: I am grateful to my hon. Friend for his support for the position that we have taken. I emphasise that expanding the oil-for-food programme is in no way a concession or a carrot to Saddam Hussein. Indeed, he hates the oil-for-food programme because it takes away his alibi about the hardship and the suffering of the Iraqi people. Interestingly, it is the Security Council, not Saddam Hussein, that at present is seeking a way to bring help to the people of Iraq.

Sir David Madel (South-West Bedfordshire): Can the Foreign Secretary confirm that, if the new British resolution before the Security Council does not get the support of the Security Council, existing Security Council resolutions allow the use of force as a last resort?

Mr. Cook: There are plenty of resolutions, and those resolutions clearly provide a basis for the authority of the Security Council, and a basis for authority to enforce the Security Council resolution. However, I would say to the hon. Gentleman that the purpose of our efforts—which are intensive—in New York at present, is to ensure that we find as tough as possible a text that is acceptable to members of the Security Council. We believe that, irrespective of the legal niceties, it is important that we carry a resolution that demonstrates the condemnation of the international community.

Mr. Harry Cohen (Leyton and Wanstead): Has not the threat of force been counter-productive to the real aim, which is to get rid of Saddam Hussein? Did my right hon. Friend see that, in a few days, one in 20 of the Iraqi population signed up to support the regime because of the threats from the west? Would it not be a misuse of force to slaughter a "Dad's army" to strengthen a dictator?

Mr. Cook: I fear that my hon. Friend is mistaken if he imagines that the chemical and biological capabilities of Saddam Hussein are equivalent to a Dad's army. I agree with him that it would be entirely desirable if we got rid of Saddam Hussein, and if I had the opportunity, I would certainly vote for that outcome. The tragedy is that Saddam Hussein makes sure that the Iraqi people do not get the chance of that vote, and do not get the chance of choosing a leader for themselves.

Mr. Andrew Robathan (Blaby): Leading on from that point, everyone in the House agrees that there is no argument with the people of Iraq. The argument of the international community is with the regime and, more personally, with Saddam Hussein. Will the right hon. Gentleman further personalise the argument? I am not a

[Mr. Andrew Robathan]

student of international law, but there should be means by which we could do that. In Bosnia, the President of the Republika Srpska was indicted as a war criminal. Are there means in the United Nations whereby we could take on the argument in Iraq and indict Saddam Hussein? Should not there be such means, if they do not already exist?

Mr. Cook: In the case of the Bosnian war criminals, a specific international war crimes tribunal was appointed on the authority of the United Nations to try those who carried out war crimes during the conflict in Bosnia and more widely. No such war crimes tribunal has been appointed in relation to the Gulf war or the activities in Iraq. One of the positions adopted by the Government, in a rather more advanced form than under the previous Administration, is strongly to support the creation of an international criminal court on a permanent basis. Were such an international criminal court already created, it might well decide that Saddam Hussein and those around him merited trial.

Mr. Jeremy Corbyn (Islington, North): Will the Foreign Secretary confirm that the United States is calling for military action, and the only country that supports that is Britain? No other country has endorsed the use of its own forces for that purpose, and none has offered the use of its territory from which to launch an attack on Iraq, other than Kuwait. No Arab country has come forward to support the proposal. Does the Foreign Secretary recognise that the use of force against Iraq will strengthen the position of Saddam, that it will probably cause enormous problems in relation to the Arab world, and that there are no internal opposition forces in Iraq that support the idea of bombing raids on their country? Does he not think that we should be looking towards a truly peaceful solution to the problem?

Mr. Cook: Yes, of course we would want to look for a truly peaceful solution to the problem. In my hon. Friend's rather lengthy question, it was difficult to see where the germs of that peaceful solution were to be found. If we want a successful diplomatic solution, we must show that we are prepared to use military force if it is necessary. I recall—because at the time of the Matrix Churchill trial, I went through all the papers—the vigorous and eloquent way in which my hon. Friend condemned Saddam Hussein for using nerve gas against the Kurds in Halabja. Having condemned Saddam Hussein for using nerve gas on that occasion, my hon. Friend must understand why we cannot now walk away and leave Saddam in possession of nerve gas.

Dr. Julian Lewis (New Forest, East): Is the Foreign Secretary aware of the report in *The Mail on Sunday* yesterday by Chris McLaughlin, which purported to give details about the SAS already being in Iraq? Will he join me in condemning any journalism that puts the lives of our troops in danger when sensitive preliminary operations are possibly being undertaken?

Mr. Cook: I am happy to assure the House that that report was probably as unreliable as most reports that I have read in *The Mail on Sunday* recently.

Mr. George Galloway (Glasgow, Kelvin): The first to use chemical weapons in Iraq was the Royal Air Force, under the command of Winston Churchill in the 1920s. *[Interruption.]* That is a matter of fact. The reason why we know that there is the potential for making weapons of mass destruction in Iraq is that British and European companies sold Iraq those capacities in years gone by. The Iraqis will be relieved to hear from the Foreign Secretary that the British Government have no quarrel with them, but are we not in danger of killing them in order to save them? The United Nations Children's Fund, the World Health Organisation and Harvard medical teams have all reported that more than 1 million people have died over the past seven years as a result of sanctions.

Will the Foreign Secretary address this question pointedly? Does he understand that, in the Arab street, no one can understand why Israel is allowed to have nuclear weapons of mass destruction, regularly to defy international law, and regularly to occupy other people's countries without a scent of sanctions being imposed, let alone a single bullet being fired in its direction—

Mr. Dale Campbell-Savours (Workington): Israel is not a dictatorship.

Mr. Galloway: That is not how it looks to the Palestinians under Israeli occupation, nor how it looked to the Jordanians, the Syrians or the Egyptians under Israeli occupation. It is these double standards that turn the stomachs of Arabs, Muslims and right-thinking people the world over—the hypocrisy of British and American policy.

Mr. Cook: I entirely agree that we should have regard to the interests of the Palestinian people. The Prime Minister met Chairman Arafat earlier this week to discuss the progress of the talks in Washington. Britain and the European Union remain resolved to try to achieve progress in the middle east peace process. The EU is the major funder of the Palestinian economy and of those activities that relate to the peace process. It is not reasonable, therefore, to criticise either Britain or the European Union for turning their back on the Palestinian people—

Mr. Galloway: What about sanctions?

Mr. Cook: I was just going to add that no one at any stage in those conversations raised with us, on behalf of the Palestine National Authority, the question of sanctions against Israel. On the contrary, the Palestinians are desperate to achieve progress on their economy—progress with which sanctions against Israel would be wholly inconsistent.

Finally, we are dealing with a country that cannot reasonably be compared with Israel. I have many criticisms of the Israeli Government, but we should remember that they were elected with the support of half the population of Israel. Half the population, to be sure, voted for contrary policies—but they had the chance to do so. It would be extremely helpful if Saddam Hussein were even to contemplate allowing his people the same expression of their democratic will. Until he does so, he is in a very different category from Israel.

Mr. Llew Smith (Blaenau Gwent): As military action failed on the previous occasion to remove Saddam

Hussein, will the Foreign Secretary tell us what is new, and why it should be successful on this occasion? And as military action on the previous occasion successfully killed so many of the Iraqi population, can the Foreign Secretary inform the House what is new, and why history should not repeat itself?

Mr. Cook: One of the difficulties of carrying the international community or the Arab world with us in the robust position that we have adopted against Saddam Hussein is the fact that the achievements of the United Nations are so often written off. Over the six years of its existence, UNSCOM most certainly has not been a failure. On the contrary, it has dismantled more weapons than were ever dismantled during the Gulf war; including 38,000 chemical weapon munitions, 480,000 litres of live chemical weapon agents, 48 missiles, six missile launchers, 30 special missile warheads for chemical and biological weapons, and a whole factory dedicated to producing biological weapons. The reason why we are still here six years later, with sanctions and a monitoring regime, is Saddam Hussein. It is vital that we do not walk away until the job is completed.

Mr. Campbell-Savours: Is not one of the impediments to bringing about an internal insurrection by the civil population in Iraq the fact that they fear an interregnum? Why do not the western democracies, in particular the United Nations, substantially reinforce the international credibility of the Iraqi National Congress, one of whose main bases is here in London—the other being in Washington? That, surely, is the way forward in terms of offering an alternative Government to Iraq. When the Iraqi people see that there is a credible organisation outside that is internationally recognised, they may find the courage to rise up and deal with this tyrant once and for all.

Mr. Cook: The Minister of State, my hon. Friend the Member for Leeds, Central (Mr. Fatchett), has met representatives of the Iraqi opposition, and we shall continue that dialogue. In fairness to the Iraqi people, we should not underestimate the immense dangers and problems of trying to achieve what my hon. Friend the Member for Workington (Mr. Campbell-Savours) described as an uprising against Saddam Hussein. Saddam Hussein explicitly and deliberately uses fear and brutality as a political weapon, so it is not surprising that many people in his country are not prepared to take a stand against him. Their silence should not be taken as a sign of support.

Ann Clwyd (Cynon Valley): I believe that my right hon. Friend speaks for the majority of hon. Members and the people of Britain when he says that the main aim is to ensure that Saddam Hussein complies with United Nations resolutions. If Saddam Hussein had allowed UNSCOM to do its job, in which it has so far been very successful, we would not now face this problem.

Is my right hon. Friend aware that Saddam Hussein continues to flout other United Nations resolutions? For example, he continues to repress the Kurds in the north and to carry out ethnic cleansing—he has just thrown nearly 2,000 Kurds out of the Iraqi cities into the north. Countless other UN resolutions are also being flouted; it is not this one alone.

I chair the group Indict. Our main aim is to bring Saddam Hussein and eight of his closest henchmen before an international tribunal on charges of genocide, crimes against humanity and war crimes. We have the support of the Prime Minister, the previous Prime Minister and President Clinton, and we would welcome further Government support. Many people in Iraq are very much opposed to Saddam Hussein's rule and would like the west's support. In the past, we have encouraged the Kurds, but we have always let them down. They have been involved in several uprisings, but we have never been there behind them. Please will my right hon. Friend give the Iraqi opposition the support that they deserve to get on with the job?

Mr. Cook: I am happy to repeat the Government's expression of support for any moves that would bring Saddam Hussein to book—in particular, for the organisation to which my hon. Friend refers. She touches on a profoundly important point, on which we should all reflect. Saddam Hussein is a dictator who has shown himself to have a cavalier disregard for the lives, civil liberties and rights of his people to live a normal life. He has killed thousands of his people, using what weapons and military force he has. We should be in no doubt that if he acquired the capacity to produce weapons of mass destruction, he is one of the rulers who might well be prepared to use it.

Mr. John Hutton (Barrow and Furness): May I offer my full support for the Government's actions to date, to ensure full Iraqi compliance with the terms of UN Security Council resolutions? In denying access to sites in Iraq, the Iraqi dictator is continuing to flout the Security Council's authority. He must not be allowed to succeed in that. Does my right hon. Friend agree that if the Iraqi dictator was let off the hook, a terrible price would be paid by not only the world community, but the people of the middle east?

Mr. Cook: My hon. Friend's last point is very important. It is the countries that border Iraq that are most at risk. Privately, many of them are as anxious as any hon. Member to ensure that Saddam Hussein is not the victor in the present crisis.

Several hon. Members *rose—*

Madam Speaker: Thank you.

Mr. Benn: On a point of order, Madam Speaker. May I ask your advice? As you know, last week I asked for an emergency debate and there was a private notice question. Today, there has been another private notice question, which I welcome. The Foreign Secretary says that he has no objection to such a debate, but the difficulty for the House is that making war is a royal prerogative—it requires no parliamentary consent. Our forces might be engaged in a conflict without the House having had any opportunity to consider the matter.

[Mr. Benn]

Time is short, as the diplomatic options are clearly running out. I shall not ask for an answer now, but will you, Madam Speaker, consider how, from the Chair, you can protect the right of the House to have a debate on this matter, such as occurred at the time of Suez, the Falklands and the Gulf war? I was present at and interested in all those debates.

Mr. Kaufman: On a point of order, Madam Speaker.

Madam Speaker: It is obviously related.

Mr. Kaufman: Yes. Many hon. Members would greatly welcome an early debate on Iraq, to enable the House to demonstrate its overwhelming support for the Government's policy.

Madam Speaker: I take seriously the point of order raised by the right hon. Member for Chesterfield (Mr. Benn). I shall of course look into the matter. It is a very serious situation, and I have no doubt that the Government will want to come to the House before taking any further action.

I am also grateful for the point of order raised by the right hon. Member for Manchester, Gorton (Mr. Kaufman). The Foreign Secretary is present in the Chamber, and perhaps one day we shall have a major debate about those issues.

Sir Sydney Chapman (Chipping Barnet): On a different point of order, Madam Speaker. You will know that, between the previous sitting of the House and today, this place has been occupied virtually continuously by people inspecting and repairing the ceiling of this august Chamber. I hope that you will allow me, as Chairman of the Accommodation and Works Committee, to put on record the Committee's thanks to the craftsmen who worked literally every hour of the weekend to ensure that our proceedings were not disrupted. I also thank the Officers of the House, from the Serjeant at Arms and the Director of Works onwards, who took the remedial, urgent and necessary action with great expedition.

Madam Speaker: I am sure that we all appreciate the work that was carried out over the weekend.

GOVERNMENT OF WALES BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the Report [29th January] from the Business Committee be now considered.—[*Mr. Robert Ainsworth.*]

Question agreed to.

Report considered accordingly.

Resolved,

That this House doth agree with the Committee in its Resolution.—[*Mr. Robert Ainsworth.*]

Following is the report of the Business Committee [29 January]:

That the Resolution of the Committee reported to the House on 19th January be varied so that—

(a) the fourth and fifth days allotted under the Order [15th January] to proceedings in Committee shall be allotted in the manner shown in the following table, and

(b) each part of the proceedings in Committee on those days shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in relation to that part of the proceedings in the third column of the table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
Fourth day	Clauses 45 to 49	4.30 p.m.
	Clauses 50 and 51 and amendments to Clause 52 apart from any to insert words at the end of line 7 on page 27 of the Bill	6.00 p.m.
	Clause 52, so far as not disposed of	7.00 p.m.
	Clauses 53 to 61	8.30 p.m.
	Clauses 62 to 73, Schedule 4 and Clauses 74 to 79	10.00 p.m.
Fifth day	Clauses 80 to 89	7.00 p.m.
	Clauses 90 to 104 and Schedule 5	8.00 p.m.
	Clauses 105 to 108, Schedule 6 and Clause 109	9.00 p.m.
	Clause 110, Schedule 7, Clauses 111 to 117 and Schedule 8	10.00 p.m.

Orders of the Day

Government of Wales Bill

[4TH ALLOTTED DAY]

Considered in Committee [Progress, 26 January].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 45

REGULATION OF PROCEDURE

4.15 pm

Mr. Bernard Jenkin (North Essex): I beg to move amendment No. 288, in page 25, line 30, at end insert—

'(7) Any remaking or revision of standing orders shall not come into effect unless a draft thereof has been approved by resolution of each House of Parliament.'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to take amendment No. 292, in clause 49, page 26, line 17, leave out from 'shall' to end of line 19 and insert—

'not have effect until a draft thereof has been approved by resolution of each House of Parliament.'.

Mr. Jenkin: I shall be extremely brief, as time is short as a result of the private notice question. Clause 45 sets out the conditions for providing and remaking standing orders in the Assembly. Interestingly, clause 45(2) says:

"But subsection (1) is subject to any other provision of this Act or any other enactment which regulates, or provides for the regulation of, the procedure of the Assembly (or of committees of the Assembly or sub-committees of such committees)."

The interesting feature of the subsection is that it makes explicit Parliament's continuing power to pass Acts to regulate the standing orders of the Welsh Assembly. My first question to the Minister is why that subsection, which reasserts Parliament's powers so explicitly, is necessary at that point in the Bill, if at all. It seems a little strange.

Amendment No. 288 is simply a probing amendment that suggests that, if we are to have the ultimate power, we should have an on-going, neater power to regulate the Assembly's standing orders. Our amendment would add a new subsection, suggesting that any remaking or revision of standing orders shall not come into effect until a resolution of both Houses has been passed.

That would balance what is suggested by the Government in clause 49. It states that commissioners will draw up the draft standing orders, which will then be submitted to the Secretary of State who, according to clause 49(3), can make

"such modifications as he considers appropriate."

If the Secretary of State is to have that power over the initial standing orders of the Assembly, we rather think that that power should be regulated by the House of Commons. We have suggested that the initial standing orders should not have effect until a draft thereof has been approved by the resolution of each House of Parliament, and that constitutes amendment No. 292.

As things stand, the two clauses seem to be rather unclear in their ultimate intention. I look forward to hearing the Minister's comments on the amendments.

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I consider neither amendment to be appropriate as both would impinge on the power that the assembly will have to determine its standing orders. The hon. Member for North Essex (Mr. Jenkin) is correct to say that the Secretary of State will produce the first standing orders once he has considered advice from the commissioners. Subsection (5) provides that the standing orders can be subject to revision by the assembly. Indeed, they can be remade by it.

Given the way in which we have constructed the Bill, we have every confidence that the assembly will be able to run its own business without having reference to the House of Commons. To have continual reference, every time the assembly wanted to change its standing orders, to the House of Commons so as to seek its approval would be inappropriate. I ask the Committee to reject the amendments.

Mr. Jenkin: Why do we need subsection (2)?

Mr. Griffiths: I was rather puzzled when it became clear that the hon. Gentleman wanted to make such a point about the subsection. I still cannot see that it has any real relevance to the amendments. I shall perhaps have a further discussion with him in more congenial surroundings to ascertain exactly what he is trying to get at.

Mr. Jenkin: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 45 ordered to stand part of the Bill.

Clause 46

EQUAL TREATMENT OF ENGLISH AND WELSH LANGUAGES

Dr. John Marek (Wrexham): I beg to move amendment No. 392, in page 25, line 31, leave out from 'effect' to 'to' in line 32.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 394, in page 25, line 32, leave out 'reasonably'.

New clause 15—*Translation of Assembly proceedings*—

'(1) The Assembly shall make provision for proceedings and documents to be translated from Welsh to English and English to Welsh.

(2) Translation of oral proceedings shall be simultaneous and available to all members, staff and visitors.

(3) Translation of written documents of the Assembly shall be available at the earliest practical opportunity.'.

Dr. Marek: I welcome the new timetable, which enables us to debate many more of the clauses than hitherto would have been possible. I hope to be able to contain my remarks to within two minutes so as to allow other Members to speak, followed perhaps by a reply from my hon. Friend the Minister.

[Dr. Marek]

The purpose behind my amendment is to cut out weasel words. It turns, of course, on the English and Welsh languages. Subsection (1) reads,

"so far as is both appropriate in the circumstances and reasonably practicable."

That really means that Welsh is not on the same level as the English language. Yet we have the Welsh Language Act 1993, which is an equality measure. That means that we put both languages on the same level.

When Members of the Assembly utter words in one language, they have slavishly to be translated into the other language, whether that is required to be done or not. It may be that some assembly committees consisting only of Members representing the south-east of the Principality would work in the English language. The minutes may be bilingual, but the Members could work in the English language. If a meeting were held in private, it could be held in the English language. Equally, meetings not open to the public could be held in the Welsh language in north-west Wales. They would not necessarily have to be conducted in the English language.

Equality does not mean that what is written or said in one language must necessarily be translated into the other language. There is inequality of esteem, parity and status. The Welsh Language Act 1993 gives equality to the Welsh language. The words that I have mentioned in the Bill detract from that equality. Ministers should go away and think about it. There is nothing wrong with leaving out the clause. It would allow the national assembly to give proper status to the Welsh language as and when necessary.

Mr. Cynog Dafis (Ceredigion): I shall speak about the importance of the equal use of the two languages. We should ensure that the essential issues are considered and make it clear that the right and the ability of Members to use the Welsh language in all debates and committees will be unconditional. There should be no question about whether it is convenient or acceptable that a Member uses the Welsh language. Instantaneous translation equipment and facilities must be available even when small groups meet in sub-committees and so on. That is the only way to ensure that we normalise the use of the Welsh language. That is what it is all about. Instantaneous translation equipment is sometimes regarded as a facility for the person who wishes to use the Welsh language. It should not be seen in those terms; it is there for the person who is among that unfortunate section who are not bilingual.

There will, of course, be constant media coverage of the activities of the assembly, including television and radio coverage. It is important that, when Welsh is being used in a debate or Committee meeting, the feed from the translation is made available to the English media, so that there is no problem with their not being able to make use of clips, in news coverage and so on, of speeches made by those who are using the Welsh language. That is essential. It is terribly important that the assembly establishes the Welsh language not just as a high-status language but as a normal language.

Mr. Nick Ainger (West Carmarthen and South Pembrokeshire): Sit down.

Mr. Dafis: Because the hon. Gentleman is telling me to sit down, I shall do so.

Mr. Richard Livsey (Brecon and Radnorshire): Briefly, I draw the Committee's attention to new clause 15, which says:

"Translation of oral proceedings shall be simultaneous and available to all members, staff and visitors."

Mr. Win Griffiths: The Government are totally committed to the principle of equality. We believe that, in clause 46, we have provided for English and Welsh to be treated equally. We believe that that can be achieved by having regard to the Welsh Language Board guidelines issued under the Welsh language Act 1993. The advisory group is looking at all those issues in relation to the use of the language. We should expect the National Assembly for Wales to provide for equal treatment in all its proceedings in the appropriate way.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Surely the word "practicable" covers that eventuality. Doubling it up with the word "reasonably" seems biased against the equal use of the Welsh language. That concern was embodied in Plaid Cymru's amendment. I ask the Minister to consider whether we need the second word.

Mr. Griffiths: Hon. Members are being a little pedantic about the use of the English language. Given that the advisory group will look at all those issues, and what was said by my hon. Friend the Member for Wrexham (Dr. Marek) and by the hon. Member for Ceredigion (Mr. Dafis), I hope that we can accept the spirit behind our debate. We should expect the assembly to operate on proper principles of equal treatment for the Welsh and English languages. On those grounds, I hope that the amendments will be withdrawn.

Dr. Marek: That is only just about acceptable. It is all very well to complain of pedantry about the English language; we have been quite pedantic about the Welsh language, and about what is "reasonably practicable". However, the Minister is my hon. Friend, and I shall take his words in the spirit in which they were meant. I hope that he will think about the amendment carefully and, if necessary, table an amendment of his own in the other place. In the meantime, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

It being half-past Four o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 46 ordered to stand part of the Bill.

Clauses 47 to 49 ordered to stand part of the Bill.

Clause 50 ordered to stand part of the Bill.

Clause 51

PRESIDING OFFICER AND DEPUTY

Mr. Nigel Evans (Ribble Valley): I beg to move amendment No. 294, in page 26, line 39, leave out from 'members' to 'shall' in line 1 on page 27 and insert—

'the deputy presiding officer.

(1A) The Secretary of State shall be the presiding officer of the Assembly, but shall not otherwise be entitled to attend or to participate in or to vote in any proceedings of the Assembly.

(2) The offices specified in this section.'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 295, in page 27, line 4, leave out 'be Assembly members who'.

No. 296, in page 27, line 5, at end insert—

'(4) To be elected the presiding officer must secure an overall majority of the votes of Assembly members and, for each electoral region, no less than one third of the votes of Assembly members representing that region.'.

No. 309, in clause 75, page 37, leave out lines 28 to 33 and insert—

'(1) The Secretary of State for Wales shall be the presiding officer of the Assembly, but shall not otherwise be entitled to attend or to participate or to vote in any proceedings of the Assembly.'.

No. 308, in clause 75, page 37, leave out lines 28 to 33.

Mr. Evans: We hope to ascertain a more definite role for the Secretary of State for Wales, and also a sound basis for the position of the presiding officer. A growing band of people are still uncertain about what the Secretary of State's role will be after devolution becomes effective. He will lose a considerable amount of the power which, I assume, took up some of his working week, and the vacuum thus created has yet to be properly filled.

Working on the dictum that the devil makes work for idle hands, I hope that the Secretary of State will take the amendments in the constructive and inclusive sense in which they are meant. We are not trying to smoke out from him whether he intends to stand for the assembly in his own right—well, we are actually, but I suspect that we shall not get much further today than we have in the past. What we know is that the right hon. Gentleman is devolving a substantial amount of his job to the assembly. I suspect that it may be to himself that he is trying to pass those powers, with another hat on, but the move will leave whoever is Secretary of State in his place without the same role—some would say, with an inferior role—although he will still have important financial roles, which we shall debate tomorrow.

The amendment suggests giving the Secretary of State the role of presiding officer. He will thus be establishing a substantial authoritative role for himself, and a definite role within the new structure. He will have clout at Westminster and beyond, voicing the concerns of Wales. Whatever is decided, it is important to establish where authority lies on the various levels, and how best to ensure that Wales's voice is not muted or lost, but just inwardly directed by the devolution process.

The First Secretary will have elected authority, and will be seen as the person who speaks for Wales. A perception could quickly and easily arise that, as the Secretary of State for Wales was the Prime Minister's choice, his voice was that of the Cabinet and the Government. Indeed, it would be peculiar and irregular if it were otherwise, although in the past no one has competed against the Secretary of State in the context of speaking for the people of Wales. There could be clashes between the First Secretary and the Secretary of State for Wales, just as Secretaries of State will argue with leaders of local authorities even when those authorities are controlled by their own political parties.

Amendments Nos. 309 and 308 are contingent on the acceptance of amendments Nos. 294 and 295. Amendment No. 296 addresses the fears of the regions about the position of the presiding officer. People in the regions are concerned about the fair and proper working of the assembly. We seek to have their voice properly protected.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): Can the hon. Gentleman give us an example of a Speaker or a presiding officer of a democratically elected assembly who is not a member of that assembly?

Mr. Evans: I could give the example of the vice-president of the senate, but the Welsh assembly is a new body and we are seeking new methods. We are not constrained by the methods used in local government or Westminster. Let us see what we can offer.

Mr. Michael Ancram (Devizes): The Al Gore of Wales.

Mr. Evans: I am not sure whether that example would sell our proposition.

The Secretary of State for Wales (Mr. Ron Davies): I am grateful for the hon. Gentleman's continuing influence in Welsh affairs from his vantage point in Ribble Valley. Given that the two amendments are mutually exclusive, which one would he prefer?

Mr. Evans: We are trying to find out the views of the Government and the Secretary of State. It is proper for us to table amendments that, although mutually exclusive or contradictory, seek to draw out the Secretary of State. I hope that he recognises what we are trying to do. I may not have a preference: I am interested to know what the Government propose for the Secretary of State.

Mr. Davies: The Government may acknowledge the force of the hon. Gentleman's argument and be prepared to accept one of the amendments. I am merely wondering which one he would like us to accept.

Mr. Evans: There is always a first for everything. If the Secretary of State were to agree with any of my suggestions, it would be a parliamentary first and would go down in history. Both amendments are important. There could be a conflict between the Secretary of State for Wales and the First Secretary, and there could be a problem given that the Bill will create a vacuum in the Secretary of State's time. We hope that he will consider the amendments carefully, and accept some of our propositions. He may make his own proposals, or even declare an interest by telling us that he intends to stand for the Welsh assembly and wants to pass some of his present powers to himself in another guise.

[Mr. Evans]

Regional committees will be established: all we know to date is that there will be a committee of the north and other regional committees. We are seeking to have their voice protected by the constitutional safeguard of regional representation. The presiding officer would have to attract the majority support of the assembly, would have to have national appeal, and would have to win a third of the votes of Members of the Assembly representing each region. We believe that that device would allay the fears of the regions and the people who live in them.

After the referendum, the map of Wales was clearly divided between those who were and those who were not in favour of an assembly.

Mr. Ron Davies *indicated dissent.*

Mr. Evans: The Secretary of State shakes his head, but I remember the night clearly: 11 areas voted yes and 11 voted no.

Mr. Dafydd Wigley (Caernarfon): The hon. Gentleman uses the same old arguments at every debate.

Mr. Evans: If they are the same old valid arguments, it is important to keep stressing them. I had hoped that the right hon. Gentleman would agree with us about looking at ways to remove the fears of people in regions such as north Wales. They should be properly assured, and one way to do that is to give those who will represent the regions an extra say and protection for their views in the assembly. That is all that the amendment would achieve, and I hope that the Secretary of State will consider accepting it. It would give to a third of the representatives of the regions democratic authority in the choice of one of the most important positions in the assembly. The amendments are constructive, and I look forward to hearing the Government's views on them.

Mr. Win Griffiths: It is good to see you, Mr. McWilliam, in the Chair because you are from one of the important regions of England.

Despite the earnestness of the hon. Member for Ribble Valley (Mr. Evans)—I almost said dribble valley—the amendments are ambivalent frivolities because they contain two different ideas—one about the role of the Secretary of State and the other about the procedure for an appointment. Clause 51 provides for the assembly to elect a presiding officer and a deputy presiding officer who shall be from different parties within the assembly.

Clause 75 entitles the Secretary of State to attend and participate but not to vote in plenary meetings of the assembly. It is clear from a study of any constitutional assembly in the world that the Secretary of State could not preside over the National Assembly for Wales because the two roles are inimical. For a start, the Secretary of State has onerous responsibilities and duties in the Cabinet and must attend its meetings in London. That would take up a great deal of his time, so the idea of his presiding over an assembly in Cardiff, Swansea, Wrexham or wherever is nonsense.

Mr. Evans: Following devolution, what will be the Secretary of State's role? Will he attract new and additional powers? According to the Bill, he will lose powers.

Mr. Griffiths: He will have several roles, one of which will be to represent Wales in government at Westminster and to attend the many committees which, as the right hon. Member for Devizes (Mr. Ancram) will know, are held in Whitehall. He will also have to report to the assembly and take from that body to Westminster its views on Welsh matters. He will have a full job without the responsibilities of presiding over the assembly.

The hon. Member for Ribble Valley advanced a completely different idea about how the presiding officer should be elected. It is plain that there is no agreement among Opposition Members about which amendment should have priority, and that means that they are not taking them seriously. The amendments are not necessary for the good working of the assembly and the one that requires specific votes from different parts of Wales would place an unnecessary constraint on it.

Mr. Evans: The Minister may see it that way, but perhaps we could examine amendment No. 296 and the election of the presiding officer. Is it not important to protect representatives of Welsh regions? The referendum showed that some people, particularly in north Wales, had some fears about the procedure. Our amendment would give them an opportunity to have a proper and equal say in the election of the presiding officer.

Mr. Griffiths: We have gone out of our way to try to get a better feel for views throughout Wales. We have introduced an unprecedented element of proportionality to the elections for the assembly. The hon. Gentleman and his party voted against that, but we are happy that that provision will help to take account of views throughout Wales. We do not need the prescription in the amendment and I hope that the hon. Gentleman will withdraw it.

4.45 pm

Mr. Evans: We gave the Government an opportunity to start to measure up to the words of the Prime Minister on the steps of 10 Downing street when he said that he would listen to the fears of the people of Wales. Some people in north Wales and in other regions expressed fears about the assembly being Cardiff dominated.

Mr. Ron Davies: Swansea dominated.

Mr. Evans: It may be Swansea dominated. We do not know where the assembly will land. Today's issue of the *Western Mail* states that an airport site is being considered by the Secretary of State. Perhaps the assembly will have a smoother landing there than it has

had since its take off. Amendment No. 296 would have allowed the regions to be properly taken into account. It is a great shame that the Government have not taken up our suggestion, but I do not intend to press the matter. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 51 ordered to stand part of the Bill.

Clause 52

ASSEMBLY FIRST SECRETARY

Mr. Livsey: I beg to move amendment No. 10A, in page 27, line 6, leave out from 'be' to end of line 7 and insert

'Prime Minister of Wales or Prif Weinidog'.

The Temporary Chairman (Mr. John McWilliam): With this, it will be convenient to discuss the following amendments: No. 91, in page 27, line 7, leave out

'Secretary or Prif Ysgrifennydd y Cynulliad'

and insert

'Minister or Gweinidog Pennaf y Cynulliad'.

No. 200, in page 27, line 7, after 'Cynulliad', insert

'(a post whose title may be amended by provision of the Standing Orders)'.

No. 194, in clause 57, page 28, leave out lines 27 to 29.

No. 199, in page 28, line 31, after 'Cynulliad', insert

', or by such title as the Standing Orders may provide'.

No. 31, in clause 58, page 29, line 1, leave out 'a committee' and insert 'an Assembly Cabinet'.

No. 5, in page 29, line 1, after 'a', insert 'cabinet'.

No. 32, in page 29, line 2, leave out 'Secretary' and insert 'Minister'.

No. 33, in page 29, line 3, leave out 'Secretaries' and insert

'Ministers, who shall be appointed by the Assembly First Minister'.

No. 34, in page 29, line 3, leave out 'Secretaries' and insert

'Ministers, who shall be appointed by the Assembly First Secretary'.

No. 35, in page 29, leave out lines 4 to 6.

No. 21, in page 29, line 7, leave out 'executive' and insert 'cabinet'.

No. 36, in page 29, line 7, leave out 'executive committee' and insert 'Assembly Cabinet'.

No. 195, in page 29, line 7, leave out 'executive committee' and insert 'cabinet'.

No. 22, in page 29, line 8, leave out first 'executive' and insert 'cabinet'.

No. 37, in page 29, line 8, leave out first 'executive committee' and insert 'Assembly Cabinet'.

No. 196, in page 29, line 8, leave out

'executive committee (to such extent as the executive committee'

and insert

'cabinet (to such extent as the cabinet'.

No. 23, in page 29, line 8, leave out second 'executive' and insert 'cabinet'.

No. 38, in page 29, line 8, leave out second 'executive committee' and insert 'Assembly Cabinet'.

No. 25, in page 29, line 10, leave out 'executive' and insert 'cabinet'.

No. 39, in page 29, line 10, leave out 'executive committee' and insert 'Assembly Cabinet'.

No. 197, in page 29, line 10, leave out 'executive committee' and insert 'cabinet'.

No. 40, in page 29, line 14, leave out 'executive committee' and insert 'Assembly Cabinet'.

No. 28, in page 29, line 14, leave out 'executive' and insert 'cabinet'.

No. 41, in page 29, line 15, leave out 'executive committee' and insert 'Assembly Cabinet'.

No. 29, in page 29, line 15, leave out 'executive' and insert 'cabinet'.

No. 42, in page 29, line 17, at end insert—

'(4A) The Assembly Cabinet shall remain in office only so long as it retains the confidence of the Assembly and no longer.'.

Mr. Livsey: The first amendment is about the description of the head of government in Wales.

Mr. Wigley: On a point of order, Mr. McWilliam. I am sorry to interrupt the hon. Gentleman before he gets into his swing. Two, totally different, ideas are dealt with in this group of amendments; one group is about what people will be called, the other is about a cabinet system as opposed to a committee system. If we felt it appropriate, could we have a vote on an amendment relating to the cabinet system?

The Temporary Chairman: That would have to be considered at the end of the debate, but of course it would be in order for the right hon. Gentleman formally to propose an amendment. Standing Orders allow the group to be broken up in that way.

Mr. Livsey: As I was saying, the amendment refers to the possibility of there being a Prime Minister rather than a First Secretary. To give the Welsh assembly higher status, we may need to change the title, First Secretary.

If there is a First Secretary, he will on occasions have to speak to his opposite number in, for example, the Federal Republic of Germany, where each Land has its own Prime Minister, and we think that Prime Minister status would be appropriate. Such a situation would arise on many occasions. It would be nice to think that the leader of the assembly could discuss and even negotiate—perhaps with the motor regions—on an equal footing with leaders of other areas. We think that the title Prime Minister would be appropriate.

Mr. Denzil Davies (Llanelli): I am intrigued. The hon. Gentleman said that the leaders of the Länder are Prime Ministers. I am sure his German is very good. What is the German title? There is no Prime Minister in Bonn as far as I am aware.

Mr. Livsey: I am not a German speaker. I speak French and halting Welsh, and my knowledge of German is not adequate to answer the right hon. Gentleman's question accurately. All I can say is that when Peter Walker was Secretary of State for Wales and met the Prime Minister

[Mr. Livsey]

of Baden-Württemberg, he was described as such in the British press. If they got it wrong, they got it wrong, but that was the description. I remember that well.

The other amendments that we have tabled in this group, including amendment No. 5, refer to a cabinet system rather than a committee system, but unfortunately they were consequential on amendment No. 11A, which has not been selected. I hope you will not rule me out of order, Mr. McWilliam, if I briefly say that the head of each Committee would automatically become a member of the Cabinet. It would therefore be a hybrid system. All the amendments refer to a Cabinet in that context. It is somewhat disheartening to have to say that, although the amendments refer to there being a Cabinet, they do so in that specific context. We believe that the amendments that refer to a cabinet system remain linked with the current selection in the sense that they are probing what a cabinet system would be like in relation to the assembly.

As we know, there has been much discussion in Wales about the possibility of a cabinet system rather than a committee system.

Mr. Ancram: Did I hear the hon. Gentleman right? Did he say that many of his amendments are merely probing amendments? We had understood this to be a matter of some significance and importance to the Liberal Democrats. We take it seriously ourselves. In the light of what has been said previously by his party, I should be surprised if these were just probing amendments.

Mr. Livsey: I mentioned at the outset of my speech the context in which the references to a Cabinet are being made. No doubt during the debate the ranking of a cabinet system compared with a committee system will be debated at some length. Some hon. Members may wish to put this matter to a vote at the end of the debate. If that is so, it is so.

We Liberal Democrats have examined the possibility of a cabinet system compared with a committee system. Committees of the assembly will represent different subject areas, different regional areas—we hope—in Wales, and other aspects of government in Wales. That being so, our party feels that we need a decisive decision-making body, which could be of the Cabinet type, where decisions will be made directly as a result of good, honest, democratic debate in the Committees. We believe that that could produce a more rapid system of decision making and clearer accountability, which is an important issue in relation to how the assembly will function. We want it to function efficiently and effectively within a democratic framework.

There are attractions in a cabinet system. It would give the assembly more status. It would also mean that Ministers in the Cabinet were able to take on responsibilities. Indeed, the functions of the First Secretary or the Prime Minister would be devolved to them and they would become more accountable.

We would not wish to diminish too much the participation of Members of the Assembly in the committee system, where they would contribute significantly to the day-to-day running of the assembly and have input into the running of the Government in Wales, depending on the political configuration of the assembly. We believe that it is right to table these amendments. We need a good, honest, debate on them to find out whether hon. Members can be persuaded that a cabinet system might have some distinct advantages over the committee system as proposed in the Bill.

Several hon. Members *rose—*

The Temporary Chairman: Order. Before I call the right hon. Member for Caernarfon (Mr. Wigley), I should like to apologise to him in case I might slightly have misled him. I suggested that amendments could be moved later; I must caution him that amendments now selected may fall if intervening clauses run against that line, so he may not get to that point.

Mr. Wigley: I am grateful for that guidance, Mr. McWilliam.

It is on clause 58 that the substantive question of a cabinet or committee system arises, but unfortunately—I do not criticise the selection; we are not encouraged to do that—the selection of amendments does not allow debate on an amendment to clause 58 that deals with the cabinet system.

One of the most controversial aspects of the Bill in Wales is whether we shall be governed by a committee or cabinet system. It seems—if my interpretation is right—that we can have a debate on clause 52 on the name "Cabinet", but not on any of the substance of the clause in which related issues arise.

The Temporary Chairman: I want to be clear for the *Official Report*. That is exactly right.

Mr. Wigley: I therefore assume that you will be fairly tolerant, Mr. McWilliam, if hon. Members go beyond the purview of clause 52 because we are bound to get into the substance of a cabinet system.

Amendments Nos. 200 and 199 deal with the right to choose an appropriate title for the officials of the assembly; they deal with whether we should have Ministers or Secretaries. The assembly should be allowed the freedom to choose the title; it should not be prescribed in the Bill. The amendment would allow the assembly to choose, rather than have a decision imposed on it. Once the assembly is up and running, there is no reason why it should not have the power to change the nomenclature of its officers. In view of the spirit in which the Government introduced the Bill, I should have thought that they want to encourage that. I should be interested to hear what the Minister has to say about why that freedom cannot be allowed.

5 pm

Amendment No. 194 would pave the way—as we then saw it—for the cabinet system, as would amendments Nos. 196, 197 and 195. Unfortunately, the amendment that deals with the guts of the cabinet system—the right to elect a cabinet—has not been selected. However, amendment No. 21, which has been tabled jointly by Plaid Cymru and the Liberal Democrats, involves the concept of the cabinet, so I want now to discuss whether there should be a cabinet or a committee system in the assembly.

I and my colleagues feel strongly that there should be a cabinet system, for a number of reasons. We want to avoid some of the problems that arise in local government, where the committee system can sometimes be a vehicle for delay in decision making. Decisions have to go through a committee for ratification and are not valid until that committee has ratified them. We have all seen in our constituencies the frustration that is caused when people have to work through the cycle of local government committees before a decision can be ratified. That would be an unfortunate beginning for the assembly.

It is possible to secure answerability for the assembly's Ministers or Secretaries—whatever they are called—to a Committee without there being a committee system. Indeed, the development of Select Committees in this House has made Ministers accountable to a Committee that deals with the subject area—although the Minister does not have to go to that Committee to get approval for any decision that he makes. It is right that the assembly's Ministers or Secretaries should be held accountable to a scrutiny Committee and appear before that Committee, perhaps more regularly than is the case in Westminster. I am convinced that a cabinet system would provide a better mechanism for taking quicker decisions.

A cabinet system would also mean that when a Minister or Secretary of the assembly takes a decision, he has personal responsibility for it—it cannot be lost in the explanation that it was the Committee's decision to do this, or not to do that.

Mr. Denzil Davies: I am interested in right hon. Gentleman's speech. Is he suggesting that if there were a cabinet system, the Cabinet would meet in secret whereas a Committee would meet in public? Is he advocating that?

Mr. Wigley: The Cabinet that the right hon. Gentleman's party has established to run the countries of these islands meets in secret. That is inevitably the case when plans are being developed.

Mr. Davies: Why?

Mr. Wigley: The right hon. Gentleman should ask the Prime Minister why the Cabinet meets in secret. I am sure that, when the right hon. Gentleman was a Treasury Minister in the last Labour regime, he would have defended the need for discussions on the Budget to be held in secret. That is the difference between national government and local government. Of course, if the right hon. Gentleman views the assembly as a local government body—nothing more than an overgrown county council—I understand why he wants to have a local government system of committees. In such a case, the power of national government would not be available—

Mr. Davies: What about the Council of Ministers? Would the right hon. Gentleman defend the Council of Ministers' meeting in secret?

Mr. Wigley: The Council of Ministers does meet in secret. I know that the right hon. Gentleman has strong feelings about the way in which Europe works—or does not work—but there are times when it is necessary for the Council of Ministers to meet in secret. I would prefer greater openness and, indeed, a different system in the European Parliament. I would like there to be a second chamber—a chamber of the regions and nations. That would provide a different structure of openness.

With regard to the government of countries—whether the government of the United Kingdom, France, Ireland, Denmark or, for that matter, Scotland—it is right and proper that a Cabinet should take responsibility. A cabinet system would allow a more cohesive approach to government. A joint responsibility would go along with a cabinet system, but may or may not go along with the half-baked committee system that the right hon. Gentleman would like. A joint responsibility is something which adds to the ability of government to take coherent decisions and to act in support of them.

Mr. Rowlands: I thought that the whole notion behind many of the right hon. Gentleman's speeches over many months has been that there should be a new type of politics in Wales—a new style and openness in the assembly. Instead, he is describing the culture of secrecy, accountability and total collective responsibility of the Westminster model. I thought that we were supposed to pioneer some new style of politics.

Mr. Wigley: That will happen through the scrutiny that can be made available on a much better and more rigorous basis with a cabinet system. Individual members of the Cabinet will be responsible for the stance that they take. The hon. Gentleman appears to want the assembly to be a body more akin to local government than to central Government. That is the essential difference between his point of view and mine. I want powers to be transferred from Westminster to Wales. I want decisions to be taken on a national level in Wales; I do not want the centralisation of local government on an all-Wales level. That would be the danger of going down the road advocated by the hon. Gentleman.

I know that the hon. Gentleman has doubts about the model and about the assembly and that he wants a weaker model—

Mr. Rowlands: No.

Mr. Wigley: That may be the case—

Ms Julie Morgan (Cardiff, North): I am disappointed with the right hon. Gentleman's remarks. He appears to be denigrating local government. Is he aware that the most recent survey of public opinion on local government and its democratisation shows that it has scored a great deal higher than central Government, for the very reasons suggested by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands)?

Mr. Wigley: I hear the hon. Lady. In no way am I denigrating local government, which does very valuable work, but there are valid criticisms of it and the speed it takes to produce decisions. Surely the hon. Lady has heard criticisms about how long it sometimes takes to get decisions out of local authorities. I was aware of that when I served on a local authority in the constituency of the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), and I have seen it in my constituency. I have seen the frustration that occurs because of the requirements of the system.

[Mr. Wigley]

Local government serves an important function. There are people who give a lifetime's service to it and they do a dedicated job, but that does not mean that it is necessarily the best system for transferring powers to Wales. I assume that the hon. Lady is not advocating that the assembly should be more akin to local government than to devolved central Government. That is the essential point. We are talking about the devolved power of central Government.

Mr. Ron Davies: I want to clarify a point that arose in the exchange between the right hon. Gentleman and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). My hon. Friend suggested that the White Paper and the Bill envisage that in no circumstances will any Committees of the assembly meet other than in public—

Mr. Rowlands: I did not.

Mr. Davies: I am glad that my hon. Friend acknowledges that that is not the case. I draw the Committee's attention to clause 69(1)(b), which makes provision in the Standing Orders for Committees to meet in camera. I think that everyone accepts that there will be occasions when matters of commercial or personal confidentiality are considered and that Committees will require the opportunity to meet in camera. I think also that everyone has acknowledged that there will be occasions when the Executive Committee, for example—which will examine strategic matters such as finance and policy development—will want to meet in camera. That is why the Bill and, I should think, the Standing Orders provide for it to do so.

Mr. Wigley: I am grateful to the Secretary of State for his intervention. Such a provision is not to ensure built-in secrecy but coherent decision taking—to ensure that people feel that they can express aloud their ideas, determine whether those ideas are working and, if necessary, withdraw them, which is inevitable in any strategic body. A strategic approach to the issues requires that that happens not only at an all-Wales level but at an all-UK level.

There is broad consensus in Wales in support of a cabinet system rather than a committee system for the assembly. The support cuts across party-political boundaries. People in the Labour party, the Liberal Democrats, the Conservative party and Plaid Cymru realise the merits of a cabinet system. I remember that, after Lord Roberts—our old friend Sir Wyn Roberts—expressed an opinion on the matter, the Secretary of State said that there is essentially a continuum of possible models, running from a pure committee system to a pure cabinet system, and that the Welsh assembly will perhaps land on some point along that continuum.

I shall be glad if the Minister, in his reply, will tell us how Ministers currently think that that balance will be struck. Is there any reason, if the assembly deems that it is appropriate, why the point chosen in the spectrum should not be at or close to the cabinet end rather than the committee end? If the assembly can take the decision, that will be fair enough—because it will be allowed to develop a cabinet system. If the Bill rules that out, however, amendments will have to be tabled either on Report or in the other place to ensure that the Bill allows the possibility of such a system.

Ms Jackie Lawrence (Preseli Pembrokeshire): I am curious about the wording of the right hon. Gentleman's amendments. As he himself has admitted that there are advantages and disadvantages with both systems, would it not have been more appropriate to table an amendment requesting that Ministers examine the advantages of both systems and the possibility of incorporating—perhaps later—the best of those systems, rather than doing what he is doing now: choosing one system that he admits has disadvantages?

Mr. Wigley: As the hon. Lady knows, our original amendment was not selected; technically, we are debating only a name. We are therefore debating an enormously important issue without having a substantive amendment to allow us to achieve our objective. If she were so minded, yes, it would be possible to table, on Report, an amendment to achieve that end.

Mr. Livsey: The hon. Member for Preseli Pembrokeshire (Ms Lawrence) mentioned providing the best of both systems, which was the objective of amendment No. 11A. That amendment was not selected, which is a pity. I know that the right hon. Member for Caernarfon (Mr. Wigley) also is being thwarted by not being able to debate the matter on that broader basis.

Mr. Wigley: I hope that amendments dealing with the substance of a cabinet system will be selected for the Bill's Report stage, unless by then Ministers have said either that they interpret the Bill in a manner that allows the assembly to develop a cabinet system or that they will table amendments in the other place or on Report to make such a system possible. It is immensely important to ensure that the assembly has a central and dynamic core to drive issues forward. A Cabinet would be answerable to the subject Committees and to the assembly itself.

We should remember that the assembly will be composed of only 60 persons. The Executive will therefore not be remote from its membership. An Executive would enable the assembly to take decisions quickly, coherently and strategically. A cabinet system would also provide necessary credibility in Europe and elsewhere.

The type of system that the assembly will use is a very important issue. I hope that other hon. Members will follow up on it, so that—regardless of which issues the House divides on today—we reach a conclusion on the desirability of a cabinet system and can hear from Ministers how they will satisfy the feeling that has been expressed by so many hon. Members on both sides of the House.

Mr. Ancram: I was somewhat entertained by listening to the comments on Cabinet secrecy. Every Friday morning, hon. Members have the wonderful experience of reading riveting stories about who is saying what to whom in Cabinet, who is being rude to whom and who is looking out of the window. Sometimes the theory of Cabinet secrecy is perhaps honoured more in the thought than in the action.

5.15 pm

Mr. Ron Davies: The right hon. Gentleman is not trying to tell the House that he believes those stories, is he?

Mr. Ancram: As I read that they come from "an official Downing street source", I perhaps rather naively think that they have some authority and assume that I am supposed to believe them. However, I will not get into a discussion on Cabinet secrecy, other than to say that any of those bodies can be as open or as secret as they think is appropriate at the time.

I am in the rather surprising position of supporting amendment No. 10A, which the hon. Member for Brecon and Radnorshire (Mr. Livsey) says is a probing amendment. He did not say whether amendment No. 11A, which he felt he could not speak to, is also a probing amendment. Regardless, our amendments have been tabled in all seriousness.

I tell the right hon. Member for Caernarfon (Mr. Wigley) that, in tabling our amendments, we did not draw a distinction between changing the name of the First Secretary and the theory of a cabinet system. We believe that the two essentially go together and are part and parcel of what we are trying to achieve. In amendment Nos. 91 to 41, we are effectively trying to change the name of the First Secretary to the First Minister, Secretaries to Ministers and the Committee to an Assembly Cabinet. I think that we are consistent in trying to do that. Amendment No. 42 is also in keeping with a cabinet structure, as we propose that a Cabinet should continue in existence only while it retains the assembly's confidence. That would be a right and proper part of the Cabinet's role.

We propose replacing the committee system with a cabinet system. That is not a new idea for Conservative Members, as we discussed it during the referendum campaign and have talked about it since. The reasons for the replacement are essentially those mentioned by the right hon. Member for Caernarfon and the hon. Member for Brecon and Radnorshire.

Reading the Bill, it is not easy to determine how the Committee, as it is described, would operate within an assembly. The Bill seems to be confused—perhaps because the practical detail is always difficult to envisage—about whether it is designed to share power among all the assembly's participants or to concentrate it. Either objective would be possible.

Regardless of what happens to this group of amendments, the House will have to know a little more about how the Government think an Executive Committee will work in practice. A central question is where the power in the Committee will reside. Will it reside with the First Minister or with the Executive Committee? Will it reside with the individual Secretaries and with their Committees? Will it reside—as I sometimes fear is the case when there is confusion—with officials?

One of our concerns is that the current blurred position will make accountability—not only to politicians but to the public—a serious issue. The people in Wales will want to know who is responsible for what and—if necessary, as is the case in politics—who to blame if things go wrong. The experience of local government and the committee system tends to show that political accountability can become blurred. With a committee system, it is easier to argue that responsibility is shared, that it is everyone's fault if something goes wrong and, if necessary, that it is to everyone's credit if things go right. My experience is that there tends to be a less than clear political focus, although I am in no way disparaging local government by saying that.

My understanding of the Bill is that we are not creating, or at least we should not be creating, local government. A committee structure is perhaps less in keeping with what we are attempting to do than is a cabinet structure, as there is to be in Scotland. Under that system, those holding responsibility are appointed by the First Minister or First Secretary, as our amendments seek to provide. That also creates the accountability in that the First Minister decides who his Ministers will be and they are responsible for their intromissions.

I am surprised that the Government seem to have set about creating what I can only describe as a constitutional mule—it is neither one thing nor the other, neither local government nor the type of cabinet structure to which we are accustomed.

My experience of committee structures is that they give undue influence to officials. Throughout local government, officials play an important role in putting forward recommendations and hold greater sway over elected members than is the case in a cabinet structure. If the assembly is a genuine exercise in democracy—I make this point having said all I have to say about devolution—and if we are trying to make it work effectively, what is proposed would undermine it.

The proposals for a committee system are a fundamental weakness in the Bill. Our amendments, and those tabled by the Liberal Democrats, would cure that weakness. I hope that the Government will consider them, as it is a matter about which we feel very strongly.

Ms Julie Morgan: As we consider the structure of the assembly, it is important to examine the principles behind it and incorporate them into that structure. The first principle of the assembly is that it should be as democratic as it can be. That means that people who hold positions in the assembly should be democratically elected. There should be as little patronage as possible. I know that patronage is endemic in all types of government, but it should be limited, so I do not agree with the amendment, tabled, I think, by the Conservatives, that states that the First Secretary should appoint the Secretaries to the Cabinet. That would not be acceptable. The Secretaries should be democratically elected, as that would be in tune with what we are trying to do in Wales.

Mr. Wigley: Although we are not allowed to debate amendment No. 201, the hon. Lady might have noted that it would provide for the election rather than the selection of a Cabinet.

Ms Morgan: Yes, I had noted that.

Mr. Ancram: The hon. Lady is making a case for electing members of the Cabinet. Would she like that to happen in Westminster, too?

Ms Morgan: We are not debating the system here, but patronage is too prevalent in all forms of government. We want a different style of government in Wales.

[Ms Morgan]

At Westminster, some people are in government, some are out, and the rest of us have to knock on the door and try to influence what is happening from outside. We do not want to reproduce that system in Wales.

As I was saying, the first principle on which we should structure the assembly is democracy. The second should be inclusiveness—we need to involve as many people as possible. That means that there should be a role for all Members elected to the assembly, including those who are not First Secretary or Secretaries. The importance of the National Assembly is that it should weld together the whole of Wales. We must ensure that everyone in the National Assembly has a role and feels that he or she has a part to play in planning the future of Wales.

Mr. Rowlands: A stakeholder assembly.

Ms Morgan: Indeed.

Another important principle on which to structure the assembly is the involvement of organisations from outside it. That can be done by some form of co-option, bringing in advisers and undertaking consultation. It will be done more easily and effectively via a committee system. A Committee should meet regularly and follow a programme of work; its members will develop expertise in the subject covered by it—although I hope that the Committees will cover a group of subjects rather than individual subjects.

In my intervention on the right hon. Member for Caernarfon (Mr. Wigley), I referred to the Joseph Rowntree Foundation survey carried out in 1995. It revealed that the public had very little regard for quangos. That did not surprise us because one of the reasons we are to have devolution in Wales is the corruption of the quango system. The survey also showed that the general public had a much higher regard for local authorities than for central Government. I think that that has something to do with the element of secrecy in central Government and the fact that the Government are seen as being more removed from the people.

I am concerned that the move towards a cabinet system in Wales has something to do with status and the feeling that in some way the overall British system is preferable. In setting up the National Assembly, we should be attempting to do something different. We should be creating something unique because we have a unique opportunity.

Mr. Dafis: There might be an element of status, which is important in itself, but when we are talking about Ministers and Cabinets, we are not talking only about the British system. I am not absolutely sure that they are the norm, but I imagine that they are common in regional governments throughout Europe. That is bound to be the case in Catalonia, the Basque country and the German Länder. There is no contradiction between that and having a committee system that in fact enables wide consultation and participation and a thorough critique of what the Cabinet and Ministers might be doing.

Ms Morgan: I thank the hon. Gentleman for that contribution. There is no doubt that there is a mixture of systems in various regions and countries, but my point is that we need to come up with proposals that are dictated by what is good for Wales.

Mr. Lembit Öpik (Montgomeryshire): Does the hon. Lady agree that not everything about Westminster has been an abject failure and that one of the strongest cases for adopting a cabinet system is that it is one of the few aspects that has seemed to operate effectively in the interests of the United Kingdom as a whole? Would not it be sensible to take this successful experience from Westminster and apply it to Wales?

Ms Morgan: We should look at other models to find out what is best for Wales. Systems develop in certain ways. For example, the cabinet system could develop into a presidential system. One could say that that happened under Margaret Thatcher. There are dangers in every system. I do not consider everything in Westminster to be an abject failure—there is good and bad. We want what is best for Wales.

It is clear, however, that we cannot discuss everything here. The advisory committee must work on the proposals, discuss them and produce advice for my right hon. Friend the Secretary of State. I hope that he will make that advice widely available for discussion and debate throughout Wales so that we can all participate in creating an assembly for everyone in Wales.

5.30 pm

Mr. Oliver Letwin (West Dorset): I have been listening to the debate with increasing astonishment as I fear that the Committee has been debating a Bill other than the one before us. I thought that the purpose of considering a Bill in Committee was to investigate that Bill, rather than some abstract idea.

I should like to speak to amendment No. 31 and the comments of my right hon. Friend the Member for Devizes (Mr. Ancram), who alone alluded to the problem: what is being created here? The Bill refers to various Committees, and it would be otiose to mention them all. However, the hon. Member for Cardiff, North (Ms Morgan) said that it would be nice to do something different, creative and unique. The clauses under discussion achieve exactly that—to a far greater extent than she imagines.

Subsections (7) and (8) of clause 57 have a profound effect on whether the assembly has Committees or a Cabinet. Unless I am much mistaken, they allow for the Committees to delegate the functions that have been delegated to the assembly by the Secretary of State—or other Secretaries of State—to their Assembly Secretaries. They allow a strange bath-tub effect of delegation downwards by the Secretary of State to the assembly and then upwards again from the assembly to a Committee, and from the Committee to its Assembly Secretary.

The Assembly Secretaries, quite possibly endowed with plenary authority by their respective Committees, sit on the Executive Committee. Under other clauses of the Bill, the entire functions of the Executive Committee can be devolved upwards to the Assembly First Secretary. It is slightly unclear, to put it mildly, whether the Assembly Secretaries on the Executive Committee can devolve the entirety of their powers—which they may have gained

from the Committees—to the First Secretary. However, it is clear that they can devolve anything that lies within the remit of the Executive Committee.

What we have is by no means a committee structure reflecting that of local government. Any local government authority that acted in that way would immediately be taken to court and prevented from so doing. Nor do we have a Westminster system in which the Cabinet is accountable to the House and has to legislate through it. I admit that in present circumstances and with an equivalent majority, not much attention is paid to the niceties of Westminster, but, formally at least, the Bill is being debated in the House and in Committee, and the Government are accountable to the House. On the contrary, under the system outlined in this part of the Bill, the functions delegated to the assembly could be legislated on exclusively and in private—as the Standing Orders could determine—within the Executive Committee by Assembly Secretaries, each endowed with plenary authority, without the need to go back to their Committees or the Assembly.

Mr. Ron Davies: That is quite wrong.

Mr. Letwin: The Secretary of State says from a sedentary position that that is quite wrong. It would be most helpful if he would elucidate on that.

Mr. Davies: The hon. Gentleman said that the Executive Committee would be able to legislate. The Executive Committee would have no legislative powers.

Mr. Letwin: If the Secretary of State had been attending closely, he would know that I was trying to say that the Assembly Secretaries could have been given plenary power by their Committees, so in the Executive Committee, each of them could legislate in their own domain as a sort of corporation sole legislature. To use the phrase of the hon. Member for Cardiff, North, it would be a creative, unique and different arrangement.

In practice, if each Assembly Secretary had sole delegated power, they would discuss matters with one another. When they chose to act within whatever remit the Executive Committee had been given under the Standing Orders, they could also devolve their powers entirely to the First Secretary so that in those matters, the First Secretary could rule without reference even to the rest of the Executive Committee, let alone the other Committees or the assembly.

Ms Lawrence: Does the hon. Gentleman acknowledge that the Assembly Secretaries are subject to a democratic process, as they have to be elected by their Committees? Plenary powers would have to be vested in them democratically by their Committees.

Mr. Letwin: I am delighted that the hon. Lady raised that point, as it brings me to my next and final point.

It appears that the Committees will be new and democratic in their constitution because they will be disposed in proportion to the constitution of the assembly, which, it is expected, will be proportional to the electorate. So we are meant to have a system resembling that of local government, but more so, in which proportionality is reflected through the ascending hierarchy. Far from being the case, however, that is an illusion. The Committees will vote by simple, not qualified, majority. Therefore, it will be consistently the case that a single party—the Labour party—will be able, by simple majority vote, to give plenary power to each of the Assembly Secretaries, who no doubt will be from that party, thereby depriving all other members of the Committee of the slightest vestige of power. Those individuals will then be able to legislate for Wales.

Mr. Öpik: Is the hon. Gentleman aware that that is one reason why it is important to have an effective system of proportional representation? If the PR system works effectively, there will not be a monopoly of power invested in one party; instead, there will be a much wider distribution of power, so in those circumstances, his concern would fall.

Mr. Letwin: The hon. Gentleman is quite right. There could be circumstances under which the result of proportional representation would create a coalition. If the powers that I have just described were used in those circumstances, there would be an almighty constitutional muddle as the person chosen to have the plenary power could not come from all the constituent parties of the assembly.

My point is not that it is a good or a bad system, but that it is an unholy muddle. As my right hon. Friend the Member for Devizes said, it has the appearance of a committee structure, but, in reality, it is either a committee structure similar to that in local government, but more so, or, according to the Standing Orders of which we have no current knowledge, it is the most autocratic system of legislation yet invented for an assembly not only in European history, but—as far as I am aware—in world history. Providing for both those possibilities, with an ambiguity that only a legislative draftsman could achieve, and without the Secretary of State in the White Paper or elsewhere having remotely alluded to the possibility of different approaches, has resulted in an extraordinary muddle.

Ms Lawrence: I wonder whether the hon. Gentleman believes in democracy. Regardless of the constitution of the Committee, in which there may be a majority of one party, is it not the basic principle of democracy that when a democratic vote is taken, the decision rests on the will of the majority? It would appear that the hon. Gentleman is arguing against the very principles of democracy.

Mr. Letwin: I had intended to finish, but I shall reply to that important point. There are two kinds of democracy. There is the democracy of the ballot box, which is fundamental. That has led to a Labour Government with a massive majority at the moment. I fully accept that, as I accept that similar majorities might occur in the Welsh assembly. That is no problem. However, there is another aspect of democracy, which I suspect that the hon. Lady thinks is as important as I do. Of necessity, such an election occurs only every so often. Between elections, there should be a system of accountability that ensures that when legislation comes forward, it is debated and discussed in open assembly by elected representatives, who may or may not be of the governing party.

I am describing a constitutional muddle that would permit control over legislation by a so-called assembly to be entirely concentrated in the hands of a few people with

[Mr. Letwin]

plenary power to legislate in private on behalf of the assembly and this Parliament, without reference to anyone and without debate. I suspect that that would satisfy the hon. Member for Preseli Pembrokeshire (Ms Lawrence) no more than it satisfies me.

Mr. Rowlands: I support the system proposed in the Bill and the eloquent speech made by my hon. Friend the Member for Cardiff, West—

Mr. Rhodri Morgan (Cardiff, West): North.

Mr. Rowlands: I mean my hon. Friend the Member for Cardiff, North (Ms Morgan). She demolished some of the arguments of the right hon. Member for Caernarfon (Mr. Wigley).

It is a pity that we are not on clauses 57 and 58. As in many of his speeches, the hon. Member for West Dorset (Mr. Letwin) built great constructions around one or two points, but when we look more closely at his points, we see that they are less substantial than they appear to be. The Assembly Secretaries who form the Executive Committee will be elected by each of the Assembly Committees. It falls within the power of the Assembly Committees to dispose of or alter votes of no confidence in the Assembly Secretary if he cannot carry the support of the subject Committee that elected him. The Assembly Secretaries will be accountable to the Committee that gave them their status.

If my interpretation is right, we are seeking a different model from that so touchingly proposed by the right hon. Member for Caernarfon, which is almost identical to the Westminster model, with all its strengths and weaknesses. The Cabinet would not be elected. A Cabinet cannot be elected; it is chosen by the Prime Minister—which the right hon. Gentleman and others also want. Under the structure in the Bill, at least the Assembly Secretaries have to obtain the support of the subject Committees that they lead. That gives them the authority to be Assembly Secretaries.

Once there is a Prime Minister and other Ministers, there will be deputy Ministers. As a student of British government, I have watched the spawning of junior ministerial ranks. In the mid-1930s, I think that there were only 25 Ministers. Certainly before the first world war, there were no more than a couple of dozen Ministers. Since then, we have gained Ministers of State and Parliamentary Under-Secretaries. Such a system of deputy Ministers and deputy deputy Ministers might grow with a Cabinet structure. Lo and behold, we might even transpose from this place the concept of Parliamentary Private Secretaries. *[Interruption.]* I do not know whether my hon. Friend the Member for West Carmarthen and South Pembrokeshire (Mr. Ainger) was groaning or expressing hopeful anticipation of a role that he might play.

I do not deny that I have had the pleasure of being a Minister through the patronage system, but, through the 1980s, I watched the growth of patronage in both major parties, including shadow patronage, which is as frightening because it is as binding and stifling as the real thing. That has lessened independence of thought and speech in the Chamber in the past 30 years. Transposing such a system to a Welsh assembly would result in the gradual growth of patronage systems in the assembly, creating a dominant powerful Executive of the governing group. If we have a Prime Minister, we shall have a shadow Prime Minister. If we have a shadow Prime Minister, we shall have shadow Ministers. If we have deputy Ministers, we shall have shadow deputies. I do not want the patronage system, which I have seen grow in my parliamentary lifetime into a stifling influence, to be carried to the new and interesting politics that I hope will emerge from the Welsh assembly.

5.45 pm

What problem were we trying to address by creating an assembly? Surely the major problem was the concentration of power in one Department—the Welsh Office—and in the Secretary of State, who has a range of functions. Outside that system, we were trying to address the growth of the quango state. I thought that everyone campaigning for any form of devolution, however far down the road we wanted to go, wanted to bring a new spirit of openness to the decision-making processes. We wanted open debate and discussion, particularly on the allocation of resources.

The hon. Member for West Dorset talked about legislation. The assembly will not legislate—not in the manner of the Scottish Parliament. We are establishing the assembly to have an open debate on the allocation of the £6 billion or £7 billion of Government resources that are the responsibility of the Secretary of State for Wales and the host of quangos that spend some of it. That is its fundamental task. It must be done more openly than a Westminster Cabinet style of decision making would achieve. The centrepiece of the case for devolution was that we would bring a breath of fresh air to the decision-making processes for the allocation of such large resources.

Mr. Ron Davies: My hon. Friend is speaking with his experience as a former Minister in the Welsh Office. If there is any merit in the arguments for moving towards a Cabinet style, it is that hundreds of decisions have to be taken every day. They are not the major strategic spending decisions that my hon. Friend is referring to, but the day-to-day decisions that are necessary to give effect to the broad strategic decisions taken collectively by the assembly.

Mr. Rowlands: Exactly. The notion that that cannot be done by open debate in Committees is nonsense. My right hon. Friend is right. We were seeking more openness in decision making at operational and strategic level on the allocation of spending and resourcing priorities. That is the primary function of the assembly.

Mr. Letwin: Does the hon. Gentleman agree that if he were trying to achieve his aim, he would have to recommend an amendment that deprived Committees of the ability to give their entire powers to Secretaries?

Mr. Rowlands: The great value and extremely important function of our Committee proceedings is to make us read the texts over and over again. I spend quite a lot of time reading them. I began re-reading clauses 57 and 58 as a result of the hon. Gentleman's interesting

observations. I understand why clause 57 gives powers to the Assembly Secretaries. The Assembly Secretaries, with the First Secretary, can make decisions independently. I think that that system exists in local government, where certain power is delegated to various smaller groups, such as chairmen of committees, at various times in the year.

The hon. Member for West Dorset is wrong to imply that the Assembly Secretaries described in clause 58 would be unaccountable and—I think that he used the word—autocratic, because they derive their power entirely from their election by the subject Committees, as is laid down in clause 57. That is not an autocratic system; it is directly accountable. If one of the subject Committee Secretaries cannot carry his Committee, he will be out on his ear—not by the decision of a Prime Minister in some reshuffle, but by the power of the subject Committees and other Committees. The hon. Gentleman is right to say that that is a different model. The clauses do not construct a local government system. They construct a different decision-making process which is suited to the assembly's central task: to bring greater democratic pressure to bear on decision making and the allocation of resources.

The difference between a cabinet structure and even a local government structure lies in who controls the information that is given to the elected members. In a cabinet structure, as I know from experience, the information given out is controlled—even at departmental and ministerial levels. Certain options in the debate—in the Whitehall system and among Ministers—are eliminated. What is released to the House of Commons is basically the preferred option. Sometimes, slight variations are offered in Green Papers, but, generally, the process is one of filtering information for final scrutiny. The system that we are suggesting is different. As my hon. Friend the Member for Cardiff, North suggested, it allows greater openness. It allows officials, to whom the right hon. Member for Devizes (Mr. Ancram) referred, to deliver more information to the assembly than could possibly be provided in a cabinet structure.

Mr. Evans: The hon. Gentleman's theory about openness of government and giving control to Members of the Assembly is sound. Surely he should have begun that battle with his party ages ago. What about the closed list system, which concentrates power on political parties and not on individual candidates?

Mr. Rowlands: I have made my views on the closed list system very clear to my right hon. and hon. Friends. On this occasion, I whole-heartedly support the clauses before us.

Mr. Win Griffiths: This has been a very important debate. It was instigated by the hon. Member for Brecon and Radnorshire (Mr. Livsey) and has produced a wide variety of views. Most importantly, for the first time in these debates, the official Opposition have made enlightened and constructive comments on the way in which the assembly should be run.

The purpose of the amendments is to establish a cabinet model of internal organisation for the assembly. The Cabinet would consist of a Prime Minister of Wales—an Assembly First Minister—and, perhaps, Assembly Ministers, who would be appointed by the First Minister. That Cabinet would be collectively responsible to the assembly and would hold office only while retaining the assembly's confidence.

I have listened very closely to both sides of the argument. The right hon. Member for Caernarfon (Mr. Wigley) made much of the difference between a cabinet model and a committee model, especially the local government committee model. My hon. Friends the Members for Cardiff, North (Ms Morgan) and for Merthyr Tydfil and Rhymney (Mr. Rowlands) made great play of what they felt were more open and inclusive forms of decision making in local government.

In both cases, the strengths and weaknesses of the system are dependent on the people who are in charge. I recall some local government systems that included a full panoply of committees, but which were as closed and as secret as any cabinet committee structure. We must consider all systems in the context of who will be in charge. The Bill would allow, more or less, for either extreme to be accommodated. A cabinet model, more or less, could be accommodated, as the hon. Member for West Dorset (Mr. Letwin) tried to point out in a rather theoretical way. On the other hand, at the other end of the spectrum, a pure committee system could be accommodated. We believe that there can be points along the spectrum, and that the assembly can make its own decisions about how it might like to operate. The assembly will be a democratically accountable body and be able to decide such matters for itself.

We do not want to prescribe the exact internal architecture of the assembly. The issue of how the Standing Orders might lead to the operation of the assembly has been given to the advisory group, which will pass on its thinking to the Commissioners.

Mr. Ancram: I am listening very closely to the Minister, and I thank him for the attention that he paid to our proposals. Does not he accept that the detail of the proposed committee structure is prescriptive? As my hon. Friend the Member for Ribble Valley (Mr. Evans) said, the Bill is indistinct and confused in what it is trying to achieve. It would be for the benefit of the people in Wales, and indeed the system, if the Minister were to say now that he would accept one of the amendments as a token of his good faith in the imposition of a cabinet structure. I suggest that if he finds it difficult to accept the amendments relating to the Cabinet, he should consider amendments relating to the name of the First Minister or the First Secretary. If he could accept one of them, I would be satisfied. Obviously, if he could not do that, we should have to take our own view of what he meant by the refusal.

Mr. Griffiths: The clauses allow for what the hon. Member for West Dorset thought was confusion, but what can be seen as flexibility in the way in which the assembly will operate.

The Commissioners will obviously undertake their work having regard for my right hon. Friend the Secretary of State's guidance—although they will also be informed by this debate. We believe that the advisory group and the Commissioners will continue to consult widely in Wales on any specific proposals on how the assembly might operate—whether it is much more of a local government system or one that moves towards a cabinet system.

[Mr. Griffiths]

We believe that this debate has been very helpful in providing a view for the advisory group and the Commissioners to consider. We still see a need for consideration and flexibility in how these matters are to be handled; nothing is settled yet. The advisory group will be able to consider these things. I hope that, in that context, the amendment can be withdrawn.

Mr. Livsey: I hear what the Minister says, and I believe that he is correct in saying that we have had a good debate. I do not have time to go into all aspects of it, but obviously there are differences of opinion about whether there should be a complete cabinet or a complete committee system. Therefore, I beg to ask leave to withdraw the amendment.

Hon. Members: No.

Question put, That the amendment be made:—

The Committee divided: Ayes 151, Noes 292.

Division No. 145] **[5.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Malcolm (Gordon)
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davis, Cynog
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Sir David Madel.

NOES

Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia

Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galloway, George
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Liddell, Mrs Helen
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Robert Ainsworth and Janet Anderson.

Question accordingly negatived.

Mr. Ieuan Wyn Jones (Ynys Môn): I beg to move amendment No. 272, in page 27, line 7, at end insert

'and the Assembly First Secretary shall be treated as being an office of ministerial level for the purposes of Article 203 of The Treaty of Amsterdam'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following: Amendment No. 273, in clause 57, page 28, line 31, at end insert

'and the Assembly Secretaries shall be treated as being offices of ministerial level for the purposes of Article 203 of the Treaty of Amsterdam'.

Amendment No. 440, in clause 105, page 51, line 43, at end insert—

'(2) The Assembly may scrutinise proposed legislation being considered by European Community institutions, to the extent that this is necessary in order to enable the Assembly to—

(a) clarify and assess the extent of the obligations which it would incur under subsection (1) in the event of the proposed legislation being enacted, and

(b) express a view to European Community institutions regarding these obligations.

(3) Members of the executive committee may discuss the matters referred to in subsection (2) with the members and staff of the European Commission.'.

New clause 5—*Delegations to Europe*—

'(1) When matters over which the Assembly has some powers are being discussed with bodies of the European Union, the appropriate Assembly Secretaries shall be entitled to accompany United Kingdom Government Ministers and to participate in such discussions on behalf of the Assembly.

(2) Where the matters to be discussed under subsection (1) are matters that only affect Wales and do not affect other parts of the United Kingdom, Assembly Secretaries shall not be accompanied by the appropriate United Kingdom Government Ministers.'.

New clause 9—*Representations in relation to European Union*—

'(1) The representations referred to in section 34 may be made by means including the following—

(a) the selection and sending of a non–voting representative from the Assembly to meetings of the Council of Ministers of the European Union,

(b) the selection and sending of representatives from the Assembly to the Economic and Social Committee of the European Union,

(c) the selection and sending of representatives from the Assembly to the Committee of the Regions of the European Union,

(d) scrutiny by the Assembly of proposals for legislation deriving from the institutions of the European Union, and the publication of any conclusions reached as a result of this scrutiny, and

(e) the appointment of staff members to the United Kingdom representative office to the European Union.

(2) The Assembly may decide that the representatives appointed under (c) of subsection (1) shall be the whole of the representation from Wales on the Committee of the Regions.

(3) Where the Assembly exercises its power under (d) of subsection (1), the House of Commons shall, after consultation with the Assembly First Secretary, make such arrangements as it deems appropriate for the consideration of the representations made by the Assembly.'.

New clause 16—*Representative office for Wales in Brussels*—

'.—(1) A representative office for the Assembly shall be established in Brussels

(2) The office shall have the functions of providing advice to, and consultation with, the institutions of the European Union on matters affecting Wales.'.

New clause 20—*Council of Ministers' meetings*—

'(1) Before any Minister of the Crown attends a meeting of the Council of Ministers at which consideration is to be given to any issue relating to devolved matters, the Secretary of State shall consult the Assembly and seek its views on the issue.

(2) When a Minister of the Crown attends such a meeting of the Council of Ministers, he may permit a member of the executive committee of the Assembly to attend with and participate in the United Kingdom delegation.

(3) Following a meeting of the Council of Ministers at which any issue related to a devolved matter has been discussed, the Secretary of State shall forthwith report on what transpired at said meeting to the Assembly and answer any questions that the members of the Assembly may have.'.

6.15 pm

Mr. Jones: The Minister will recall the interesting discussion that we had on Second Reading. He responded to points that I had raised about the relationship between the National Assembly for Wales, and Europe and the European Union institutions. The purpose of amendments Nos. 272, 273 and 440 and new clause 9 is to flesh out and test the assurances that he gave towards the end of his speech on that occasion. I welcome the spirit of his remarks at the end of the second day of the Second Reading debate. We are moving in the same direction. However, there are matters that we want to have written into the Bill, although he will recognise that some of the amendments are probing amendments.

Amendments Nos. 272 and 273 would allow the First Secretary or the Secretaries of the subject Committees to attend the Council of Ministers and to deliver the United Kingdom vote on certain matters. It is generally accepted on both sides of the Committee that there will not be many occasions on which the representatives of the assembly will be in a position to deliver that vote, but it is important for us to make it clear that they are authorised to do so when the occasion arises. The Minister said that there would be occasions, such as debates on minority languages, when it would be appropriate for Secretaries to attend the Council of Ministers and deliver the UK vote. We all accept that that would be on the basis of agreement with the UK, but it should be specifically authorised.

As a former Member of the European Parliament, the Minister will know that the Maastricht treaty set out the circumstances that would allow representatives of regional Governments to deliver the vote on behalf of the member state. That treaty obligation is repeated under article 203 of the treaty of Amsterdam, in identical words to those in the previous treaty. We want it to be written into the Bill that the Secretaries, as officers for the purposes of the Council of Ministers, are authorised to deliver the vote.

There is a good reason for that. Although the Minister acknowledged that that would be appropriate in certain circumstances, the assurance would depend on the good will of the Government of the day. I have no hesitation in accepting the good will of the current Minister, the current Secretary of State or any of the current ministerial team in the Welsh Office. However, I would be worried if there were a Government of a different political complexion, or a Government who did not have the same view of those matters.

Although we acknowledge the commitment that the Minister gave on Second Reading, will he now take it one stage further and write it into the Bill, so that any future Government would not be able to say that the Secretary was attending the Council of Ministers through the good will of the UK Government? The Secretary's attendance must be authorised under the Government of Wales Act, as we hope the Bill will shortly become.

As for amendment No. 440, the Minister will know that under the Bill the assembly is obliged to implement any directives that emerge from the European Council of Ministers and subsequently become EU law. However, I cannot find any obligation on the EU institutions to ensure proper scrutiny by the assembly of such draft directives; or to allow the assembly to pass on any comments or observations while the documents are still being considered in draft form. In other words, what mechanism is there to allow the views of the assembly to be heard before the Council of Ministers votes on draft directives?

It is crucial that the views of the assembly on a number of key areas be put to European Union institutions. Agriculture is one such area. The Minister knows of farmers' concern about the current crisis; and about the importance of any reform of the common agricultural policy to rural areas of the type many of us represent, because of the effects that it will have on support for agriculture. It is vital that the assembly's views on any reform proposals under Agenda 2000 be taken into account by the European institutions. For that, we need clear structures and lines of communication.

Another such issue is the environment; indeed, agriculture and the environment often go together. The proposal is to move away from direct support for agriculture—aids to production—and towards agri-environmental payments. Here again, the assembly will need to scrutinise any key decisions that are made.

Although transport is very important to Wales, I acknowledge that the assembly will have no responsibility for railways; but the Minister will know of the forthcoming strategic routes decisions to be taken in the EU, affecting, for instance, the north Wales coast railway line and the south Wales main line. How are they to be fitted into the European integrated transport structure? Are they to be regarded as key trans-European networks, or are they to be relegated to second-class status?

Tourism is the fourth key area of scrutiny for the assembly in the context of European Union directives. We want the assembly to have the authority both to scrutinise the directives and to put its views to the relevant EU institutions.

New clause 9 is a little more comprehensive than the amendments. Clause 34 provides that

"the Assembly may consider and make representations about any matter affecting Wales."

New clause 9 is an attempt to find out what that really means in the context of our relations with the European Union. First, the First Secretary or other Secretaries should be part of delegations to the Council of Ministers by agreement with the UK Government of the day, either in a formal capacity or with observer status on some occasions. It is important also that representatives of the assembly be on those delegations, because many important decisions are taken well before votes are delivered or prepared statements made before the Council of Ministers. It is in the crucial negotiations leading up to decisions that assembly representatives need to be present.

The second issue dealt with by the new clause concerns the selecting of representatives to ECOSOC, the Economic and Social Committee of the European Union. Who will decide who the representatives from Wales should be? I can find nothing in the Bill referring to ECOSOC, although there is a reference to the Committee of the Regions—another matter on which the Government need to explain their thinking. Schedule 8 amends previous legislation, stipulating that representatives on the Committee of the Regions can come from local authorities or the assembly.

The Secretary of State will recall our debates on these matters, following which it was decided that representatives from Wales should be selected by local government representatives. He will further recall the problem to do with the authority of the representatives from some member states who had been selected by local government vis-à-vis the authority of others selected by regional government. The tendency was to have two classes of representative: regional government representatives being regarded as first-class members and local government representatives as second-class members. We may or may not wish to pursue that today; suffice it to say that it was the inevitable consequence of decisions taken in the past.

Now we want to know the Government's intentions. Theoretically, under the Bill, there could be two representatives on the Committee of the Regions selected by local government, or two from the assembly, or one from each. Our view has always been—I hope that I carry my colleagues with me—that they should be selected by the assembly. Our reasons for saying so have always been clear—representatives to the Committee of the Regions should represent the whole of Wales. Local government representatives tend to give a voice to the areas that they represent. That is why our preference is for assembly representatives to serve on the Committee of the Regions.

I have already discussed scrutiny on amendment No. 440, so I shall not dwell on it.

Lastly, I want to touch on the issue of representation on United Kingdom permanent representation in Brussels. On Second Reading, the Minister said that it would be possible for staff serving the assembly to be representatives, on occasion, on UKREP. That is an important issue. As the Minister knows from his experience of delegations to the Council of Ministers, much of the work is carried out well before matters are put to Ministers. Many of the ground rules are agreed during the drafting of directives by the Commission. The Commission's directive on the reform of structural funds, for example, is currently exercising many minds in Wales.

It is important that the views of the national assembly are made clear to the Commission through UKREP while directives are being drafted, rather than when decisions are being taken by the Council of Ministers. Those matters were canvassed in general terms on Second Reading. We now want more flesh on the bones. We await the Minister's response with interest.

6.30 pm

Mr. Denzil Davies: I was not going to speak until I heard the speech of the hon. Member for Ynys Môn (Mr. Jones). In so far as we debated the matter during the referendum campaign, neither the representatives of some of the farming unions nor Plaid Cymru thought that there was a problem. People who raised the issue were said to be trying to spoil things. Since then, we have discovered that there is a problem.

When the hon. Member for Ynys Môn said that he wanted the Welsh assembly to be part of UKREP—the United Kingdom permanent representation—he laid bare the illogicality of his argument.

Mr. Ieuan Wyn Jones: Will the right hon. Gentleman take care to read the *Hansard* report of the debate on Second Reading? The Minister said:

"Assembly staff will be able to be part of UKREP".—[*Official Report*, 9 December 1997; Vol. 302, c. 892.]

Mr. Davies: If that is a fact, I do not see why it needs to be specified in the Bill. There is a real problem, as the hon. Gentleman knows. There was the perfectly understandable desire—many of us have been round this course during the past 20 years—to decentralise government in Wales and devolve power from the Welsh Office. That was the basis of the whole argument for devolution. The hon. Gentleman, it seems, is no longer happy with that, and wants to turn the assembly into a Government Department.

Usually, the United Kingdom is represented on the Council of Ministers by Ministers with Departments. The hon. Gentleman is worried that, under the Bill, the Secretary of State for Wales will no longer have a Department, which will create problems when Ministers

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negotiate in the Council of Ministers and other European institutions. I understand the hon. Gentleman's dilemma. He wants to fill the void by sending Members of the Assembly to sit on the Council of Ministers.

That is cloud cuckoo land, as is so often the case in the arguments of such people as the hon. Gentleman who want to move further and further down the road of devolution. The hon. Gentleman's proposal would create problems. For example, will the Secretary of State for Trade and Industry represent the whole of the United Kingdom or just England, given that her departmental responsibilities will be for England and not for Wales? Similar problems will arise in relation to agriculture, and those problems are created by devolution itself. I do not see how they can be solved, but perhaps the Minister can tell us.

Devolution brings benefits and liabilities. One of the minuses is that we shall lose a Government Department headed by the Secretary of State for Wales. The advantage of that is that we can democratically debate the allocation of resources in the assembly, although Plaid Cymru does not want a democratic debate—it wants a Cabinet to determine the allocation of resources in secret, as the right hon. Member for Caernarfon (Mr. Wigley) said.

A nation state's representation in the European Union is based on the Council of Ministers and, within the Council of Ministers, on Ministers who have Departments. The fact that Wales will have a Secretary of State without a Department will cause considerable problems. The amendment would make very little difference to the situation, which is a minus that Wales will have to accept.

Mr. Ancram: I broadly agree with the right hon. Member for Llanelli (Mr. Davies). As he said, this is not a new problem. When a number of us raised it during the referendum campaign, we were accused of scaremongering—that was the word I heard most often.

I am reminded that, in the foreword to the White Paper, the Secretary of State said:

"An elected Assembly will give Wales a voice—in Britain and in Europe—after years of neglect."

He said not that he, as Secretary of State, would give Wales a voice in Europe after years of neglect—that is a strange phrase to use in a non-political document, but I shall let that pass—but that the elected assembly would. We were entitled, therefore, to see whether the Bill would establish a new way in which to create that stronger voice.

Paragraph 3.46 of the White Paper states:

"Wales needs a strong voice in Europe."

It says that the Secretary of State will continue to represent Wales in the Council of Ministers. As I said when we debated the White Paper, there is nothing new in that. The only new factor in the White Paper is that there will be arrangements to allow close liaison and consultation with the assembly.

When we look for details of that in the Bill, however, we find that it is silent. The Secretary of State may be able to be the voice of Wales in the Council of Ministers, but, as the right hon. Member for Llanelli said, his voice will be weaker, as he will not have a Department behind him. Moreover, there are no arrangements to formalise how officials will advise him.

Those who have held ministerial office in Wales and Scotland recognise that an enormous amount of preparation work is done by officials. They prepare for the deliberations of Ministers in the Cabinet Sub-Committee on European policy or work in the Commission on papers for the Council of Ministers. They can do that because, whether they are from the Welsh Office or the Scottish Office, they are officials of the United Kingdom Government. Yet nearly all those officials in Wales will be transferred to the assembly. How will they be brought back into that system of consultation? To whom will they owe their loyalty: to the assembly, which will be their master, or to the United Kingdom Government, on whose behalf they will appear to act?

Mr. Rowlands: I am closely following the right hon. Gentleman's argument. He mentions a point on which we have not been able to engineer a debate in Committee—the concept of the concordat. I assume that the answer to some of his questions will be covered by the concordat, but we have not heard about it yet.

Mr. Ancram: I am grateful to the hon. Gentleman for making that point. As I was about to say, all the Government tell us is, "Don't worry; it will all be in a concordat." That, at least, is what we are told in relation to Scotland; I am not sure that we have been told it in relation to Wales.

I know what a concordat means between Governments, but I do not know what it will mean in the framework of devolution. If it means an agreement between friends, it will not be worth the paper on which it is written when the friendships cease.

How complicated will the concordat be? Will it deal with the problems of loyalty and allegiance among civil servants if they are used in that way? We are dealing with a highly complex matter that has not been thought through properly. The White Paper was pretty weak, but the Bill is totally silent. Even if there is a concordat, what will happen not if there is a political difference between London and Cardiff—as the hon. Member for Ynys Môn (Mr. Jones) suggested—but if there is a conflict of interest?

We know that there may be a conflict of interest in the Scottish context between Scottish and Cornish fishermen, for example. Whose view would the United Kingdom representative advocate in that situation? If the interests of Welsh hill farmers conflicted with those of farmers elsewhere in the United Kingdom on the important topic of agriculture, where would the loyalty of the Secretary of State or the Minister who goes to the Council of Ministers lie? What concordat will bind him to neglect, if necessary, the interests of his area in order to represent the interests of another area where he has not been elected and has no democratic representative interest? The White Paper was pretty silent about those problems, but the Bill is completely silent.

That is a major flaw in the legislation, which we warned the Government about during the referendum campaign and which has still not been addressed. It could lead to enormous resentment in the future, when the people of Wales find that, far from achieving the stronger voice that they were promised, their voice is much weaker.

At present, the Secretary of State can attend meetings of the Council of Ministers. He can participate in deliberations, vote and, if necessary, lead—I think that a Welsh Minister led on one occasion. If those responsibilities are transferred to the assembly, what will happen if there is a conflict of interest?

Mr. Ieuan Wyn Jones: How many times did the Secretary of State for Wales deliver the United Kingdom votes during 18 years of Conservative government?

Mr. Ancram: According to the only figures that I have, that has occurred once since 1992. I do not have a complete answer, but the important point is that the Secretary of State had the right to do so. That right will be severely diminished—if it can be exercised at all—in the future. Not one element of that right will be transferred to the assembly.

I find amendments Nos. 272 and 273, in the name of Plaid Cymru, highly unacceptable and difficult to understand in terms of the rules of Europe. Amendment No. 272 states:

"the Assembly First Secretary shall be treated as being an office of ministerial level for the purposes of Article 203 of The Treaty of Amsterdam".

In terms of the treaty, it means that the First Minister could not only represent the United Kingdom but commit the United Kingdom within the European Union. Article 203 of the treaty of Amsterdam says:

"The Council shall consist of a representative of each Member State at ministerial level, authorised to commit the government of that Member State".

I shall refer to the difficulties involved with that in a moment.

The Liberal Democrat new clauses seek mandatory participation by saying that a member of the Welsh assembly "shall" participate. The new clauses go further and say that there should be United Kingdom representation of Welsh interests by a Secretary of the Welsh Assembly. Those issues raise enormous constitutional questions. The one point that is common to the proposed new clauses is that the Minister or the Secretary—whatever he will be called—who goes from the Welsh assembly to the Council of Ministers will also represent the United Kingdom.

However, such people will not have a mandate from the United Kingdom; they will not be elected by the United Kingdom electorate. They will be elected according to the electoral mandate of the people of Wales. They cannot answer to the United Kingdom Parliament and they cannot be held to account by that Parliament. It would be constitutional nonsense to allow such a provision to prevail.

For that reason, new clause 20 suggests the only possible means of squaring the circle: first, we should write into the Bill the obligation of the Secretary of State to consult the assembly before a matter of interest to Wales is considered by the Council of Ministers. Secondly—although it is the third part of the proposed new clause—on returning from a meeting of the Council of Ministers, the Secretary of State would be obliged to report to the assembly. That would ensure that the weak elements in the White Paper were at least present in statute, and could not be left to the whim or the invitation of a Government at Westminster.

The third part of new clause 20 suggests that a member of the Executive Committee of the assembly may participate in a United Kingdom delegation to the Council of Ministers on the basis that he is asked to do so in appropriate circumstances.

Mr. Denzil Davies: A problem remains even if that provision is written into the Bill. The Secretary of State for Wales will be a Minister without portfolio. I do not know whether there are any precedents that allow Ministers without portfolios to sit in meetings of the Council of Ministers with other Ministers who have portfolios.

Mr. Ancram: That is a very good question, but I shall not seek to answer it now. I do not claim that new clause 20 will solve the problem—I would not have started from this position in the first place. However, given that we are in this situation and that the Bill has created a large democratic deficit in relation to Wales and Europe, I believe that the Government should consider new clause 20 carefully.

6.45 pm

Mr. Livsey: I realise that time is limited, and I have made short contributions to the Committee tonight. This is another extremely important matter. The Liberal Democrat new clause 5 gives the assembly the power to send a delegation to Europe. New clause 16 enables the assembly to set up an office for Wales in Brussels.

We believe that there is a lack of statutory provision concerning the relationship between Wales and its assembly and the various institutions of the European Union. That has occurred despite the specific references that appeared in the White Paper and the Government's promise that the Bill would provide for Members of the Assembly to represent Wales on the Committee of the Regions. Apart from a provision in clause 30 enabling the power to designate a Minister of the Crown or a Government Department as being responsible for implementing European Community law, so that it is possible to designate the assembly for that purpose, and clauses 105 to 107 requiring the assembly to observe European Community law, the Bill is totally silent on the European dimension.

I would raise many other issues if I had more time. However, I draw the Committee's attention to a statement made by the Secretary of State at a crucial point during the referendum debate. In a press release of 11 September 1997, the Secretary of State said:

"The Assembly will be able to take part in relevant negotiations on policy at all levels, up to and including the Council of Ministers. There will be scope for executive members of the Assembly to speak on behalf of the UK in those negotiations".

We believe that it is essential to establish within the assembly a European Community Committee that will be responsible for the assembly's relations with the EU. The assembly should have the right to send observers to working group meetings to discuss matters devolved to Wales and the right to participate fully in preparatory meetings of the United Kingdom delegations to the EU. The assembly or its European Committee should have the right to scrutinise EC legislation before it is adopted. A Committee representing Whitehall and the assembly should be established in order to co-ordinate European

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policy in areas transferred to Wales. The assembly should also have the right to receive full reports from UKREP about EU meetings. Finally, we believe that there should be a written agreement or concordat that will establish the detail of the practical arrangements in order to ensure the effective working of the measures that I have outlined.

None of those provisions are in the Bill, and we seek the Minister's response in that regard.

Mr. Rhodri Morgan: I am sure that all hon. Members are grateful to have had a discussion about Europe—albeit a rather short one. It was a bit like old times, as the hon. Member for Ynys Môn (Mr. Jones) said. I think that he was recalling the famous night when Plaid Cymru did a deal with the then Conservative Government and the former Secretary of State, David Hunt. It has been a little like old times in the past week, with Labour thinking about renationalising the railways and the Foreign Secretary doing a Henry VIII and getting rid of Anne Boleyn.

We must consider whether it is practical for the assembly to represent what I believe must be the United Kingdom Government stance at meetings of the Council of Ministers. Clearly, the circumstances would have to be exceptional, and Parliament would have to agree to the meeting taking place.

Some issues could arise when the Westminster Parliament would be happy for its interests in the Council of Ministers to be represented by the Welsh assembly. One example is minority languages. Wales is generally regarded as having done far more for the Welsh language than the French Government have done on behalf of the Breton language over the past 50 years for various historic reasons.

A tragic example would be restitution of the land damaged by the Chernobyl nuclear power station accident 12 or 13 years ago. If Wales were the only part of the United Kingdom that still had land where lamb produced on it could not be eaten because caesium was still coming up through the new grass in the spring—I believe that that is the position—it would be logical for the Welsh assembly to send a representative to the Agriculture Committee or the Environment Committee of the Council of Ministers. That would clearly be sensible if it were a transferred function.

There would have to be wholly exceptional circumstances and the transferred function would have to be by agreement with the Westminster Parliament. It would surely be curmudgeonly if we were to say that never should the Welsh assembly, or the Scottish Parliament for that matter, represent, even by agreement, the United Kingdom position at a meeting of the Council of Ministers. It would be appropriate that it should do so if a particular issue affected only Wales within the United Kingdom or where Wales was generally recognised as being in the lead and having the greatest expertise and investment in a certain interest.

For the reasons that I have outlined, it is important that we establish that the Welsh assembly—although it must not give itself inappropriate airs and graces—can have an external arm. In the same way, the Welsh Office chose to make grants for Welsh-medium education in Patagonia, and to be a participant in the Europe of the four motor regions. In the person of Sir Wyn Roberts, it chose to talk to the Governments of Lombardy, Catalonia and so on. There was nothing wrong with that. Those activities did not attract criticism when the Welsh Office was part of the United Kingdom Parliament. It seems to me that there would be nothing wrong in those inherited rights, obligations and freedoms applying also to the Welsh assembly. The council of the isles may take that process in the direction of Ireland. There would be nothing wrong in that.

Undoubtedly, there will be exterior interests to involve the Welsh assembly, and that will be appropriate if the assembly abides by the principle of not giving itself airs and graces.

Mr. Win Griffiths: The amendments focus on the role of the assembly in discussions on European Union matters in the United Kingdom and within European institutions.

I shall quickly get out of the new clause 16, which turns on the issue of representation in Brussels. That is something which the assembly will have to decide, as it will have to decide what resources it wants to put into it and how much it wants to do in Brussels. There is no need to have anything of that sort set out in the Bill. I should imagine that the assembly would want such representation.

As the hon. Member for Ynys Môn (Mr. Jones) said, new clause 9 is dealt with in schedule 8. That schedule has been constructed to provide the assembly with flexibility when it comes to whether there should be two local government members, two Members of the national assembly or one member from each. We want the assembly to be able to make that decision. The assembly should not have any difficulties with that.

Should we delineate in the Bill the role that the assembly will play in discussions with the European Union within the United Kingdom and within European institutions? We believe that that can best be dealt with through the development of concordats with Government Departments at Whitehall. Clause 106, for example, makes it clear that the assembly will have a duty to ensure the implementation and enforcement of Community obligations in Wales to the extent that such powers have been given to the assembly within the Bill. That being so, the assembly will have a direct interest in the effects of a wide range of European Union legislation.

Mr. Ancram: I want to pursue the matter of concordats. What will happen if the assembly and the Westminster Government cannot agree on a concordat in the absence of anything relating to that possibility being set out in the Bill? What provision will there be for dealing with that situation? Furthermore, how long does a concordat last? Is it signed between the Governments that then exist, to be broken if the Administrations of those countries change? Is a concordat just an informal agreement that, at the end of the day, is not worth the paper on which it is written?

Mr. Win Griffiths: I am surprised that the right hon. Gentleman asked that question. He knows that, when dealing with those matters, one Parliament cannot bind a later one. The concordat will be for the duration of the Parliament unless, within that period, both sides agree that there is a need to amend the procedure. There must be flexibility to that extent. As far as we are concerned, there will be no possibility of a concordat not being achieved.

That is something which the Government and the assembly will be able to sort out. The assembly will be involved.

Mr. Öpik: If that is the spirit and intent, as it was on 11 September when the Secretary of State issued the press release from which my hon. Friend the Member for Brecon and Radnorshire (Mr. Livsey) quoted, surely it would be logical to accept the Liberal Democrat amendments. They would take away the vagueness of the concordat and insert a specific structure that everyone could understand.

Mr. Griffiths: We do not want such a structure to be set out in the Bill because we want the flexibility to get everything in place in our discussions with other Government Departments.

The assembly will have the right in full to scrutinise European Union legislation and documents. It will be for the assembly to choose how it gets its view over to Europe. There will be several ways of doing that. There will be the official channel, which is getting the Government to take the assembly's view across to Europe through the Secretary of State. However, there will be Members of the European Parliament in Wales, and the assembly will be able to ensure that its views are known in Europe. There is no problem there.

Negotiations within the United Kingdom to set the United Kingdom line will be a part of the assembly's role. Participation in relevant European negotiations will be open to the assembly at member and at official level. The staff of the assembly will be civil servants and accordingly they will be able to participate in placements at UKREP and other parts of the Commission, just as Government civil servants are already able to do. Those are matters that will be in the concordat. I am giving the Committee a flavour of what will be available.

Mr. Livsey: Why are not the layers of the concordat in the Bill, so that we might know precisely where we are?

Mr. Griffiths: That is because we are negotiating the concordat with other Government Departments.

I have been talking about the sort of matters that will be dealt with and the role of the assembly. Assembly Secretaries will be present at relevant meetings of the Council of Ministers where that has been agreed with the lead United Kingdom Minister. Members have cited instances of when that would be appropriate, and that is what will happen. Assembly Secretaries will be able to speak on behalf of the United Kingdom in relevant meetings of the Council of Ministers.

Mr. Ancram: No.

Mr. Griffiths: I am telling the right hon. Gentleman and a Committee of the House of Commons that the presence that I have described will be part of the agreement that we shall have within Whitehall and within government. There will be accountability to the House of Commons because all those matters will be publicly reported and known. The Secretary of State for Wales will be able to deliver to the House of Commons any information that the Opposition might want. There is no problem there at all.

The assembly will also implement and enforce European obligations.

The spirit of the amendments will be embraced in the concordat. There is nothing that cannot be dealt with in that process.

Mr. Ieuan Wyn Jones: I welcome the reassurances that the Minister gave on Second Reading, but I should have preferred to have seen them on the face of the Bill, or at least to have seen a draft of the concordat so that we could discussed it. On the basis of the assurances that he has given, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 52 ordered to stand part of the Bill.

Clause 53

MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I beg to move amendment No. 395, in page 27, line 12, after first 'The', insert 'voting'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 85, page 27, line 16, leave out from 'shall' to 'be'.

No. 396, in page 27, line 19, at end insert—

'(3) In addition to those members referred to in subsection (2), each committee other than the executive committee may co-opt non-voting members.

(4) Rules for the selection and co-option of those members referred to in subsection (3) shall be included in the standing orders of the Assembly.'.

No. 397, in page 27, line 19, at end insert—

'(3) In addition to those members referred to in subsection (2), each committee other than the executive committee may co-opt non-voting members.

(4) Rules for the selection and co-option of those members referred to in subsection (3) shall be included in the standing orders of the Assembly.

(5) The rules provided for in subsection (4) shall be drawn up having regard to the maintenance of party balance in each committee.'.

No. 398, in clause 54, page 27, line 27, at end insert—

'(4) Each sub-committee may co-opt non-voting members.

(5) Rules for the selection and co-option of those members referred to in subsection (4) shall be included in the standing orders of the Assembly.

(6) The rules provided for in subsection (5) shall be drawn up having regard to the maintenance of party balance in each sub-committee.'.

7 pm

Mr. Llwyd: Amendments Nos. 395 to 398 are part and parcel of the same thing. Notes on clauses have a fairly long but inglorious pedigree in this place. The notes accompanying the Bill are a prime example of that genre. All human knowledge and science is there. They say:

"Clause 53 provides that the Assembly shall establish certain committees . . . and that it may establish any others which it considers appropriate."

The second paragraph says the same thing, but in an even less useful way. *[Interruption.]* I do not for one second suggest that the Secretary of State drew them up,

[Mr. Llwyd]

but somebody did. He is not forthcoming with any information that could be of great value to the debate, if I may say so with the greatest of respect.

The amendment might be considered in part to be a probing amendment, but it has a serious point as well. Its intention is to put on the face of the Bill the right and obligation on subject Committees to co-opt non-voting members on to the Committees. Before I am shouted at from various corners about that being a quango, I can foresee that, occasionally, people who have considerable expertise on a particular subject would be invited on to the Committees. The Committees might also include people who are well qualified in matters concerning local government. Those people might occasionally be elected councillors, but they would generally have an expertise on a subject, as opposed to the way in which quango appointments are made—only on party lines.

The purpose of this raft of amendments is to enrich the quality of debate and assist in the formulation of policy by the various subject Committees.

Under the Bill as it stands, the subject Committees will have a vast amount of work to undertake. The assembly should be a truly inclusive chamber—"inclusive" being the big word in use at the moment, I thought that I had better use it; otherwise, nobody on the Front Bench would listen to me—that is relevant to the people of north-east Wales, south-west Wales, and so on. We have heard the same argument before, although it was made in a rather jocular manner. It is extremely important that the national assembly gains credibility and the necessary respect of all the people of Wales across the political spectrum and geographical spread of the country.

One of the best ways to make the forum popular throughout Wales is to show that the policies are at the cutting edge and are based on the best research available, and that they are practical and practicable. The worst possible scenario would be for the decisions of the various subject Committees that will formulate policies to be challenged widely by the people of Wales as not being in the best interests of Wales. That would indeed be a step backwards.

Although I appreciate that the Government's response might well be to leave the matter for due consideration by the Standing Order Commission, nevertheless this is a fundamentally important point which needs to be debated at this stage.

There has been considerable speculation and discussion about co-opting on to the Regional Committees of the assembly, so the notion of co-opting is not new. It is as least as important to co-opt on to subject Committees. Most of us have had the benefit of being on a Select Committee, and in particular of having input from experts on a given subject. They do indeed enrich the proceedings and assist greatly in the evaluation of evidence and the preparation of reports and practical and achievable recommendations.

Mr. David Hanson (Delyn): Given what the hon. Gentleman just said, perhaps he will tell the Committee whether those who give the benefit of their advice to the Committee have speaking and voting rights. I think that he will find that they do not.

Mr. Llwyd: The point of the amendment is to co-opt people who would not have voting rights. No doubt there will be others who will advise the Committee, and I accept what the hon. Gentleman says, but I also think that this would be a way to deal with the point in a slightly different and preferable way. Of course, civil servants and the like will assist the Committee, but my view is that the form should be strengthened, in the manner foreseen in the amendment.

Mr. Ron Davies: Let us make it clear that there is nothing in the scheme as it exists to allow any Committee of the assembly to call people to give evidence, and so on. If the hon. Gentleman is pursuing that with his amendment, which suggests that the power of co-option should be available—I mean this in a genuine, inclusive way, and am not seeking an argument—it is necessary that he explains what he means by co-option. Does it mean that, to all intents and purposes, the individual is a full member of the Committee, but without voting rights? He really must explain precisely what he means by co-opting, as distinct from the ability of the Committee to call individuals to give specialist evidence.

Mr. Llwyd: I thank the Secretary of State for that question. Co-option means that the person becomes a member of the Committee, albeit a limited member. That is quite different from the position to which the hon. Member for Delyn (Mr. Hanson) referred. No doubt, there will be specialist advisers to each Committee, who would be members. They would not have voting rights, but would have speaking rights; otherwise there would be little point in having them there. To all intents and purposes, they would be members of the Committee, dealing specifically with the work of the Committee, and called on to advise it in that capacity. They would not be full members in terms of voting and so on, as that would be completely wrong, as the other members would have been voted on to the Committees through the ballot box, and it would make no sense at all.

Mr. Gareth Thomas (Clwyd, West): The hon. Gentleman, as a member of the Bar, will be familiar with the term "otiose", which has reared its head many times in Committee. Is not his amendment otiose in the sense that there is nothing to preclude the Committee from taking advice and from consulting more widely? Why is it necessary to formalise it in the amendment?

Mr. Llwyd: I do not know whether the people at large are getting the impression that barristers use the word otiose every time they get up, but the hon. Gentleman has used it a few times, as I have. I do not consider the amendment unnecessary; it would be a good step forward. If the hon. Gentleman will bear with me, I shall explain why. I believe that the Committees will face an extremely heavy work load, and that another pair of hands—or a couple of pairs of hands—would help, not to vote but to deal with policy and to do the necessary work.

Mr. Gareth Thomas: That would not be democracy.

Mr. Llwyd: It would not be democracy if those concerned were full members, but—*[Interruption.]* If the hon. Gentleman will allow me to develop my argument, he will no doubt rebut it later in his own way, and I respect the fact that he will probably wish to do so.

It is vital for the relationship between the Executive—or the Cabinet, or whatever term is decided on—and the subject Committees and the assembly to be spelt out clearly. As a matter of sound constitutional law, the Executive should be clearly separated from subject Committees, and should be responsible for the strategic direction of the national assembly as a whole. The subject Committees will probably combine—I say "probably" because it is not clear in the Bill—two functions. One might be a scrutiny function similar to that of Select Committees, although the Secretary of State has just said that the Committees would have no power to require evidence or to summon witnesses. Perhaps the Minister will explain.

The Committees will also have a wider policy-making role: without that, there would be little point in establishing them and requiring those serving on them to devote all their time, expertise and energy to their work. The Welsh Office buzz word nowadays is "inclusivity". I believe that, if that is to become a reality, the amendment will help.

On 27 November, at a press conference when the Bill was launched, the Secretary of State said:

"The National Assembly for Wales will be a new and effective form of government. It will be based on modern working and political practices for the good of the whole of Wales. I hope to see political parties working together in a positive way and the development of structures which will allow people as individuals as well as other groups—local government, both sides of industry, the voluntary sector—to get their voice heard. The new . . . Assembly will be modern, open and accountable. Neither Westminster nor local government will provide the model: the National Assembly will make a fresh start based on the best practices from around the world. It will harness new technology and modern working practices to take Welsh democracy forward to the new millennium."

I would not argue with that. If that is a reflection of what is to come, I welcome it whole-heartedly.

The subject Committees will also be important in the national assembly set-up. In its document "Making the Assembly Work", the Institute of Welsh Affairs says

"The work of the Subject Committees will be central to the Assembly's activities. Major briefs will have to be absorbed. The more Committees a Member serves on, the more demanding will be the task. There will be room for co-option of expert advisers"—

I stress that—

"and the Committees should have the power to summon witnesses along the lines of the Select Committees in the House of Commons."

I am not sure whether that is correct; the Secretary of State said that it was not likely.

It will be up to the assembly to determine the number of subject Committees. The Institute of Welsh Affairs thinks that there may be six, but annexe A of the White Paper refers to nine. I understand that they will include Committees on education and training, health, agriculture, local government, and so on.

Mr. Ron Davies: I am sorry that I could not respond to the hon. Gentleman immediately, but he was making a number of points. He questioned whether the assembly would have the power to require people to attend. It will. The power is specified in clause 73(2), which lists the persons and organisations concerned. That is, of course, different from inviting people to give evidence.

Mr. Llwyd: I am obliged to the Secretary of State. It was the right hon. Gentleman who said initially that there was no power, so let me say—with the greatest respect—that I am not sure whether he is correcting me or himself. I did not mention summoning; he did. However, I accept what he now says without reservation, and welcome his statement of fact.

The White Paper suggests that there will also be a secondary legislation scrutiny Committee, an audit Committee, and the regional Committees, about which we already know. There will also be a European Committee. It is entirely possible that there will be 15 or 16 Committees, and an even larger number of Sub-Committees.

7.15 pm

Let me return to what was said by the hon. Member for Clwyd, West (Mr. Thomas). My point to him is this: there will be so much work to be done that it will be vital for the Committees to work well, and for their members to be able to handle their work load.

The case for the amendment is well made. It is made on the basis of the need to bring expertise and assistance to bear, but also on the basis of purely logistical considerations. How on earth is a Member of the Assembly expected to sit on three or four Committees which, of necessity, will have to specialise? I believe that that would be far more onerous than sitting on three or four Select Committees, and, in my respectful submission, it is therefore a nonsensical proposition.

I should be obliged if the Minister would respond to my arguments in detail. I hope that hon. Members on both sides of the Committee will give due consideration to an amendment that I believe would improve the workings of the assembly.

Ms Julie Morgan: The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) made some important points, some of which I want to take up.

We have emphasised the need to involve as many people as possible in the assembly, and I think that we must use a range of measures to do that. Non-voting co-options is one possible method. That would aid the workings of the assembly by, for instance, addressing some of the problems that will be caused by the possible lack of representation of certain groups. For example, a Committee may be discussing disability, which will clearly be a major issue. A successful strategy for people with learning disabilities was pioneered by the Welsh Office, involving such people and their carers. We could enrich and improve the assembly's workings by allowing people with disabilities to come on to the Committees as non-voting members, but to contribute to their workings over a period.

I do not think that any Committee can plan or discuss, for instance, a Wales strategy for disability unless it contains people who are disabled themselves, perhaps representing organisations for the disabled. That is relevant to a number of areas that the assembly may cover. For example, I hope that it will discuss a race equality strategy for Wales, and I hope that no such discussion will be held without the presence of black people. Indeed, I hope that both black and disabled people will be Members of the Assembly, although, given the way in which things work out, the odds are against it. I think it important for people who experience the issues that we shall try to address in the inclusive assembly that we are establishing to be part of the decision-making process.

[Ms Julie Morgan]

I believe that non-voting Members should be co-opted for a period, so that they can take part in the discussions and give the Committee the benefit of their experience. Someone else could then be co-opted for another period, depending on the subject area. Perhaps the assembly will be able to do that, but these points are very important, and should not be lost in the debate.

Mr. Öpik: The Liberal Democrats support the amendments, which strike a chord of common sense. Non-voting members add great value as experts, and are sometimes more impartial observers than voting members. It could be said that non-voting members, unburdened by the stresses of political careers or their own egos, at times add more value, and may be the voice of reason on committees when others around them are losing their heads in internecine disputes. Non-voting members can be regarded as a check or a balance for the debate as a whole.

The amendments would enable non-voting members to know where they stand. The danger of not having these conditions enshrined in the legislation is that non-voting members would be uncertain about their rights, which could harm the contribution that they could make. Being put on the Committee through established formal structures would give them a certain gravitas.

Mr. Gareth Thomas: The hon. Gentleman has had considerable experience of student union politics and debating societies. Does he accept that the subject Committees will have to make hard decisions—they will have to weigh up the niceties of the argument—so they must be accountable to the electorate?

Mr. Öpik: I certainly do accept that. Indeed, that serves to emphasise my point. Those hard choices may lead to stress and conflict, and to very charged meetings. Surely, a non-voting member will be much more likely to contribute positively if she or he clearly understands that she or he has a formal role on the Committee, albeit without a vote. In my experience in student unions, and in my own party, the formal co-option system gives non-voting members confidence that they can make a meaningful and reasoned contribution, and, even more important, that they will be respected by voting members.

The system proposed in the amendments would enable officers to advise voting Members that certain co-options would be within the structures established for the assembly. We said earlier that we did not want to transfer the weaknesses of this House to the assembly, one of which is the etiquette that we have to use to make decisions. The assembly is in danger of inheriting a system of co-option without a clearly defined process. If we want a modern, advanced assembly in Wales, we should make the procedure as clear as possible.

The Liberal Democrats support the element of proportionality proposed in amendment No. 398. It is a form of insurance policy: it will ensure that committees are not packed with partisan non-voting members, whose objectives may be rather more sinister. A party should not be able abuse the system and hold up proceedings by refusing to supply its quota, so that it can argue that a Committee should not have any non-voting members. With that proviso, it is sensible clearly and publicly to enshrine in the Bill the need for political proportionality in appointments. Many non-voting members will probably not have a political affiliation, but will be appointed for their expertise. In which case, I assume that the proportionality consideration would not be relevant.

We support the amendments. They may not be essential, but they are good practice. To say that such practice will occur anyway is no justification for refusing to take the opportunity to clarify and tidy up a part of the legislation that is vague. The Government should take these proposals on board: they are a common-sense improvement, and clarify the details of the process involved.

Mr. Hanson: I have a great regard for the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd). He and my hon. Friend the Member for Cardiff, North (Ms Morgan) want to improve the Bill, and speak out of a genuine desire to make it a success. However, the proposals would have a serious impact on the workings of the assembly. One of the reasons why I was passionately in favour of the assembly on 18 September was because I was tired of the who-you-know, what-you-know quango state. There is a danger that the great and the good will be co-opted to the Committees through the who-you-know, what-you-know process.

Accountability is the important thing for the assembly: accountability for decision making, for politics, for expenditure and for the arguments. There is no problem about an individual putting a point of view to a Committee in strong terms and giving advice as a lobbyist inside and outside the chamber and in formal presentations to any existing Committees. That would be a healthy way forward. Individuals with legitimate interests in the matters being discussed in the Committees should be able to express their views. However, there is a world of difference between that and an individual being part of the Committee. The logic of the hon. Gentleman's argument is that this Committee of the House should have co-opted members to give an experienced view on the points that we are discussing. At 8.30, we would vote having listened to their views. They may influence the argument, but that would not be democracy.

Mr. Llwyd: How can the hon. Gentleman say that having a minority of experts without voting rights co-opted on to a Committee is undemocratic? I do not follow his argument. There would be accountability, because the elected Members would vote and would ultimately make the decisions.

With respect, I remind the hon. Gentleman that under the present constitution people are co-opted in the other place. I am not a defender of the other place, despite having a colleague there, but it has some very good working peers who are there specifically because they have an expertise.

Mr. Hanson: I believe in the principle of accountability: people should have a mandate from the electorate to speak on an issue in a particular forum, and should not merely be selected by a body and accountable to a Committee. Members of a Committee should be accountable to and get their support from the people of Wales.

Mr. Desmond Swayne (New Forest, West): Does the hon. Gentleman agree that the Committee will have

difficulty covering the issues in the time available even if only legitimately elected, mandated representatives speak? If a Committee must take account not just of evidence that it calls, but of co-opted members who sit on it as of right, its proceedings are likely to go on for ever.

Mr. Hanson: The hon. Gentleman has a point: perhaps he has been co-opted to this Committee because of his position as the representative of the New Forest. At least he has a mandate to sit in the Chamber, so his argument is valid.

I am not against the idea of outside expertise influencing the decisions and considerations of a Committee of the National Assembly for Wales. However, Members of the Assembly should be accountable for their decisions. The Committees should not contain people who might advance the prejudiced views of people who have not been elected to the assembly. There should be a clear division such as exists in Select Committees. Those Committees can listen to outside experts and invite written submissions but, ultimately, the members of the Committees determine the agenda, the political priorities and the outcome. That is what they have been elected to do.

Occasionally there may be conflicts of interest. People could be co-opted for a four-year term at the end of which their priorities would be different from what they were at the beginning. What happens when there is a clear division between elected and co-opted members? Elected members have to be accountable for their decisions but I am sure that in my area the *Daily Post* would make a meal of divisions between co-opted and elected Members. There is a danger of conflict being created where it does not exist.

7.30 pm

Mr. Öpik: The answer is clear. The elected Members must have the courage of their convictions. After listening to experts they must make informed decisions. There is no democratic conflict, but perhaps elected Members who ignored the advice of experts would be required to explain more unusual decisions.

Mr. Hanson: There is always accountability. Elected members on a committee are put there by crosses on ballot papers and not by the choice of another committee—a sort of self-selecting oligarchy. Accountability is what the assembly is all about. It is certainly what I campaigned for on 18 September.

Co-opting is not a welcome practice in local government in Wales or elsewhere. Governments have not sought to encourage it and the model has not worked well in local government. The amendments seek to improve the Bill, to strengthen the democratic input to the assembly and to make it more inclusive. I fought for the assembly to end the quango state, but I fear that co-option would extend and develop the quango state. The issues that are in the amendments can be dealt with by Committees taking evidence, soundings and submissions.

My hon. Friend the Member for Cardiff, North (Ms Morgan) raised the valid issues of disabled people and those from ethnic minorities. Those can be dealt with by presentation and sympathy and by listening to people's views. It will not necessarily be dealt with by co-opting people. In some cases, dare I say it, such a move would be seen as patronising. People who are co-opted to a Committee because are disabled or from an ethnic minority may have intrinsic gifts that could, as independents or members of political parties, enable them to play a role in a Committee.

Ms Julie Morgan: My hon. Friend makes an important point about people being patronised. It is always raised when efforts are made to be more inclusive and to have the views of minorities expressed in a committee. I agree with much of what my hon. Friend says, but when we try to be inclusive and a bit more adventurous to make everyone in Wales feel that he has a stake in the assembly, we sometimes have to experiment and run the risk of being accused of being patronising or of not sticking strictly to a mandate. We must take such steps if we are to become more inclusive.

Mr. Hanson: I take my hon. Friend's comments on board because they are worthy of discussion. The debate has opened some bear traps and to be caught in them would not improve the process and would dilute my main reason for wanting the assembly.

My hon. Friend the Member for Clwyd, West (Mr. Thomas) made a valid intervention about difficult decisions. Some decisions will be down to the elected Members who are accountable for them. Under co-option, people who do not have a mandate will be responsible for defending a difficult decision only to the people who co-opted them. People who owe their position to those who co-opted them to a committee are sometimes reluctant to speak out on difficult decisions that affect their interest group or their expertise group. Those who are outside the Committee structure can put a cogent case in evidence about why a particular stance should be adopted. Those who owe their position on a Committee to assembly patronage may temper their comments. The matter needs to be seriously considered, but on the basis of what has been said in the debate, I urge the Committee to reject the amendment.

Mr. Jenkin: In part, the co-option that the amendments seek tries to compensate for the fact that the assembly is something of a monocameral legislature. The effort to bring in talent from outwith the political party maelstrom is not intrinsically objectionable. It is a good move and, as we contemplate parallel discussions on the future of the other place, we should keep it close to our hearts that there would be no point in having extra elected people in the Welsh assembly. The richness of political debate in the assembly could be enhanced by bringing in talent that is not imprisoned by party politics.

There is much to be said for the speech by the hon. Member for Delyn (Mr. Hanson). We enter two caveats about the amendments. First, how far should the legislation determine the detail of the assembly's standing orders? That will be one of the themes of our comments. The Bill stipulates quite detailed arrangements but large areas will be left for determination by the assembly. How much is stuck in the Bill and how much is left to the assembly are arbitrary matters.

Secondly, if we stipulate the composition of the Committees, the concept of party balance is important. Amendment No. 396, unlike amendment No. 397, does not state that there should be party balance in the Committees. Our amendment No. 85 deletes part of

[Mr. Jenkin]

Clause 52(2)(b) to exclude the possibility of even advisory Committees not having party balance. Why should we not stipulate that all Committees of the assembly should have party balance? Why does party balance become unnecessary in an advisory Committee?

All parliamentary Committees are advisory and Parliament can overturn a Committee's recommendations. All our Committees reflect party balance. Perhaps an alternative is to allow assembly Committees to operate an open-house policy similar to the one that applies to Committees that examine delegated legislation under which any hon. Member can attend and speak but may not vote. That may be one way to address the matter, but we cannot understand why subsection (2)(b) should read as it does.

Mr. Gareth Thomas: I did not expect that these amendments, touching as they do on co-option, would have generated so much controversy. I endorse the comments of my hon. Friend the Member for Delyn (Mr. Hanson), who, in his opposition to the amendments, displayed a deep knowledge of local government, which perhaps was absent from comments made by some Opposition Members.

Yes, the assembly has to be inclusive in the sense that it should reach out to all sections of opinion in Wales, but in my view, and it is shared by other Labour Members, inclusiveness should be achieved not in a formalised way, but by taking advice informally, by undertaking extensive consultation and by reaching out to people. In that sense, the amendments are unnecessary.

My hon. Friend the Member for Delyn put his finger on something significant. In their eagerness to enshrine inclusiveness within the workings of the assembly, perhaps accidentally, Opposition Members have confused the whole issue of accountability. By having co-opted members on a subject Committee, various problems arise. One has been alluded to by the hon. Member for New Forest, West (Mr. Swayne). It involves the extent to which debating time could be taken over by a co-opted member. There is also a problem in relation to the influence that that particular co-opted member might have.

Although patronising comments were made by the hon. Member for Montgomeryshire (Mr. Öpik) about the need for Committee members to take the advice of experts in their sector, but the fact remains that co-opted experts would not be accountable. That lies at the heart of the issue and it is why I cannot endorse the amendments.

Mr. Robert Syms (Poole): I agree with the hon. Members for Clwyd, West (Mr. Thomas) and for Delyn (Mr. Hanson). I do not believe that elected and unelected members mix well. For several years, I sat on a local authority, where there were problems initially with Church members who voted on the education committee. Then their vote was taken away, but some conflict always arose between those people and those who had authority and accountability.

It is possible to be well informed, to be well briefed and to take the widest possible view and have just elected members determine policy. One has to remember that members not only serve on a committee, but have a broader responsibility to the body corporate. Sometimes, hard and difficult decisions may have to be taken. Elected members know that, at some point, they have to take those decisions. It will be easy for an unelected member to take over the show and to try to showboat somewhat, going against what might be politically necessary for the assembly.

Overall, co-option is not sensible. Taking advice from the widest possible context is great, but elected members should debate and determine policy.

Mr. Win Griffiths: We have had a constructive debate; it is good to see the official Opposition again making a constructive contribution. Clause 53 provides for the establishment of assembly Committees. It establishes the principle that the membership of each Committee should so far as possible reflect the political balance of the assembly, but that principle is not to apply where the Committee

"exists solely to provide advice".

Amendment No. 85 seeks to delete those words, so that all Committees of the assembly, whether or not of an advisory character, would have memberships reflecting the political balance of the assembly. Amendments Nos. 395 to 398 provide for assembly Committees to have co-option powers, albeit limited to the co-option of non-voting members.

We are not persuaded that Committees that are established by the assembly to advise it on a particular matter should inevitably be established on the basis of strict party balance. We think, for example, that the assembly might want to establish specialist advisory Committees where the interests or qualifications of individual members are more important than political affiliations. An example might be in relation to child abuse: an advisory Cor mittee of Members with particular knowledge of how such a matter has been handled might considerably assist the relevant assembly Committee in formulating its policy.

Therefore, given that these will be advisory Committees, rather than Committees with decision-making powers, we would prefer to retain the flexibility in the present wording of the subsection. If the amendment were accepted, it might be difficult on occasions to establish the right sort of advisory Committee on a specialist matter that often does not have any specific party political aspect.

7.45 pm

The issue of co-option excited much debate. There are no provisions in the Bill for co-option to take place. The availability of such powers has been the subject of criticism in relation to local government. In 1986, paragraph 5.99 of the report of the Widdecombe Committee said:

"We consider that the membership of decision-taking committees should be limited to councillors, and believe that this would clarify accountability . . . It needs to be clear, whether or not there is a vote, that the decisions of a committee is a decision of councillors alone and this can only be achieved by limiting membership of decision-taking committees to councillors."

We believe that, in the interests of clear accountability, that reasoning should apply to assembly Committees, so we have not provided for co-option.

The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) seemed at one point to imply that the National Assembly for Wales would be so overloaded

with work and Committees that one of the purposes of having co-opted members would be to take some of the load off elected members. I do not think that that is an appropriate reason to have co-opted members. What is important—my hon. Friends the Members for Delyn (Mr. Hanson) and for Clwyd, West (Mr. Thomas) expressed this view, which was supported by the hon. Member for Poole (Mr. Syms)—is that there is a better way in which to include people and to make them feel that they are part of decision making. That involves specifically inviting them to give their views, whether on an issue relating to disability or to the needs of ethnic minorities.

Whatever the subject under scrutiny might be, there is provision for the assembly and its Committees to be able to invite people. Of course, they would not be able to force those people to be there unless they were members of the bodies that are listed in schedule 4, but co-option is not the appropriate way because there would then be some blurring of accountability. If a Committee had deadlines and one or two co-opted members took a greater share of the debating time, there could be recriminations. We believe that the obvious way in which to achieve inclusion is to be able to call people as experts to Committees so that their expertise is shared. We do not deny the need for experts, but we do not believe that co-option is the way forward.

We accept everything that was said by my hon. Friend the Member for Cardiff, North (Ms Morgan), who rightly expressed concern about the way in which people from minorities—whether an ethnic minority or people who are disabled. The assembly's Committees will have to hear those people, but we believe that the best way to do that is by inviting them to give evidence.

I hope that the Committee accepts that the Bill provides for people who are not elected, but who have expertise, to play a full part. I hope that the amendment will be withdrawn.

Mr. Llwyd: When I moved the amendment, I said that it was probing. It has been an interesting debate. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 53 agreed to.

Clause 54 agreed to.

Clause 55

DELEGATION TO COMMITTEES, SUB-COMMITTEES AND STAFF

Mr. Öpik: I beg to move amendment No. 363, in page 27, line 30, leave out from 'Assembly' to end of line 31.

The purpose of the amendment is to remove the assembly's ability to delegate any function to a member of its staff. We want to ensure that responsibility within the assembly for all activity formally rests with elected representatives and Committees of elected representatives, rather than with those who are employed by the assembly, not elected to it. I see smiles of joy on the faces of Labour Members—*[Interruption.]* I will happily give way to the hon. Member for Delyn (Mr. Hanson), who cannot contain himself.

Mr. Hanson: Why does the hon. Gentleman support co-option, but oppose delegation?

Mr. Öpik: Without re-running our previous debate, I remind the hon. Gentleman that had the Committee agreed to co-opted members, that would not have taken away the responsibility of elected Members to vote on matters regardless of the advice of the non-voting, co-opted members. If the hon. Gentleman is now rejecting his former arguments, I invite him to intervene and say that he will oppose this amendment. I shall pursue my argument and then see what he has to say about it.

First, to "delegate any function" to a member of staff is too wide-ranging a provision. Unlike co-option, the clause proposes to delegate actual activities to unelected members of staff. The way in which the clause is phrased ascribes real responsibility and real decision-making powers to people who have not been elected. That contrasts with the situation of co-opted members, who would not have the right to vote, but who would have the right to give advice. That was the core of our previous debate. To be even more specific, the clause does not include a description of what functions can be delegated. Theoretically, at least, anything we could imagine could be delegated to an unelected officer of the assembly.

Secondly, there is no clarity about how such individuals could be seen by voters as being brought to book. As they would be employees rather than elected representatives, they would not have the same responsibility as elected Members to a constituency of support. If the hon. Member for Delyn wants to be consistent, he should support the amendment on the ground that he has been emphatic about his concern that even an assembly Committee with advice givers with no vote would be too strong a departure from responsibility being held by elected Members.

The delegation of any function is non-democratic in the wider sense. Our discussion about co-option has clearly highlighted what certain Labour Members believe. More to the point, the discussion caused excitement and concern that non-voting individuals would have such huge influence, gravitas and sway over elected Members that it could pervert the course of democracy.

If an officer is working on his own or in an unelected team, we do not need to suspect that he will make decisions—the clause overtly provides the authority for him to do so. That is not wrong in itself, but, as a democrat, I feel that it is dangerous to pursue that path because, inevitably, decisions will be made behind closed doors. No doubt, because of the high quality of staff, they will generally be good decisions, but the staff are not ultimately democratically accountable.

My third concern is that with the planned committee structure, there is no need to prescribe the formal delegation of responsibilities to individual members of staff. I shall explain how a business would deal with delegation. The removal of the provision relating to delegation to staff would not mean that the elected Members would have to carry out all the work; it would mean that elected Members and Committees would be responsible for carrying the can for the outcome of any work that was carried out. That is not a subtle distinction; it is a profoundly important one. It means that the buck cannot be passed down to unelected officers if things go wrong. In other words, elected representatives would always be brought to book if things did not go according to plan. That would be common practice in business. If we want to have a businesslike assembly, we should follow that common practice.

[Mr. Öpik]

The debate about co-option was interesting in underlining how all of us are committed to ensuring that democratic processes are not just carried out, but are seen to be carried out. It would be a matter of confidence for the public if they knew that the assembly could not, in theory, delegate wholesale the important decision-making functions to members of staff. In practice, there may be an element of scaremongering by those who suggest that the assembly would be so lazy as not to carry out or take responsibility for the functions carried out by staff. I do not think that that will happen, but there is no point in leaving a hostage to fortune in the wording of the Bill. That is why I tabled the amendment.

Mr. Jenkin: We are inherently attracted to the amendment. We cannot understand why the assembly should be allowed to shuffle off its responsibilities on to unelected members of staff. I do not believe, although I stand to be corrected, that the Bill contains a definition of "staff". Therefore, if we leave the Bill as it is, Parliament's intentions are far from clear.

It is extraordinary that, after all the apparent clamouring for a Welsh assembly, no sooner will the assembly Members have all these responsibilities than they will want to hand them over to their members of staff. That is the implication in the Bill.

Mr. Gareth Thomas: Will the hon. Gentleman give way?

Mr. Jenkin: I am always scared when I see a lawyer jumping up in front of me.

Mr. Thomas: Does the hon. Gentleman accept that there is a whole range of mundane functions, such as employing people to repair the roof—to be topical—or to carry out all sorts of ancillary functions, that, on any common-sense view, need to be delegated to the staff? Does it not fly in the face of reality to say that there is strength in the amendment? The clause is purely an enabling measure.

Mr. Jenkin: Although—unlike the hon. Gentleman—I am not a lawyer, I do not think that that is what the clause says. It does not say that mundane matters may be delegated to the assembly staff; it says that any function may be delegated. It is perfectly reasonable for assembly staff to act on behalf of elected Members, but it is quite another matter for functions to be delegated formally to staff.

I come back to the point made by the hon. Member for Delyn (Mr. Hanson). Although we are being told that the assembly will provide an escape from the "quangocracy" that has dominated Welsh politics for too long, allowing such delegation would seem to take us in the wrong direction. Undoubtedly, however, the Minister will be able to give us a full and adequate explanation. I look forward to hearing his reply.

8 pm

Mr. Win Griffiths: I thank the hon. Member for Montgomeryshire (Mr. Öpik) for moving the amendment, because it gives us a chance to explain exactly why the Bill makes such provision. As hon. Members know, delegation is the principal mechanism for distributing functions to Committees and to individuals within the assembly. In central government, a principle of constitutional law—known as the Carltona principle—acknowledges that a Minister's functions can be performed on his or her behalf by duly authorised officials.

In considering the assembly, however, the Government had some doubt about whether the Carltona principle would automatically apply in the new and novel circumstances of the National Assembly for Wales. Rather than leaving the matter to chance, we thought that we would include in the Bill a clause dealing with the daily management of government, at least as practised at Westminster.

I should underline the fact that delegating a function to an official does not mean that the assembly Secretary or the assembly will not be responsible if something should go wrong. Some planning appeals provide a simple current example of how a Minister delegates a function. In certain well-defined circumstances, the Planning Inspectorate carries on with the job of dealing with the appeals, and the Minister does not get involved administratively in that part of the procedure.

Clause 55 attempts only to ensure that there is a proper defence for executing government functions in Wales as they are executed in England, Scotland and Northern Ireland. The proposed provision is exactly the same as current provisions applying in the Welsh Office and in relationships between Ministers and civil servants. Responsibility will still rest with the assembly Secretaries or the assembly, and the clause will not permit any passing of the buck. I hope that that explanation of the clause's intention—to clarify the position and to remove a legal loophole—will persuade the hon. Member for Montgomeryshire to withdraw the amendment.

Mr. Öpik: The hon. Member for Clwyd, West (Mr. Thomas) painted a graphic picture of assembly Members clambering across the roof to fix it—which would do wonders in improving the public image of politicians, and is perhaps the strongest argument in favour of passing the amendment. Nevertheless, the Minister has very helpfully defined the Government's intention in including the clause in the Bill. On that basis—despite the jangled nerves of the hon. Member for Delyn (Mr. Hanson) in relation to democratic accountability; I hope that he will forgive me for assuming that his nerves have been calmed, as mine have—I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 55 ordered to stand part of the Bill.

Clauses 56 and 57 ordered to stand part of the Bill.

Clause 58

EXECUTIVE COMMITTEE

Mr. Livsey: I beg to move amendment No. 27, in page 29, line 12, at end insert—

'(3A) No function may be delegated to the Assembly First Secretary under subsection (3) above unless the executive committee (or the sub-committee, as the case may be) decides by no less than a two-thirds majority to make that delegation.'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss amendment No. 198, in page 29, leave out lines 13 to 17.

Mr. Livsey: The Bill would allow the Executive Committee to delegate any function to the First Secretary, in the same manner as it would delegate functions to staff members. We believe that that power is too wide-ranging and perhaps even dangerous. The amendment would prevent delegation to the First Secretary without a two thirds majority vote of the Executive Committee or of the Sub-Committee that is making the delegation. We think that the amendment would prevent one or two Members from deciding very narrowly to delegate functions to the First Secretary and that it would provide a necessary check.

Mr. Letwin: Amendment No. 27 takes us back to our earlier debate on amendment No. 10A—specifically, amendment No. 31, which was tabled by my right hon. Friend the Member for Devizes (Mr. Ancram)—and on the articulation of clause 57 with clause 58. I believe that the Liberal Democrats, in tabling amendment No. 27, are guilty of a certain incoherence. They may share with my right hon. Friend the Member for Devizes and Conservative Members the ambition—which they expressed earlier in the debate—of establishing a cabinet system rather than a committee system, but their amendment will not achieve that effect. Amendment No. 27 would clarify the model that I mentioned earlier in the debate, but it would not help in developing cabinet government.

In the case of one Committee—the Executive Committee—no information has been vouchsafed in the Bill. The Executive Committee is quite the most remarkable Committee that I have come across in a piece of legislation. Its powers are entirely indistinct; it may have very great powers or very few powers. The matter will be left entirely to the Standing Orders.

Although the Minister may correct me in his reply, I believe that it would be within the scope of the Standing Orders, as permitted by the Bill, to give the Executive Committee complete power. I can find in the Bill no checks on the Executive Committee. Let us imagine the extreme situation in which the Committee has been given complete power. It would be extraordinarily important to determine whether the Executive Committee could or could not delegate all its functions to the First Secretary, giving him plenary power. As my hon. Friend the Member for Poole (Mr. Syms) said, that would be a case of one man, one vote. The one man would be the First Secretary, who would vote for all on all occasions. It would be the extremity of autocracy.

In a more moderate situation, in which powers have been delegated to a number of Committees and in which the Executive Committee has a defined remit that is not so great as complete power, limiting the Executive Committee's ability to delegate its powers to the First Secretary would make sense only if there were a series of coherent and parallel amendments ensuring that—by a two thirds majority, or by some other qualified majority—the other Committees could delegate their powers to their Secretaries.

Under those circumstances, we would have a coherent Bill as opposed to a mess. The amendment would, indeed, make the Welsh assembly in some respects parallel to local government. The assembly would be governed by Committees, each in turn governed by proportional representation reflecting the composition of the assembly. One could envisage that officers would work for a Committee as a whole, as in local government, and that decisions would be made on a rather muddled, but fairly transparent basis and with the guidance of officers, as in local government.

If, on the contrary, the amendment is not accepted, we shall be in a muddle. One possible resolution of that muddle is to move in the opposite direction. We could have cabinet government, but of an extreme kind and without the accountability that my right hon. Friend the Member for Devizes rightly seeks to have installed in the Bill.

This debate ought to give the Minister a chance to tell us what he so signally failed to tell us in response to the debate on an earlier set of amendments: in which direction the Government intend to go. Do they intend to establish Committees that will govern as Committees, with officers bringing forward matters for open discussion, as the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) suggested, or do they intend to create the opposite system, whereby power is delegated to individual Secretaries or to the First Secretary who will be able to govern without the slightest accountability? Alternatively, do they intend to create something for which the Bill does not provide—a middle course in which a set of people who are not accountable govern Wales? If the third option is what the Government intend, I hope that the Minister, in replying to this rather incoherent, but well-intentioned amendment, will try to come up with a middle course—a system of government for Wales which would be recognisable as effective and accountable.

Mr. Win Griffiths: The amendments give us the opportunity to reconsider delegation as a mechanism for distributing functions to Committees and individuals within the assembly and perhaps also to return to the earlier debate about the nature of the Executive Committee and the constraints on its powers—constraints that the hon. Member for West Dorset (Mr. Letwin) fears do not exist.

The assembly is empowered to delegate functions to the Executive Committee. Subsections (3) and (4) of clause 58 permit the Executive Committee further to delegate functions to the First Secretary, but subsection (4) makes it clear that the assembly can "limit or exclude" the Executive Committee's power to do that in a given case. The Executive Committee does not have a wholly untrammelled right to pass up powers to the First Secretary. The assembly as a whole has a constraining power.

Amendment No. 27 would limit the Executive Committee's ability to delegate to the First Secretary in the first place by requiring a two thirds majority to approve any such delegation. As the hon. Member for West Dorset pointed out, there is a contradiction in that amendment No. 198 would remove the assembly's powers to prevent or limit the delegation of a particular function to the First Secretary. We cannot accept either amendment. Amendment No. 27 would place a wholly artificial constraint on the Executive Committee's power to delegate, whereas our approach is to enable the assembly to develop flexibly to meet the new circumstances that it will face. I remind the Committee that clause 70 explicitly provides for the First Secretary to be held to account through questions, so there is no possibility of the unaccountable delegation of power.

8.15 pm

In an earlier debate, the hon. Member for West Dorset was much exercised about the First Secretary's being able to legislate, as he put it, without any constraints. The hon. Gentleman was, perhaps, in fact considering the exercise of Executive functions, but I point out to him that clause 65(2) requires subordinate legislation to be approved by the assembly.

Clause 66(2)(a) allows for approval by the assembly to be waived if the Executive Committee determines that in particular circumstances it is not reasonably practicable to seek assembly approval. That is a very specific and narrow remit. If that were done, clause 66(3) allows Members within 40 days to move a resolution that the subordinate legislation be revoked. Therefore, there are already a number of checks and balances within the legislation, even if powers are delegated from the Executive Committee to the First Secretary. The assembly is clearly always in control and could take steps to revoke an action or call the First Secretary to account.

Mr. Letwin: What the Minister has just said is very helpful. Much of his argument hangs on clause 65(2), but how wide is the scope of that clause intended to be? For example, would it prohibit the Secretary of a Committee or, in this case, the First Secretary from issuing a circular under the powers that the Secretary of State for Education and Employment has in England and which in Wales lie with the Secretary of State for Wales, and which will, therefore, have been delegated under the transfer order powers? Would it prevent him from issuing a circular or from making discretionary judgments about expenditures, or would it merely prevent him from bringing forward and enacting orders without taking them to the full assembly? If it would simply prevent the latter, would he simply have to do what is done in this House when an order is subjected to the affirmative or negative resolution? If that is the only check—that is, if the First Secretary or the Secretary of a Committee could take matters to the point of laying orders, often subjecting them only to a negative resolution—the democratic check that the Minister is claiming exists is very slight.

Mr. Griffiths: I was replying specifically to the issue that the hon. Gentleman had raised earlier and with which I was not able to deal in the context of that debate because of the time constraint. The First Secretary will not have a free hand in terms of subordinate legislation because it requires the approval of the assembly.

I have to say that I do not believe that a circular is subordinate legislation. Nevertheless, I find it hard to see the First Secretary, having had delegated to him from the Executive Committee the power to issue a circular, issuing circulars that would properly be the domain of the assembly's subject Committees. If that sort of delegation were to happen, the only fallback would be for the assembly to call the First Secretary to account if it believed that that circular was improper or that it provided advice of which the assembly did not approve. The assembly would, therefore, still have a check on the power of the First Secretary under any Executive Committee delegations to him.

Mr. Letwin: I am grateful to the Minister for allowing me to ask a further and final question. Does he agree that the Bill places no limit on the items that can be delegated to the Executive Committee? Although he does not suppose that the power of circular—which might be widely used, not just in matters of education, and might have behind it the power of expenditure—will be delegated to the Executive Committee rather than to a subject Committee, does he accept that it is possible because there is no limit on what can be delegated to the Executive Committee?

Mr. Griffiths: Yes. Technically, under the provisions of the Bill it could happen. However, the hon. Member for West Dorset should ask himself to what extent any politician in any assembly or parliament would be likely willingly to delegate everything upwards through an Executive Committee to one person. In the real world, that is not likely to happen. Even if it did, the assembly would still have the power to call the First Secretary to book and to make changes if the entire assembly disapproved of any decision. In that respect, we can be quite clear that the assembly has a check on the power of the First Secretary.

Amendment No. 198 would prevent the assembly from limiting or excluding delegation to the First Secretary in any given case. It seems to go in the opposite direction. It might well be appropriate for a particularly controversial matter, such as a major town and country planning order, not be delegated to an individual for decision, as is the case now when the Secretary of State can call in an application of enormous significance. We would not want to prevent the assembly or any planning Committee from being able to consider such an issue rather than referring it to the First Secretary. Under subsection (4), the assembly has the right to limit delegation. That is important to cover certain specific controversial points. I hope that, having heard those explanations, the hon. Gentleman will be happy to withdraw the amendment.

Mr. Livsey: I thank the Minister for his explanation which was sincere and meticulous. His answers to the probing questions from the hon. Member for West Dorset (Mr. Letwin) made us realise that there were more than superficial powers controlling the First Secretary in respect of the Executive Committee. However, we must realise that the Executive Committee will be an extremely powerful body in the assembly.

The debate has enabled us to find out more about the powers of the Executive Committee, the checks and balances in relation to the First Secretary and the lines of accountability. I am grateful to the Minister for his explanation and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 58 ordered to stand part of the Bill.

Clause 59 ordered to stand part of the Bill.

Clause 60

MEMBERS OF SCRUTINY COMMITTEE ETC.

Mr. Öpik: I beg to move amendment No. 364, in page 30, line 3, at end insert

'but that number shall not be less than eight.'.

The First Deputy Chairman: With this, it will be convenient to discuss amendment No. 365, in clause 61, page 30, line 22, at end insert

'but that number shall not be less than eight.'.

Mr. Öpik: The amendments seek to set a minimum number of eight Members for the Scrutiny Committee and the Audit Committee, which have to be seen as fair and equitable. It is vital that no one can question their integrity, so it seems sensible to set a minimum number of members of those two Committees—we suggest eight—as that would guarantee sufficient debate among a cross section of assembly Members to ensure that justice is done. There is never a watertight guarantee of that, but we can be pretty certain that if the Welsh people vote sensibly, a selection of eight assembly Members will be a reasonable reassurance to one and all that the Committees act responsibly and fairly. That is the purpose of the amendments and we very much look forward to the Minister's response.

Mr. Jenkin: We believe that the principle of setting a minimum number of members of the Audit Committee is a good one. We are open to persuasion as to whether the number should be eight, but it is incumbent on the Minister to explain why he has not suggested that there should be a minimum number.

Mr. Win Griffiths: Clause 60 provides for the establishment by the assembly of a subordinate legislation Scrutiny Committee, whose function it will be to consider the vires of any proposed assembly order or to draw attention to any unusual use of the order-making power. Clause 61 provides for the establishment of an assembly Audit Committee, which will work closely with the newly created Auditor General for Wales. Each of those important Committees will be chaired by a member of one of the Opposition parties in the assembly. Each will have a membership reflecting the overall composition of the assembly. The Bill proposes that the actual number of members of each Committee should be provided for in Standing Orders. The amendments suggest a minimum of eight.

The Government have no objection in principle to the Scrutiny Committee and the Audit Committee having eight or more members, but we do not consider it necessary to put a minimum number of eight on the face of the Bill. Taking account of the debate this evening and the fact that, in principle, the Government do not object to a minimum of eight members, it would be more sensible not to include that number in the Bill as there may be a later move to re-order matters and the Standing Orders provide more flexibility.

It is more important that both Committees will be chaired by members of Opposition parties. When one considers the need to maintain a balance between the parties, it is clear that eight would be the absolute minimum. In practice, the figure is likely to be higher. We believe that the matter should be decided under the Standing Orders and, given the Government's view, I invite the hon. Gentleman to withdraw the amendment.

Mr. Öpik: It sounds from the Minister's response that he is not planning a cabal. That is encouraging. On the assumption that the first assembly is likely to set a precedent or an etiquette in respect of the number of members on the Committees, we feel wholly satisfied with the Minister's response, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 60 ordered to stand part of the Bill.

Clause 61

AUDIT COMMITTEE

Mr. Dafis: I beg to move amendment No. 401, in page 30, line 19, after second 'the', insert 'Financial'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 402, in page 30, line 20, at end insert—

'(1A) The Assembly shall establish a committee to be known as the Environmental Audit Committee.'.

No. 403, in page 30, line 21, leave out 'Committee' and insert 'Committees'.

No. 404, in page 30, line 23, leave out 'Committee' and insert 'Committees'.

No. 405, in page 30, line 26, leave out 'Committee' and insert 'Committees'.

No. 406, in page 30, line 28, leave out 'Committee' and insert 'Committees'.

No. 407, in page 30, line 29, after third 'the', insert 'Financial'.

No. 408, in page 30, line 31, at end insert—

'(5A) The Assembly shall elect one of the members of the Environmental Audit Committee to chair the Committee but a member who represents the largest party in the Assembly may not chair it.'.

No. 409, in page 30, line 33, leave out 'Committee' and insert 'Committees'.

No. 410, in page 30, line 34, leave out 'Committee' and insert 'Committees'.

No. 411, in page 30, line 34, leave out 'its' and insert 'their'.

No. 415, in clause 73, page 36, line 15, leave out 'Committee' and insert 'Committees'.

Mr. Dafis: I must be very quick. I simply ask the Minister to respond to the idea of establishing an Environmental Audit Committee in the assembly. The Government are committed to sustainable development and have established an Environmental Audit Select Committee in the House. They regard it as a key mechanism to ensure that environmental policies are delivered across Departments. I hope that the Minister can respond quickly.

Mr. Win Griffiths: The hon. Gentleman knows that my right hon. Friend the Secretary of State has already told the House that, in accordance with the White Paper, he will bring forward an amendment on sustainable development. He has also asked the National Assembly advisory group to consider an Environmental Audit Committee because he has received representations on

[Mr. Win Griffiths]

that. Given our positive view on sustainability and the request to the advisory group, I hope that the hon. Gentleman will withdraw the amendment.

Mr. Dafis *rose—*

It being half-past Eight o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 61 ordered to stand part of the Bill.

Clause 62

REGIONAL COMMITTEES

Mr. Livsey: I beg to move amendment No. 12A, in page 30, leave out lines 36 and 37.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 90, in page 30, line 36, leave out from 'establish' to end of line 2 on page 31 and insert—

'five regional committees for each of the five regions of Wales.

(2) The areas comprising each of the five regions shall be determined from time to time by the Parliamentary Boundary Commission for Wales.'.

No. 13A, in page 30, line 38, leave out 'also'.

No. 14A, in page 30, line 38, leave out 'other'.

No. 15A, in page 30, line 39, after 'Wales', insert

', listed in subsection (3) below,'.

No. 17A, in page 30, line 41, leave out from 'constitute' to end of line 1 on page 31 and insert

'North Wales, Mid Wales, West Wales and South East Wales'.

Mr. Livsey: These are some of the most important amendments for debate tonight. They refer to the regions of the assembly. No offence is meant to north Wales by our proposal in amendment No. 12A to leave out reference to it. Our aim, expressed in amendment No. 17A, is to have four regions of Wales—north, mid, west and south-east. We want to restructure the Regional Committees. That is necessary to ensure inclusivity throughout Wales. Every region of Wales must feel that it is included in the running of the assembly and that it has a part to play.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): The four areas that the hon. Gentleman has referred to have different populations. Would not the mid-Wales Committee be exceptionally small? It would have only Powys and Ceredigion and would be unbalanced.

Mr. Livsey: As a Member for a mid-Wales constituency, I cannot accept that view. Powys alone runs for 132 miles—equivalent to the distance from the Severn bridge to Hammersmith flyover. On top of that there is Ceredigion. I cannot speak for the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd), but the Development Board for Rural Wales considers his constituency to be part of that area as well.

The population is not evenly spread throughout Wales. There has to be redress, because some areas are very rural—more rural than anywhere else in Great Britain below the highland line in Scotland. There are special needs of geography.

The Liberal Democrats want the four Regional Committees to have the right to provide the assembly with advice about their region and to take on powers delegated from the assembly. We want to remove all references to north Wales, not because we want to be unkind to north Wales but because we want to put all the regions in the Bill and have fair play for the other regions to establish an inclusive assembly.

The Bill establishes Committees for north Wales and the regions and states that they may provide advice, but it does not specify where they will be. It provides that Standing Orders will be used to determine the regions; we want to go further and specify them. Why is north Wales mentioned when none of the other regions are? We realise that it might have been felt that the people of north Wales were left out of the referendum process. We are sure that that was not the case, but there was a specific reference to reassure the people of north Wales that they would be included.

The proposals in the Bill could stigmatise the north and suggest that it is inferior to the south. Of course it is nothing of the sort, but the proposals are not good for the north and make other forgotten regions, such as mid-Wales, even more forgotten. We do not want that. That is why we want to omit the references to north Wales.

Amendment No. 90, tabled by the Conservatives, has some good points. It would remove references to north Wales and introduce five regions. We would support that, but the amendment would also remove the right of the regions to provide advice to the assembly about the area. We cannot support the amendment because of that provision.

To have real teeth, the Regional Committees should be able to have responsibilities delegated from the assembly. We want local accountability, subsidiarity and true devolution. We want to bring devolution home to the regions of Wales.

Our proposals are particularly relevant to the difference between rural issues and urban issues. How can a majority of south Wales urban Members take sensible decisions about rural affairs that affect mid-Wales and north Wales? Such debates need to be informed. Amendment No. 16A would help. It is important that Regional Committees should meet in the regions. Local matters should be considered as near as possible to the affected area.

The amendments deal with many issues. We feel strongly that the regions of Wales should be defined so that they can participate in the whole and make a worthwhile contribution to a successful Welsh assembly and the successful government of Wales. People should feel involved in the decision-making process.

Mr. Owen Paterson (North Shropshire): The clause goes back to the dark days of the summer, when the

devolution project was doing very badly in opinion polls in the north. The White Paper made specific mention of north Wales only. It was a clear plug to keep the doubting north Wales voter on side and an acknowledgement that the project was not going well in the north. The referendum result showed that the Government were right. Only Gwynedd and Anglesey voted for devolution.

I live on the border and have relations near Wrexham. My experience is that those real doubts still exist. There is real concern in the north that the assembly will be dominated by the south. *[Interruption.]* Would the Secretary of State like to intervene? No. In the markets of Oswestry and Wrexham, there is no demand for a switch of governmental powers from Westminster to the south of Wales. That is a fact and it is acknowledged by the Secretary of State, whose razor-sharp mind is now being applied to the drafting of the Bill.

My hon. Friend the Member for West Dorset (Mr. Letwin) has time and again proved how badly the Bill has been drafted. That may be because the Secretary of State has been distracted. He has had to put out a bush fire in his constituency party concerning the manner in which the referendum was conducted. He has also been scouring estate agents' windows in south Wales for a suitable site for the assembly.

It is the job of us in opposition, stuck in the trenches, to try to come up with a Bill that will work. The relic of the White Paper in clause 62 cannot be left as it is. It is woolly, vague and typical of the general muddle of the Bill. Amendment No. 90 clearly states that there should be five regions. These would be roughly equal in size of electorate to the European constituencies, which vary from 17.9 per cent. of the Welsh electorate to about 21.6 per cent.

I hope that that will satisfy the helpful intervention of the hon. Member for East Carmarthen and Dinefwr (Mr. Williams), who rightly criticised the Liberal Democrats' amendment—No. 17A—which proposes four uneven regions. The regions that we propose would also give some framework to the additional Members, who are bouncing around without any clear framework in which to work.

Mr. Llwyd: Will the hon. Gentleman give way?

Mr. Paterson: I would be delighted to.

Mr. Llwyd: I hope that the hon. Gentleman will be delighted when I have finished my intervention.

Is the hon. Gentleman honestly suggesting that a Committee should cover an area the size of the Wales Mid and West European constituency—from Eglwysbach, which is three miles from Llandudno, to Llanelli on the south Wales coast? Is he seriously telling the Committee that that is an adequate boundary?

Mr. Paterson: That is exactly the boundary that will be used for the election of regional list Members, which I understand the hon. Gentleman's party supports.

We should return to the ordinary Welsh voter who has a problem and wants it solved. The Secretary of State and I have discussed the matter in the Welsh Affairs Committee, but not to my satisfaction. Let us consider a project that could involve substantial inward investment—possibly from a European business—but could cause potential long-term environmental problems.

Does the voter go to his district councillor; does he go to his directly elected assembly man; does he go to the party hack—the additional Member—who is elected on the proportional list; does he go to his Member of Parliament, who will not be overtaxed by work once the assembly is set up; does he go to his Member of the European Parliament; or does he go to the great panjandrum himself, the Secretary of State, who will also be short of things to do once the assembly is set up? It is not clear. The rules have not been laid down. I particularly dislike the Liberal Democrat amendment, which adds yet more confusion to the muddle by proposing four areas, as opposed to the five that we propose.

The ordinary voter has to pay the bill, yet there is not a hint of what the Regional Committees will cost. There is not a whiff of how they will operate. The matter is left to the Standing Orders. I would like some information from the Minister—otherwise, the proposals are a pig in a poke. We want the Regional Committees to work, but we would like to be able to tell the people of Wales what they will cost and how they will work. In the meantime, the Bill would be immeasurably improved if the House accepted our amendment No. 90.

8.45 pm

Mr. Win Griffiths: I warmly welcome the hon. Member for North Shropshire (Mr. Paterson) and congratulate him on his sojourn on the Front Bench. I do not know whether it is intended that another barrel be added to the gun that has been firing intermittently from the Ribble Valley. We shall have to see whether North Shropshire can meet the firepower requirements, which so far have not served the Opposition Benches well. Unfortunately, the hon. Gentleman did not get off to quite the start that I expected, given the confusion he showed while speaking to amendment No. 90 and commenting on those tabled by the hon. Member for Brecon and Radnorshire (Mr. Livsey).

Clause 62 requires the assembly to establish Regional Committees of an advisory character for all parts of Wales, but specifically one for north Wales. North Wales was specifically highlighted because concerns were identified from the start that north Wales felt isolated from Wales as a whole. In order to show that the Government were determined that north Wales would be an integral and full player in the National Assembly for Wales, we specifically suggested a North Wales Committee. There will be Regional Committees in other parts of Wales. We have left the advisory group to suggest the configuration which would make most sense politically, economically and socially.

Mr. Paterson: The Minister has not addressed the problem that people in north Wales are worried that the assembly will be weighted towards south Wales. If we leave the division of the Regional Committee areas to the assembly, south Wales will have the final say. That is the concern in north Wales.

Mr. Griffiths: I fail to see how the configuration of two, three or four Regional Committees in the rest of Wales can have any significant bearing on the role of an Advisory Committee in north Wales. We identified specifically a part of Wales which should be most definitely recognised as a region with an Advisory

[Mr. Griffiths]

Committee of its own. For the rest of Wales, where the matter was not so clear, we felt that it would be best to consult on the boundaries.

Amendment No. 90 suggests that we should use the European constituency boundaries, which have a political role given the election of people on the additional Member list. We do not see any necessity to be constrained by that political situation when trying to make sense of the economic and social needs of Wales. The hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) pointed out that to use the European constituency of Wales Mid and West would create a regional advisory Committee for almost all of west Wales—from north to south.

Mr. Gareth Thomas: Does my hon. Friend accept that the comments of the hon. Member for North Shropshire (Mr. Paterson) display an ignorance that is extraordinary even for somebody who purports to be the nearest thing the Conservative party has to a Welsh Tory?

Mr. Griffiths: That is a burden the hon. Member for North Shropshire has to bear. He is obviously cracking up under the strain.

All the north Wales Members of Parliament campaigned for the National Assembly and they clearly felt that there was a positive aspect to having a Regional Committee for north Wales.

Mr. Rhodri Morgan: Recalling the debate on the Floor of the House on the boundary commission report that led to the creation of the five current Euro-constituencies, on which the most recent Euro-elections, in 1994, were fought, can my hon. Friend confirm that, whereas coherence is a desideratum in boundary commission reports, it is only a secondary desideratum to trying to achieve an equal population in each region, whereas, in any committee structure that we devise, coherence must come first and population equality would be only a subsidiary consideration?

Mr. Griffiths: I can confirm that my hon. Friend is correct on that point. The report resulted in much heart-searching in political parties in Wales about how best to configure the Euro-constituencies, bearing in mind the population requirements and the fact that, perhaps for other reasons, the boundaries that were chosen were not ideal. The advisory group will consider what the best configuration of regional advisory Committee boundaries in Wales will be.

We need to bear in mind—the hon. Member for Meirionnydd Nant Conwy did not mention it this time, but he has in the past—the local debate that is going on about the way in which his constituency and local authority area should be located for these purposes.

The advisory group will be able to consider these issues, take advice from around Wales and come up with a proposal that can be debated more widely. Eventually, the commission that is established will be able to make formal proposals to the assembly. I think it is best for us to await its conclusions.

Mr. Llwyd: The Minister mentioned my constituency. Can he confirm that the commission will not be bound solely by counting the population in each area, which would do a disservice to the process? As the hon. Member for Brecon and Radnorshire (Mr. Livsey) just said, in some areas, due to geographical factors, life is quite difficult and different from that in, for example, a valley area. I hope that the commission will have the widest possible remit to allow it to come up with the best possible answer.

Mr. Griffiths: Yes, it will have a wide remit. We would not want to make population a primary consideration, but obviously that can be considered alongside all the other issues that can make most sense out of where the boundaries of the Regional Committees should be.

I hope that the amendments—with the agreement of the Committee—can be withdrawn. Let us see what conclusions the advisory group reaches; then we can debate on them.

Mr. Livsey: I think that the Minister should know that, in parts of Wales, there is extremely strong feeling on the subject of Regional Committees. I understand that he is saying that the advisory group will devote time and effort to try to define the regions more satisfactorily than, for example, the Euro-constituencies are now defined.

I would not have welcomed the idea of the five regions in amendment No. 90 if I had known that that meant the Euro-constituencies because, as has been said, the Wales Mid and West Euro-constituency has an extraordinary geography. It stretches from one end of Wales to the other, encompassing not only the western seaboard but mid-Wales and the eastern boundary with England. I know not how we got it, but it covers a vast area of Wales.

Especially among the agriculture community, given recent events, people are aware of the benefits of a Welsh assembly. They believe that, if the Regional Committees of the assembly represent an area that means something to them, the assembly may have the germs of some of the solutions that are needed to tackle the huge economic problems of the agriculture community. They believe that, in those circumstances, the assembly may ensure the maintenance of the structure of farms and the farming community and that resources to the agriculture community will not be reduced if there is a transfer of resources from production support to environmental schemes, for example. People want those matters to be debated in the Welsh assembly.

People in some parts of Wales also want the Regional Committees of a Welsh assembly to allay the fears that a south Wales-based assembly would take away some decision-making powers from them; their fear that they cannot contribute adequately to the efficient and effective running of their region within Wales; and their fear that they cannot contribute as well as they might to the running of a Welsh assembly. The assembly must be a sensitive body because of the great variety of regions in Wales, it is very important that people feel included in the process.

I believe that people will be persuaded that they are included in the process if they are given genuinely meaningful Regional Committees within the assembly and if those Committees can take decisions in the region instead of in the assembly building, far away. They need

to be connected to the assembly. We believe that to be extremely important and I believe that I would let down people in some parts of Wales if I did not press the amendment to a vote.

Amendment negatived.

Mr. Livsey: I beg to move amendment No. 16A, in page 30, line 40, after 'region', insert

'and carry out any of the functions which the Assembly has delegated to the regional committees following a majority vote of Assembly members.'.

The First Deputy Chairman: With this, it will be convenient to discuss amendment No. 67, in page 31, line 14, at end insert—

'(7) Each regional committee shall hold regular meetings at a location in the region which the committee represents.'.

Mr. Livsey: Amendment No. 16A is the amendment that refers to the meetings of the Regional Committees within the regions of the assembly. I made that point—I beg your pardon, Mr. Martin—in my summing-up just now, and I should have made it as a separate proposal that meetings take place in a region.

Mr. Win Griffiths: We have debated clause 62, providing for the establishment of Regional Committees in all parts of Wales, and it might be said that amendments Nos. 16A and 67 try to provide a little icing on the cake.

Amendment No. 67, the principle of which we have no problem with, is unnecessary. Again, I ask the hon. Member for Brecon and Radnorshire (Mr. Livsey) to imagine the members of the Regional Committee not opting to hold regular Committee meetings in their region. Of course, there may be times when they will want to hold a meeting at the assembly building, whether it is in Cardiff, Newport, Wrexham, Abercynon, or even Bridgend. I believe that Bridgend has proposed five sites. There are plenty of places where the assembly may meet, and the Regional Committees of the assembly may, because of pressing and urgent business, want to hold a meeting there from time to time. However, we believe that the Regional Committees will want to meet in their regions, and that there is no need to specify that in the Bill.

Amendment No. 16A provides for Regional Committees to have executive functions. That clearly goes beyond the advisory and representational responsibilities that we envisage for those bodies and which were envisaged in the White Paper. Local government will have its own functions and decision making at the local level. The National Assembly for Wales is a strategic body looking at the whole of Wales. The Regional Committees are designed to enable the regions to feed back specific advice to the Welsh assembly when it makes its decisions.

We invite the Committee to reject amendment No. 16A, because it goes beyond what was envisaged in the White Paper, and to reject amendment No. 67, because we believe that all the Regional Committees will want to meet regularly in their regions anyway, so there is no need to specify that in the Bill.

9 pm

Mr. Livsey: We thought that the functions of the Committees should be stronger in the regions. The Minister dealt with that in his response. Perhaps there should have been more emphasis on the matter in the Bill, but I accept what he said. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Wigley: I beg to move amendment No. 400, in page 30, line 40, at end insert—

'(2A) A committee established under this section may nominate persons for membership of any non-departmental public body mentioned in Schedule 3 or Schedule 4 and of which the responsibilities lie wholly or partly within the geographical area covered by the committee.'.

We are somewhat concerned about the role of the regional dimension in Wales. If we are to fill what is perceived as a partial vacuum in regional terms, we believe that assembly Members should have a specific, constructive and reasonably full job to do in their regions, as well as in Wales as a whole.

The rationale behind the establishment of the assembly comes in part from the problem of dealing with the quangos. We heard about that in earlier debates today. That is undoubtedly an important aspect of the role that the people of Wales see for the assembly. Some quangos can be abolished entirely, as is the case with Tai Cymru if it is to be subsumed into the assembly. Others, such as the Arts Council, may remain at arm's length.

There remains the question of how we are to deal with the lack of democracy in some of the regional quangos. That does not seem to be addressed in the Bill as drafted. Let us consider, for example, the health service in Wales and the health trusts. Either we should move forward, as we would like, to make the health service fully democratically answerable within its area, but that lies way beyond the scope of the Bill; or at the very least, there ought to be a specific attempt to ensure some democratic input into the health service, not just on the all-Wales level, but in bodies such as the North Wales health authority and health authorities for other parts of Wales, if they are to continue to exist.

A few months ago, in the autumn, I attended a public meeting that takes place once a year of the community health trust in my area. There were eight members of the trust, four with specialist knowledge from the health service, and four lay people who had been made quango members of the trust. I am certain that the vast majority of my constituents had not the remotest clue who those members were. I have no doubt that the trust members were doing an honourable job according to their lights, and that they were asking questions at the appropriate time, but there was no direct access from the electorate to the members of the trust. The electorate could get at officers, of course, but not at people who were supposed to be there as the long stop on behalf of the public.

Given that in north-west Wales there will be four assembly Members, it seemed obvious that if those four slots were available, they could and should be filled by people who had been elected, so that when members of the public had problems, they could go to their elected assembly Member and take up matters that could be followed through in the meetings of the trust. Equally, one could appoint Members to the health authority for the whole of north Wales.

I realise that Ministers have considered the matter and decided that there may be some difficulty with regard to the health authority being answerable to the assembly

[Mr. Wigley]

centrally. I recognise that answerability, but there is also a day-to-day answerability for the detailed functions in the area itself—the sort of problems that we encounter in our constituency surgeries, such as difficulties in getting a booking for time in the hospital, or difficulties with the services provided by a trust. Those could be answered on a local level, with no need to go to the all-Wales level.

Mr. Rhodri Morgan: I want to be sure that I understand the construction that I should put on the wording of the amendment. Is the right hon. Gentleman in effect saying that the Regional Committee of elected Members shall form the non-executive directors of the trust or the health authority, or is he saying that they shall offer people for nomination whom they know well and who can therefore be seen to be indirectly accountable to them? There is a crucial difference between the two.

Mr. Wigley: We had explored the possibility of the Committee taking over that role, but that would entail a major change to primary health legislation. I can see arguments for that, but, if we are going that far, we should democratise the entire structure of health care in a different way from that for which the Bill provides.

Our idea was that nominations should come from among elected Members. I realise that there may be a deficiency in the wording of the amendment in that respect. The present nomination process is rather vague. I do not know how it will continue, once the assembly has come into existence. The regional body should be responsible for that, and the elected Members should go through to provide at least some elected link to public bodies.

The proposal may not be necessary or appropriate for many of the bodies listed in schedules 3 and 4. They may not have a dimension into which elected Members would easily fit. Nevertheless, some of those bodies do operate on a regional basis in Wales; one thinks of the Welsh Development Agency—

Mr. Ieuan Wyn Jones: Or the TECs.

Mr. Wigley: Yes, although they are not listed in the schedules. Perhaps the Bill could be amended later to include them. In any case, there must be better accountability at the regional level, as well as better democracy for the whole of Wales.

The Minister may reply to the debate by saying that the power we seek already exists. If so, well and good. If, however, the Minister says that this is not regarded as a suitable job for the regional bodies set up under the assembly, how will some democratic legitimacy be achieved?

Mr. Win Griffiths: Like my hon. Friend the Member for Cardiff, West (Mr. Morgan), I am still not quite sure whether the amendment is intended to enable members of the Regional Committees to nominate representatives from among themselves to health authorities, trusts and other regional quangos; or whether it is intended that they should nominate other people who they feel are particularly suited to the jobs.

Mr. Wigley: The amendment is intended to cover a range of circumstances under schedules 3 and 4. We certainly hoped for nominations to the health trusts and TECs from among the elected regional Members themselves. Schedules 3 and 4, however, contain quite a mixture of bodies on which there may be a slot for only one person with specialist knowledge from a particular region of Wales to serve as a member—possibly a United Kingdom body. Some semblance of answerability to an elected regional body would, in our view, produce better democratic links.

The purpose of the amendment was to allow elected Members of the regional body to take over at least some responsibility and to be a conduit for public accountability on those bodies. The regional bodies could put forward the names of specialists to serve on some of the specialist bodies listed in schedules 3 and 4. Therefore, the amendment covers both options.

Perhaps the Government have a different vision of how the plethora of quangos in schedules 3 and 4 can be more responsive to the regions. If so, I shall be glad to hear about it. I hope that the amendment may tease out of the Government how they see things developing.

Dr. Marek: I would advise the right hon. Member for Caernarfon (Mr. Wigley) to be cautious. We should try to avoid amendments that would make the Bill even more detailed or intricate, thus trammelling the assembly even more. I should prefer a Bill more along the lines of the Scotland Bill, with its permissive powers. That is not what we have; we have another style of Bill. As it is, we are creating a fairly tight-fitting corset for the assembly, and it would be wrong to make it any tighter—

Mr. Wigley: I, too, would prefer the broad-brush approach of the Scotland Bill, but the wording in the amendment is "may nominate". There is no specific responsibility to do so. We are trying to remove an uncertainty that would otherwise exist.

Dr. Marek: I accept that. Secondly, we do not want the assembly—perish the thought—to be a local council, in which one councillor says, "I don't want you interfering in the planning decision on my agricultural bungalow; and in return, I won't mess with your patch." We must not allow that to happen. If we allow Regional Committees to decide these issues, we may descend—this is the danger—into a glorified county council.

This will be the National Assembly for Wales. Decisions must be taken by the assembly. A possible halfway house would allow the Regional Committees to suggest names and the assembly to nominate on the advice of the Regional Committees. I would not object to that, but ultimately the appointments must be for the assembly.

Mr. Win Griffiths: I am pleased that we have had a short debate on the amendment. When it began, I thought that I knew what the purpose of the amendment was, but, as the right hon. Member for Caernarfon (Mr. Wigley) spoke, I began to entertain one or two doubts.

The amendment would give the Regional Committees nomination rights in respect of public appointments to quangos. I had thought that the amendment's intention—the right hon. Gentleman agreed that it could be so understood—was to give the Regional Committee the right to nominate people to serve on the quangos

listed in schedules 3 and 4 and on regional or local quangos, such as health authorities and trusts. In that context, the amendment is unnecessary. Anyone can nominate a person for a non-departmental public body in Wales. The post may be advertised, and there is a proper procedure to ensure that the people with the best experience and qualifications are appointed. The Regional Committee will be able to nominate people who, although not elected Members of the assembly, are felt to be particularly suitable either as representatives of north Wales on quangos that operate solely within north Wales, or as the voice of north Wales on a national quango. That will happen without the amendment.

9.15 pm

I come to the idea that members of the Regional Committee could decide that, to increase democratic accountability, one of their number should serve on a quango. For example, someone who had previously worked as a GP in the health service might be thought suitable to be a member of a trust or health authority. Unfortunately, those non-executive directorships will be regarded—according to the rules that also currently apply to Members of this House—as offices of profit under the Crown, and such people will not be eligible to serve on the health authority or trust.

The issue is being reviewed in the context of the National Assembly for Wales. We are still considering disqualification and the posts for which elected Members of the assembly may be eligible. Given that, and because, under current legislation, Members of the Assembly will be disqualified from being members of health authorities and trusts anyway, I hope that the right hon. Member for Caernarfon will withdraw the amendment.

Mr. Wigley: I shall respond briefly. I was intrigued by the way in which the mists of incomprehension surrounded the amendment when I spoke earlier. I hope that I do not always have that effect.

I am grateful to the Minister for his response. Obviously, I accept that anyone can make a nomination under the procedures, but the intention of the amendment was to go further. I noted that the Minister said that elected Members of the Assembly would not be able to serve on such bodies unless disqualification rules were changed. He said that the Government were considering that, and I hope that the change can be made, so that flexibility can be built into the procedures. In one way or another, quangos need to have greater local accountability.

The hon. Member for Wrexham (Dr. Marek) was worried that Members of the Assembly would become involved in local government matters. That is the last thing that I want. There may be a way in which some of those bodies can be democratised through local government, but that is not proposed in the Bill. As I understand it, the regional quangos will remain after the assembly is up and running; the Bill contains nothing to democratise them.

Mr. Win Griffiths: As the right hon. Gentleman will know, the health trusts are currently being re-examined and there are likely to be fewer when that process is completed. He must recognise also that the creation of a National Assembly, with far greater scope to scrutinise the quangos that exist in Wales, will herald a new era of democratic accountability.

Mr. Wigley: I accept that entirely on an all-Wales level. I hope that many quangos will be abolished and I hope that there will be much better scrutiny of those quangos that remain, as well as better accountability on an all-Wales level. I do not dispute that point.

However, my question relates to regional Wales. The trusts are being reviewed at the moment, but unless the Minister foresees an all-Wales acute trust and an all-Wales community trust—heaven forbid, that would be centralisation rather than decentralisation—there will be some regional bodies. There may be a different configuration, but regional bodies will continue to exist in Wales. As far as I know, the brief given to the health authorities undertaking the review does not include the question of how they may be made more democratically accountable.

We have a solution on the all-Wales level, and no doubt there will be a role for local authorities at the local level. However, on the regional level—which the Bill recognises the necessity of addressing by creating regional bodies in Wales comprising elected assembly members—the legislation is afraid to allow elected Members to be involved in creating a democratic mechanism for regional quangos.

Mr. Win Griffiths: I said earlier that we were still examining issues relating to disqualification that currently prevent Members of the Assembly from playing any role whatsoever. We accept that there is a need to strengthen democratic accountability. That may be achieved by moving from the position whereby the Welsh Office, with the Secretary of State and two Ministers, has responsibility for all those matters, to the point where a democratically elected 60-Member assembly assumes that responsibility. That will enable the assembly to scrutinise those bodies more closely. I suggest also that Regional Committees will be able to examine what is happening in their regions and make recommendations and provide advice upon which the National Assembly may act appropriately.

Mr. Wigley: We are now starting to tease out some of the responses that I had hoped for. In other words, the Minister is beginning to understand our assertion that elected assembly Members can play a legitimate role regionally in order to keep an eye on regional quangos.

The Minister said that the Government are still considering how the process will work and are willing to contemplate changing the disqualification rules to allow freedom of action. In that way, the assembly may be able to move down the road in a manner that it deems to be appropriate. I want to ensure that that course of action is not ruled out. We must consider the legitimate question of regional democracy in Wales. Members of the Assembly may be able to contribute to improving

[Mr. Wigley]

answerability and scrutiny of regional quangos. That point has been made. I am grateful to the Minister for his response, and I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Ancram: I am grateful for the opportunity to speak during the stand part debate because clause 62 goes much wider than the amendments that we have discussed so far. Indeed, the clause is central to the success of the legislation. My hon. Friend the Member for North Shropshire (Mr. Paterson) moved an amendment regarding the number of regions, and I congratulate him on his maiden voyage from the Opposition Front Bench. I assure him that it is a compliment to be savaged by the Minister—the only person I know who can waffle while reading an official brief.

In all seriousness, we are unhappy with the clause as it stands and with Regional Committees as they are proposed. We made that clear in the aftermath of the referendum and implied it in our reasoned amendment. The problem must be addressed if we are not to create yet another democratic deficit that, in the long term, could undermine the success of the assembly.

The Minister said that the proposal for north Wales was to make the Committees full players. I am not sure what definition he gives to "players". The clause merely creates Advisory Committees, which are hardly players in other than the most remote sense. We are faced with a sop to the real concerns expressed by the people of Wales in the divided result of the referendum vote.

The Regional Committees will be unable to initiate anything. They will have no ability to oppose or veto anything and they will have no Executive authority. Under any definition of talking shops, those Regional Committees would be included. Only the directly elected Members in the region are guaranteed a place on them. The rest will be elected by the assembly, so the geographical or numerical majority in the assembly could effectively dictate who else gets on the Regional Committees. If there are no directly elected Members for any parties in Wales, it could be decided that those parties could have no representation on the Committees. That is the dangerous power that the clause will create.

There is no protection against permanent geographical discrimination. The clause is purely cosmetic. It creates a democratic deficit that, if not addressed, will cause problems. I regret that my amendment No. 300 was so technically deficient that it could not be selected for debate. That was entirely my fault. I shall try to adjust it so that it can be retabled on Report, when I hope that it may be selected. The amendment covers one of the areas that we have been discussing—our desire to see a representative of each of the Regional Committees on the Executive Committee as a full member who has been mandated by his or her regional peers to represent the interests of the regions in the centre of what will be the decision-making process.

I know that this will be somewhat uncomfortable for those who see the proposed Executive Committee as a cosy arrangement. However, in terms of giving a real voice to the regions of Wales, I think that we are making an important suggestion, and I hope that we can return to it. It would give a greater power to the Regional Committees than just the responsibility of providing advice.

On the day after the referendum, the Prime Minister said in Downing street that the Government would take on board the fears expressed in the vote. There is no doubt that that vote was regionalised. A Labour Member said earlier in our consideration of the Bill, rather significantly, that the effect of the vote had been to move Offa's dyke westward. Against that background, we looked for change in the clause as against the White Paper, to fulfil the Prime Minister's promise that some means would be produced of addressing the fears that had been expressed in the referendum vote. However, there is nothing new to be found in the clause. Indeed, there is nothing in the clause that can offer any comfort.

We feel that there should be greater regional protection even than that which would be achieved by putting a member of each Regional Committee on to the Executive Committee. I should like to see regional powers of veto over certain decisions where demographic and geographic majorities can hold a perpetual sway in the absence of such a veto. We shall seek to introduce such a veto and such a power in a new clause, if it is selected.

In the absence of any of the arrangements that I have outlined, the clause represents a deceit on the people of Wales. It promises much, but in practice it will achieve almost nothing. The issue is central to all that we have been saying since the referendum. It is a matter to which we shall wish to return both in the House of Commons and, if necessary, in another place.

Mr. Livsey: I cannot agree with much that was said by the right hon. Member for Devizes (Mr. Ancram). Many of his remarks were divisive. None the less, I am sure that the Minister will take on board the concerns that have been expressed about the importance of the regions within Wales. I am sure also that he and the Secretary of State will ensure that the Advisory Committee that is considering those matters will take the concerns on board and produce something meaningful within the regions of Wales so that true devolution can take place.

Mr. Win Griffiths: I should not have been surprised at the remarks of the right hon. Member for Devizes (Mr. Ancram), who poured scorn on the idea of the Government accepting advice, just as the Conservative Government regularly scorned advice, with the result that there were disasters such as the poll tax. The point about the Regional Committees and their advisory role is that we believe in listening to people and in being able to accept advice when it is well targeted. We have made provision in clause 62 for Advisory Committees because we believe that, on balance, we shall get good advice from them. I can understand why a Conservative might regard the role of an Advisory Committee as deceiving the people in Wales, because in a Tory context it would. The Tory Government never listened to the advice that they were given. That is the only context in which the right hon. Gentleman's words can have any meaning.

9.30 pm

Mr. Ancram: I am sure that the Minister will define what he means by a "real player"—the words that he used earlier about the northern Regional Committee. He obviously listens to advice, but how many amendments has he accepted during the passage of the Bill—not just from me, because I understand that he probably does not want to accept amendments from me, but from his right hon. and hon. Friends, and from other hon. Members? From that, we shall learn whether he takes advice.

Mr. Griffiths: It is most apt that the right hon. Gentleman should have made those remarks this evening, when, in earlier debates, we have said that we want to listen. I pointed out that he had made constructive comments in the debate on amendments and that we wanted to examine ways in which we could, perhaps, take on board some of those ideas. I am quite sure that, at the end of the Committee's proceedings, we shall have accepted a number of amendments, or the ideas contained in them.

We believe that the Regional Committees will give Members of the Assembly the opportunity to focus on their areas and to give advice to the assembly to develop national strategies in Wales that take account of regional sensibilities. I know that taking account of sensibilities was not a strong point of the Conservatives when in government. I am afraid that I cannot scorn the concept of receiving advice in the way in which the right hon. Gentleman and his Government did when in office. I hope that the Committee will allow the clause to be added to the Bill.

Question put and agreed to.

Clause 62 ordered to stand part of the Bill.

Clause 63 ordered to stand part of the Bill.

Clause 64

WIDENING OF REGULATORY APPRAISALS

Mr. Dafis: I beg to move amendment No. 412, in page 31, line 23, leave out 'likely', and insert 'financial, social and environmental'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss amendment No. 413, in page 31, line 36, after 'business', insert 'and other organisations'.

Mr. Dafis: Amendment No. 412 relates to costs and benefits. Amendment No. 413 relates to organisations that are concerned with social and environmental issues, rather than confining it to business organisations.

I take it that integrating sustainable development—again that phrase, which means integrating environmental and social equity considerations into all areas of policy—will be a central theme of the National Assembly, as indeed the Government claim it to be their central theme.

The assembly will come into existence at a time when sustainable development, environmental sustainability, will be rising to the top of the agenda—there is not much doubt about that—globally and at the European and United Kingdom levels. It is important that the same should happen at national level. It is already beginning to happen at local level, through the local Agenda 21 process. We may have an opportunity to debate the whole issue of sustainable development more comprehensively when we reach part VI, which concerns the new development agency.

Let me establish straight away that, when we speak of costs and benefits and cost-benefit analysis, we are not just talking in traditional economic terms. I hope that we are talking not merely about financial costs and benefits, but about social and environmental costs and benefits, which are a key component of sustainable development. As it stands, clause 64 seems to refer only to financial and, in the traditional sense of the word, economic costs and benefits. If I am right about that, it is old-fashioned thinking—old-style COBA. That is inappropriate in this day and age: nowadays it is wrong to separate financial considerations from those that are environmental and social. We cannot erode our environmental capital, or indeed our social assets, without imperilling economic welfare.

The amendments make it explicit that any regulatory appraisal and study of cost compliance must be comprehensive in the way that I have outlined. The outcome of an appraisal of that kind could be significantly different from the outcome of the narrow appraisal provided for by clause 64 as it stands.

I do not wish to say any more now, as there will be further opportunities. The amendment is tabled in the same spirit as amendments Nos. 401 and 402 on the Environmental Audit Committee, to which the Minister responded positively. I trust that the amendments will receive a similar response, enabling the assembly to benefit from an up-to-date response to policy.

Mr. Win Griffiths: Clause 64 is a significant and radical innovation in itself. It builds on the non-statutory compliance cost assessments that have been part of Government practice for some time when new laws or regulations are to be introduced. It is vital for the assembly to create an economic environment in Wales that promotes healthy and sustainable economic growth, and a more widespread prosperity than Wales has enjoyed in the past. That means an economic policy that respects the environment, and recognises that there is economic as well as social benefit in conserving the beauty and ecological diversity of Wales. It means a policy that works actively to bring greater prosperity to our more socially deprived communities.

All those will overwhelmingly be matters for the policy of the assembly. In the Bill, we aim to create the framework, and, in doing so, we must be careful not to build in procedures that risk becoming excessively bureaucratic. If we attempt to legislate for procedures that try to constrain the assembly's policies, we multiply the opportunities for legal challenges on procedural grounds; we also risk entrenching the status quo, while warring interest groups battle for control of the assembly's procedures as a way of controlling its policies.

We are not opposed to a procedural framework that lays some basic duties on the assembly. Hence, the Bill refers to local government, to regulatory appraisals and to the voluntary sector. We are also committed to tabling an amendment that recognises the importance of the principle of sustainable development.

[Mr. Win Griffiths]

Having said that, the Government cannot accept the amendments, because they would broaden the scope of the regulatory appraisal beyond the specific aspect of the costs that may be added to business. We believe that a social, environmental and financial appraisal of all secondary legislation is not necessary in the context of the clause. The consultation process should only include business.

It is important for the assembly to consider the financial costs that will be laid on business as a result of regulations that it introduces. If there are serious costs, it is right that representatives of business should be consulted.

Placing additional legal constraints on the assembly is going too far. As a democratic body, the assembly will be free to develop its own policies. It will have to account for its success or failure to the people of Wales when the time comes to be re-elected. Its processes will be much more public and open than we have been used to. That, and not more complex statutory provision, however well intentioned, is the best way to ensure that the assembly has proper regard for the social and environmental consequences of its actions.

I ask the hon. Member for Ceredigion (Mr. Dafis) to take account of the fact that we shall table an amendment on sustainable development, which will deal with the concerns that he has expressed. He wants to bolt the provisions in the amendments on to the clause, but it has a specific purpose, so that is not the most appropriate way to achieve his objectives.

Mr. Dafis: I am not altogether convinced by the Minister's response. I am glad to hear that the Government intend to table an amendment on sustainable development. It should be worded carefully, and should impose a duty on the assembly to have regard to sustainable development in the formation of its policies: it should not merely have to consider sustainability. It is important to put this issue at the heart of the assembly's activities.

The Minister said that it is not appropriate to broaden the consultation process. I believe that it should be broadened, because organisations concerned with the social and environmental impact should be given parity of esteem with business interests.

Environmental and social appraisals will increasingly be part of policy development. Environmental sustainability issues will be brought into accounting systems. They will be brought to the heart of the way in which the effects of policies are measured. The time is coming when cost compliance and cost-benefit analysis will have to be brought into such matters. I do not propose to press the amendment to a vote, but I look forward to a more thorough debate at a later stage. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9.45 pm

Mr. Jenkin: I beg to move amendment No. 303, in page 31, leave out lines 27 to 30.

The Chairman: With this, it will be convenient to discuss amendment No. 307, in clause 67, page 33, leave out lines 21 to 24.

Mr. Jenkin: Clause 64 applies the equivalent of a compliance cost assessment to draft subordinate legislation that is being considered by the assembly and it requires the executive committee to carry out such an assessment. Clause 67(2), to which our amendment No. 307 refers, requires the equivalent of a money resolution. Clause 64(2) can set aside the provision for a regulatory appraisal

"if in the particular circumstances it is inappropriate".

The words used in clause 67(2) are, "may contain an exception". Is it appropriate for Parliament to suggest that those laudable procedures, which we endeavour to apply, should be set aside?

Dr. Marek: Surely the provisions to which the hon. Gentleman refers are de minimis. Is the hon. Gentleman serious in suggesting that they should be deleted from the Bill? Amendment No. 307 proposes to delete a reference to small sums but for good and efficient administration that reference ought to remain in the Bill. I urge the hon. Gentleman not to press the amendment to a vote because it would damage the Bill.

Mr. Jenkin: The hon. Gentleman may have noticed that votes are not two a penny in our deliberations. These are probing amendments. Our procedures do not allow primary legislation that would be a charge on the Exchequer to proceed without a money resolution, and we do not think that the assembly should be able to set aside analogous procedures because it considers that convenient. It may find that the subordinate legislation which it expected to have minimal cost is expensive. Unless the matter is examined or debated, depending on the assembly's standing orders, there should be a procedure to guard against the setting aside of such procedures.

Perhaps like the hon. Member for Ceredigion (Mr. Dafis), who moved amendment No. 412, I shall be told by the Government that my amendment is a good one and they will ask me to withdraw it, assuring me that they will table an amendment. That would enable them to say that it was their idea in the first place.

Mr. Letwin: My hon. Friend has rightly described this as a probing amendment. Perhaps I could use it to probe the Minister on the following chain of logic. It may be false and it would be reassuring to hear that it is. My query arises in relation to the specific issue of regulatory appraisals and more generally to clauses 64, 65 and 67.

The Minister has told us that clause 65(2) in particular limits the nightmare vision of Secretaries and the First Secretary legislating. The Minister has also admitted that that does not prevent the First Secretary and Secretaries from undercutting the need to legislate by using the power of the purse and the method of the circular to achieve results that would otherwise have been achieved by subordinate legislation.

Nevertheless, I and other Opposition Members have to accept that there is a difference between that indirect method of crypto-legislation and genuine subordinate legislation by order or regulation. Therefore, the extent to which the following logic applies is important. Is it true that, in the light of clause 64(2), which amendment No. 303 would remove, and of the phrasing of clause 65(2), which refers to "a resolution" but not necessarily to an affirmative resolution, it would be possible for the

First Secretary or the Secretary concerned to bring forward subordinate legislation without regulatory appraisal, to put it before the assembly only in the sense of asking it not to make a negative resolution, and then to carry that proposition into law through subordinate legislation, which, as a result of there not having been a negative resolution prayed, would never have been debated in the assembly?

That is extremely material because, if there is neither a regulatory appraisal nor a debate, but merely legislation that is prepared and, by that means, so to speak, invisibly enacted by the First Secretary and the Secretaries, we indeed have the prospect of a devolution of power upwards to those persons. They will be able to run an unaccountable legislature in the full sense, with merely the theory of accountability.

Mr. Win Griffiths: Clause 64 requires that the assembly Standing Orders must contain provision for regulatory appraisals, as we have just debated, and that those must be undertaken before the subordinate legislation is made. The purpose of the appraisals will be to assess the costs and the benefits, particularly as they affect business.

Clause 64(2) provides that, in particular cases, the requirements for a regulatory appraisal can be dispensed with if it would be inappropriate or if it were not reasonably practical to have one. Amendment No. 303 proposes that clause 64(2) be removed so that there should be regulatory appraisal in respect of every proposed order.

I am surprised that the amendment has been proposed because it would subject the assembly to stricter rules than are currently applied in Whitehall. It would involve assembly staff in unnecessary administrative work and take up the assembly's time with examining unnecessary reports.

For example, under the arrangements that exist for Whitehall and Westminster, regulatory appraisals are not required for a range of subordinate legislation: those whose sole impact is on the public sector; regulations that increase a statutory fee by a predetermined formula; changes to the existing regulatory regime that do not impose additional costs or savings on business, charities or voluntary organisations.

Mr. Jenkin: Would it not have been helpful to have set out those exemptions in the Bill, so that the assembly could be clear about Parliament's intention, instead of having to divine it from the words that the Minister is now uttering?

Mr. Griffiths: Perhaps we had unfairly assumed that the workings of Whitehall in these matters were fairly familiar and that we did not need to prescribe step by step. These exemptions are not found specifically in primary legislation. Similar exemptions are prescribed in secondary legislation.

Mr. Ron Davies: The constitutional age for beginners. It is in the book.

Mr. Jenkin: The Secretary of State is now getting excited from a sedentary position. The point is that it is assembly Members who will have to understand this legislation and how this is going to work. It is clear what the Government's intention now is, and it should have been spelt out in the Bill. That would have been much clearer. What is the objection to that? There will be many beginners in the assembly, as the Secretary of State refers to them.

Mr. Griffiths: Those beginners will be provided with all the briefing and background to those matters when they become Members of the Assembly. If we were to prescribe in detail every little piece of legislation in Westminster and Whitehall that will be applied in principle to the assembly, the Bill would be a thousand times longer.

I am pleased to have brought some enlightenment to the Committee's proceedings. If the amendment were accepted, a situation could easily arise in which a regulatory appraisal of identical subordinate legislation was considered unnecessary in England but had to be carried out in Wales.

Mr. Letwin: Who is to be the judge of inappropriateness? If it is to be the assembly, is there any guarantee that it will take the view that the Minister has espoused? Could not the assembly decide that all regulatory appraisal was inappropriate?

Mr. Griffiths: The assembly could not decide that. Some matters are in primary legislation; I shall give the hon. Gentleman a few more examples. Under the present arrangements at Whitehall, a regulatory appraisal is not required for road closure orders or for regulations that amend an existing regulatory regime without imposing any additional costs or savings on business, and so on. All those matters are in secondary legislation.

The assembly will not be able to go beyond the constraints that currently apply under legislation enacted at Westminster. It will not be able to say, "We are going to make an exception." The primary legislation will not allow that to happen.

Mr. Letwin: Perhaps we are making progress, although I now no longer understand subsections (1) and (2) of the clause. The Minister's line of reasoning seems to be that if, under primary legislation, there is a requirement for regulatory appraisal when the Secretary of State lays an order, that will apply automatically to the assembly. So why on earth are subsections (1) and (2) in the Bill? Why would there be a need to legislate for such procedures that are contained in subsection (1) if they already exist in statute?

Mr. Griffiths: The powers are being transferred to the assembly. Under primary legislation, Parliament does not have the power to dispense with regulatory appraisal of everything; it is specified in legislation. In that same way, the assembly's powers will be specified in legislation. The legislation that applies to Westminster and Whitehall will be the same legislation that will apply to the assembly. It will not be able to move outside exactly the same constraints as apply at Westminster and Whitehall.

Mr. Jenkin: Will the Minister give us an assurance that no secondary legislation that does not have the appropriate regulatory constraints applied to it will be delegated to the assembly?

Mr. Griffiths: Further advice has come my way. The hon. Member for West Dorset (Mr. Letwin) asked whether the assembly could decide not to have any regulatory appraisals at all. The answer is no, it could not adopt an all-embracing policy to set such matters to one side. Primary legislation governs what the assembly will be able to do, just as primary legislation governs what this Parliament is able to do.

Mr. John Hayes (South Holland and The Deepings): Now that we are clear on what the assembly cannot do, will the Minister explain why there is no difference between the clauses and no discretion is provided? That is the point that he has not dealt with. He has dealt with what the assembly cannot do, but he has not said why the clauses are in the Bill, given the complete lack of discretion that they provide.

Mr. Griffiths: If the hon. Gentleman had been in the Chamber for the beginning of the debate, he would have heard me say that the Government have included in the Bill a framework for regulatory appraisal, which will make the process much clearer in the National Assembly for Wales. As the hon. Member for North Essex (Mr. Jenkin) said, it is based—

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 64 ordered to stand part of the Bill.

Clauses 65 to 70 ordered to stand part of the Bill.

Clause 71

INTEGRITY

Amendment made: No. 282, in page 35, line 18, at end insert

'fails to comply with or'.—*[Mr. Jon Owen Jones.]*

Clause 71, as amended, ordered to stand part of the Bill.

Clause 72 ordered to stand part of the Bill.

Clause 73

POWER TO REQUIRE ATTENDANCE AND PRODUCTION OF DOCUMENTS

Amendment made: No. 283, in page 36, line 26, leave out 'either'.—*[Mr. Jon Owen Jones.]*

Clause 73, as amended, ordered to stand part of the Bill.

Schedule 4 agreed to.

Clause 74

WITNESSES AND DOCUMENTS: SUPPLEMENTARY

Amendments made: No. 390, in page 36, line 41, after 'concerned,' insert

'or such other person as may be authorised by the standing orders'.

No. 391, in page 36, line 42, at end insert

'and may administer the oath (or affirmation) to him.'.—*[Mr. Jon Owen Jones.]*

Clause 74, as amended, ordered to stand part of the Bill.

Clause 75 ordered to stand part of the Bill.

Clause 76

DEFAMATION

Amendment made: No. 284, in page 38, line 8, at end insert

'and shall be treated as if it were a Minister of the Crown for the purposes of paragraph 11(1)(c) of that Schedule (report of proceedings of person appointed by a Minister etc. for the purposes of an inquiry).'.—*[Mr. Jon Owen Jones.]*

Clause 76, as amended, ordered to stand part of the Bill.

Clauses 77 to 79 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—[*Mr. Jon Owen Jones.*]

Committee report progress; to sit again tomorrow.

BUSINESS OF THE HOUSE

Motion made, and Question proposed,

That, at the sitting on Thursday 5th February, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Community documents), the Speaker shall put the Questions on any Motions in the name of Mr. Secretary Prescott relating to Local Government Finance not later than Ten o'clock.—*[Mr. Jon Owen Jones.]*

Hon. Members: Object.

SELECT COMMITTEE ON EUROPEAN LEGISLATION

Motion made, and Question proposed,

That Mrs. Anne McGuire and Ms Hazel Blears be discharged from the Select Committee on European Legislation and Mr. Jim Dobbin and Mrs. Rosemary McKenna be added to the Committee.—*[Mr. Jon Owen Jones.]*

Hon. Members: Object.

SELECT COMMITTEE ON MODERNISATION OF THE HOUSE OF COMMONS

Motion made, and Question proposed,

That Mr. Huw Edwards be discharged from the Select Committee on Modernisation of the House of Commons and Mr. David Drew be added to the Committee.—*[Mr. Jon Owen Jones.]*

Hon. Members: Object.

SELECT COMMITTEE ON PUBLIC ADMINISTRATION

Motion made, and Question proposed,

That Fiona Mactaggart be discharged from the Select Committee on Public Administration and Helen Jones be added to the Committee.—*[Mr. Jon Owen Jones.]*

Hon. Members: Object.

TRADE AND INDUSTRY

Motion made, and Question proposed,

That Mr. Alan Johnson be discharged from the Trade and Industry Committee and Mr. Lindsay Hoyle be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Hon. Members: Object.

NORTHERN IRELAND AFFAIRS

Motion made, and Question proposed,

That Ms Margaret Moran be discharged from the Northern Ireland Affairs Committee and Mr. Stephen Hesford be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Hon. Members: Object.

Big Cats (Norfolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10.4 pm

Mr. Keith Simpson (Mid-Norfolk): I must begin by thanking the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food for attending this Adjournment debate on the subject of big cats in Norfolk. My objective in asking for the debate was to establish ministerial responsibility for monitoring big cats and to consider how we can best evaluate any evidence of the probability of big cats living in our countryside. This is a subject which, as hon. Members may know, has excited a great deal of public and media interest, especially in my constituency of Mid-Norfolk.

Over the past 20 years, there has been a steady increase in the number of sightings of big cats in many parts of the United Kingdom. These are often described as pumas, leopards or panthers. A survey carried out in 1996 claimed sightings of big cats in 34 English counties, so Norfolk's big cat has to compete with, among others, the Fen tiger, the beast of Bodmin, the Durham puma, the Nottingham lion and the cougar of Cupar. I must say that many of these sound like the nicknames of hon. Members.

Norfolk has had its fair share of sightings of big cats. Last year, Norfolk police received reports of 54 sightings of big cats from July to December, and they still receive, on average, reports of two sightings a week. In my constituency, there have been reported sightings at Dereham, Beetley, Lenwade and Crostwick, to name just a few places.

I must commend the Norfolk police who have consistently taken sightings of big cats seriously and who have attempted to monitor them. There are 36 volunteer police officers trained as wildlife liaison officers who participate in this monitoring. I must also commend two of my local newspapers—the *Eastern Daily Press* and the *Evening News*—which have taken a responsible attitude to the sightings and have genuinely sought to inform public opinion.

Many sightings have been reported in my constituency by members of the public who were out walking their dogs or driving down country roads, often at dawn or at dusk. Usually the sighting is of a big cat, frequently described as a puma or leopard. There have also been a number of incidents in which it has been claimed that ewes, lambs and horses have been attacked—and, in some cases, killed—and have received injuries more extensive than could have been inflicted by dogs or foxes. Of course, the fact remains that, despite many sightings and some superficial evidence, we do not yet have authoritative evidence that big cats are at large in Mid-Norfolk or, for that matter, in other parts of the UK.

How should we regard the sightings of big cats in Mid-Norfolk? It could be merely an extension of folklore going back to the 18th century. Perhaps Old Shuck or Black Shuck, the mythical large dog which roamed our Norfolk landscape looking for his master all those years ago, has returned to haunt his descendants—perhaps, but unlikely. Perhaps it is merely a question of farmers looking for compensation on a scale the likes of which they have never seen—perhaps, but unlikely. Perhaps our thriving tourist industry in Mid-Norfolk is looking for its

[Mr. Keith Simpson]

equivalent of the Loch Ness monster or the hound of the Baskervilles to attract even more tourists—perhaps, but unlikely.

Some reports are undoubtedly hoaxes. At least one recent sighting reported to the police suggested that the large cats had been brought down by the Martians, and there is always a suspicion that a few sightings may be the consequences of late-night spiritual imbibing. However, the overwhelming majority of sightings of big cats, not only in my constituency but elsewhere in the UK, have been reported by perfectly normal, rational members of the public.

I suspect that many people have not reported sightings on the ground that they would be considered eccentric, to say the least. Even if one accepts that in the majority of cases, people have genuinely mistaken large domestic cats, dogs or foxes for big cats, there is still an element of probability that, at least in some cases, there may be a big cat explanation.

A number of distinguished wildlife experts have suggested that some pumas or leopards could have been released into the countryside when the Dangerous Wild Animals Act 1976 made it illegal to own such animals without a licence. They would have been able to roam over a wide area of countryside, live off wild or domestic animals and possibly breed. I realise that this case is not directly comparable, but I am old enough to remember as a child in Norfolk the spread of the coypu 40 years ago as a consequence of several escaping from captivity and breeding in the wild on such a scale that they threatened to destroy our river banks.

So what is to be done? How do we best establish a rational method, at national and local levels, to monitor the sightings of big cats and to evaluate the evidence scientifically? Last year, I attempted to establish ministerial responsibility and learnt from a written answer that

"The Home Office has no responsibility for monitoring the sightings of big cats"—[*Official Report*, 1 December 1997; Vol. 302, c. *49*.]

In practice, monitoring is done very conscientiously at local level by the police. A similar question to the Ministry of Agriculture, Fisheries and Food produced the following reply from the Minister:

"A number of Departments have responsibilities in relation to 'big cats'. This Department is concerned with the safety of livestock, the Home Office for the safety of people and the Department of the Environment, Transport and the Regions for the legal keeping of such animals by, for example, zoos and circuses. These Departments co-ordinate their actions according to the circumstances of the case."—[*Official Report*, 2 December 1997; Vol. 302, c. *149*.]

Many of us, in one way or another, are old Whitehall warriors, and that final sentence gave it away. There is obviously a certain element of pass the parcel.

I realise that the Minister is here to reply to an Adjournment debate on big cats in Mid-Norfolk as the matter relates to the safety of livestock. In the past, his Department has been involved in evaluating evidence of big cats. One case involved the so-called "Beast of Bodmin" when his predecessor, my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning), asked the Agricultural Development Advisory Service to investigate the carcases of dead farm animals and a number of photos and videos allegedly showing big cats. The conclusion of the study proved that the farm animals had been victims of large dogs and the photographic evidence proved the cats to be domestic. I understand that the Minister has promised another investigation into big cats in the west country, where local public opinion is somewhat sceptical about the evidence.

I should like to suggest two positive measures for the Minister to consider. At national and local levels, it is logical that the Ministry of Agriculture, Fisheries and Food should be the lead Government Department for co-ordinating the monitoring and evaluation of evidence concerning big cats. In Norfolk, a proper scientific evaluation of evidence—particularly footprints, droppings or carcases of dead farm or domestic animals—could be undertaken using DNA tests at the Food Science Laboratory at Norwich. That would enable us to distinguish between fact and fiction. The facility should be widely publicised locally, so that if farm or domestic animals are savagely attacked or killed, they can be examined scientifically. If the Minister is responsive to my proposals and they are implemented, we would be nearer proving or disproving the weighty question of whether there are big cats at large in Mid-Norfolk.

10.13 pm

Mr. Laurence Robertson (Tewkesbury): I should like to make one or two brief points in support of what my hon. Friend has said. In my constituency—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. Can the hon. Gentleman satisfy me that he has received the agreement of his hon. Friend the Member for Mid-Norfolk (Mr. Simpson) and the Minister before making an intervention?

Mr. Robertson: I apologise. I have not spoken to the Minister about it.

Mr. Deputy Speaker: These Adjournment debates are intended for the benefit of the Member proposing the subject. Another Member can intervene only by special arrangement. I do not know whether the Minister has any objection.

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I have no objection to the hon. Gentleman making a brief contribution.

Mr. Robertson: Thank you, Mr. Deputy Speaker. I apologise to you and to the House.

I have been visited more than once by farmers in my area who have shown me photographic evidence of attacks on farm animals, which I do not believe could have been carried out by anything other than big cats. Lambs with their heads ripped completely off and fang marks of a width that no dog could produce are part of the evidence. One of the problems that farmers in my area have—

Mr. Deputy Speaker: I am not attempting to hound the hon. Gentleman, but this is a debate about big cats in Mid-Norfolk. He must speak on that subject.

Mr. Robertson: I shall end by saying that it seems that the problem—this may well be the case in Mid-Norfolk—is that people are reluctant to seek publicity because of stories such as those about the beast of Bodmin.

10.15 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): I understand the points that the hon. Member for Mid-Norfolk (Mr. Simpson) has made. The possibility of one or more big cats living or breeding in the countryside is a serious issue. I listened with great interest to the hon. Gentleman's extensive knowledge of the history of sightings of big cats. As he rightly said, many allegations and comments have been made for many years and none have been substantiated.

Many sightings have turned out to involve domestic cats. I remember that not many years ago London zoo was called out to deal with an escaped lioness in north London. It turned out to be a large ginger tom cat sunbathing on a wall. I own a fairly big cat. Fortunately, he finds it too much of an exertion to go far from my house, so he does not disturb the neighbours on his perambulations.

The hon. Gentleman asked about the division of responsibility between the Ministry of Agriculture, Fisheries and Food and the Home Office. The Ministry's main responsibility on big cats is confined to whether the presence of a big cat poses a threat to the safety of livestock. To make a rough and ready split, reports of big cats eating people would be a matter for the Home Office, whereas reports of big cats eating livestock are a matter for MAFF. That is a curious division of labour, but that is roughly how it is.

I assure the hon. Gentleman that where it is believed such a threat exists, MAFF will take action to investigate the case and evaluate any available evidence, as it has done in the past, particularly on the beast of Bodmin.

Mr. Paul Tyler (North Cornwall): I should like to take this opportunity to ask the Minister to use the proper title. The hon. Member for Mid-Norfolk (Mr. Simpson) referred to the beast of Bodmin. It is the beast of Bodmin moor. The worthy people of Bodmin take some exception to the incorrect description because the beast has never been seen in Bodmin.

I have a serious point about the division of responsibility and am concerned that perhaps no Minister will take responsibility. I hope that the Minister will follow the precedent established by his predecessor in response to my original request for an inquiry that MAFF be the lead Ministry on such issues. As the hon. Member for Mid-Norfolk has said, there have been no attacks on human beings, despite the many sightings, but there have been many attacks on livestock. I hope that the Minister recognises that his Ministry should have primary responsibility for investigating the beast of Bodmin moor in my part of the country and for dealing with the concerns raised by the hon. Member for Mid-Norfolk.

Mr. Morley: I can confirm that. It is particularly so when the attacks involve livestock. As MAFF has facilities to investigate such reports and no other Department does, it is logical that it takes lead responsibility—and has done so with reports that it has received.

I am aware that there have been a number of alleged sightings of big cats in the Norfolk area. None has been reported to the Ministry so far, although I have noticed reports of them in the press. A major concern is the potential threat to public safety, as the hon. Member for North Cornwall (Mr. Tyler) said. First, it must be ascertained whether there is a likelihood of such a cat living in the wild. Each year, there are several hundred reports of sightings of big cats throughout the country. I am sure that hon. Members agree that, however well intentioned, the vast majority of reports are not genuine sightings of big cats.

The subject generates a great deal of media interest. A reported sighting in one area is often followed by a sudden flurry in the press of reported sightings in other areas. Although reports are often made with genuine sincerity, the Ministry has to be assured that there is a genuine case to investigate. Unfortunately, it is not unknown for practical jokers to be involved—such as the one who planted the skull of a leopard in a stream near Bodmin moor. I take the point of the hon. Member for North Cornwall that, although the beast of Bodmin moor may be a tourist attraction, the beast of Bodmin is not. It turned out that the skull was from a leopard skin rug and had been planted.

Despite such reports, the Ministry takes these matters seriously. There are a number of big cats in zoos, circuses and in private ownership and it is not impossible that some of them may have escaped or been illegally released into the wild. The security of big cats held in captivity is a matter for the Department of the Environment, Transport and the Regions.

The Ministry is aware that a total of 16 big cats have escaped into the wild since 1977. They include lions, tigers, leopards, jaguars and pumas, but all but two animals were at large for only one day.

I recall that at least three of the lions escaped from a circus in Grimsby. I remember it very well because one unfortunate person was quite badly savaged. He ran to the car in which his wife was sitting, but she was so terrified by the lions that she refused to open the door. I am quite sure that that was due to her fear and nothing to do with any acrimony between her and her husband.

Because there is a risk that big cats can escape into the wild and because of the threat that such animals could pose to livestock, the Ministry investigates each report in which it is alleged that livestock has been attacked. Reports to the Ministry are usually made by the farmers whose animals have been attacked. In addition, the Ministry takes note of articles in the press describing big cat incidents and will consider them if there is evidence that livestock are at risk.

Incidentally, of the 16 escaped large cats, the two that stayed at large for some time were a leopard and a puma. The leopard managed to avoid capture for seven days, after which it was cage trapped. The origin of the puma, which was captured near Inverness in 1980, is unclear, but it was quite tame and has subsequently been kept in a wildlife park. That sounds like a case of a semi-domesticated animal that was released into the wild.

On receipt of a report of a big cat, the Ministry will ask the Farming and Rural Conservation Agency, the Ministry's wildlife advisers, to contact the person who reported the sighting. The FRCA will discuss the situation with the farmer and seek to establish whether the sighting is genuine and whether any evidence can be evaluated. It will follow up all cases where there is evidence of a big cat that can be corroborated and all cases where it is alleged that livestock are being taken.

[Mr. Morley]

The FRCA will consider all forms of evidence, including photographs given to it by members of the public and farmers, plaster casts of paw prints and video footage. In addition, it will carry out field investigations of carcases of alleged kills for field signs of the animal responsible. That will include looking for signs of how the animal was killed and of scavenging by other animals, such as badgers, foxes, dogs or other big cats. If it is thought that a big cat may be responsible, the carcases of suspicious livestock kills will be submitted for post mortem analysis to gather more information on the cause of death.

Where a reported sighting is the only evidence, the Ministry will not usually become involved; it would not be an appropriate use of public funds to investigate such reports on the very remote possibility of finding field evidence to corroborate the sighting. I am sure that the hon. Member for Mid–Norfolk understands that that would be a diversion of the Ministry's time and resources. When there is a very strong allegation—especially when stock are involved and the matter can be investigated—an investigation will of course be made, but I could not give an undertaking that the Ministry will investigate every report or every sighting unless there is strong evidence.

The Ministry must rely on evidence being submitted for proper consideration by the FRCA, and it may be indicative that much of the evidence reported in the press is not made available for public scrutiny and has not been made available for the Ministry to examine in depth.

Evidence such as plaster casts, sheep carcases, video footage and still photographs were submitted and evaluated by MAFF as part of the Ministry's investigation in 1995 of the evidence for the presence of a large exotic cat or cats in the Bodmin moor area and their possible impact on livestock. That was the investigation that the hon. Member for North Cornwall mentioned. The subsequent report, which was published, concluded that the photographs and video footage were of domestic cats and that the footprints were those of cats and dogs. There was no field or post mortem evidence to indicate the involvement of big cats in any of the livestock deaths that were followed up during the investigation.

In fact, to date, none of the investigations that the Ministry has been involved with has provided any firm evidence of the existence of big cats living in the wild. The hon. Member for Mid–Norfolk asked about co-ordination between Departments. I have already said, in response to the intervention by the hon. Member for North Cornwall, that MAFF will take the lead in the investigation and that, when there is evidence that is worthy of investigation, we shall ensure that an investigation is carried out.

It is impossible to say categorically that no big cats are living wild in Britain, so it is only right and proper that the Ministry should continue to investigate serious claims of their existence—but only when there is a threat to livestock and when there is clear evidence that can be validated. I am afraid that, until we obtain stronger evidence, the reports of big cats are still in the category of the mythical creatures that the hon. Gentleman mentioned in his opening remarks.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes past Ten o'clock.

House of Commons

Tuesday 3 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Housing (Green-field Sites)

1. **Mr. Kidney:** What practical advice his Department plans to issue on alternatives to the development of green-field sites to planning authorities to meet growing housing demand. [24886]

2. **Mr. Mullin:** What measures he is taking to encourage house building on brown-field sites; and if he will make a statement. [24888]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I hope to be making a statement to the House on the whole issue of household growth later this month. Meanwhile, national planning policy encourages local authorities to use previously developed sites for housing. This helps regenerate our towns and cities and helps to protect our countryside.

Mr. Kidney: I thank my right hon. Friend for that answer. Local people have plenty of good sense and resourcefulness. Will my right hon. Friend assure the House that, when he changes planning policy, he will give more say to local people than the previous Tory Government ever did?

Mr. Prescott: I am grateful for my hon. Friend's question. My statement to the House will introduce greater flexibility into the criteria that will allow greater thought and priority to be given to the judgment of people in local areas.

Mr. Mullin: I hear what my right hon. Friend says. However, I put it to him that the signals that have come from his Department thus far are ambiguous. For example, is my right hon. Friend aware that Newcastle, which has 7,000 empty housing units, is proposing to colonise 1,200 acres of green-belt land? Easington, which has acres and acres of brown-field sites following pit closures, is planning to build on green-field sites in some of the few unspoiled villages remaining in county Durham. In Sunderland, acres of listed Victorian properties are sliding towards dereliction because of developments on green-field sites outside the city. I put it to my right hon. Friend that that sort of madness is deeply ingrained and must be stopped rather than merely discouraged.

Mr. Prescott: I well understand my hon. Friend's point about making a judgment between using green-field and brown-field sites for housing. In the case of Newcastle, much of the area available for brown-field sites has been built upon. My hon. Friend mentioned the different problem of empty houses, which we must address also.

The amount of land released in Newcastle under the inspector's recommendation for green-belt sites is compensated by an increase in green belt sites in the north-east that is 50 times greater than the amount of land earmarked for house building. That is the scale of the change: 50 times more land will be available for green-belt areas than is available at present.

My hon. Friend will know that in Newcastle the inspector judged that transport and urban considerations were important and that housing was connected to the transport and metro links. They are serious considerations, and I shall respond to them more fully when I make my statement to the House.

Mr. Gummer: When the right hon. Gentleman re-reads his answer, I wonder whether he will notice that he mistook "green-field" for "green-belt". Is that not one of the problems? When the right hon. Gentleman produces his statement—the whole House hopes that he will build upon his article in *The Times*—will he agree to revisit the decisions that he made regarding Newcastle, Stevenage and West Sussex and try to recover the ground that I fear he has lost, and which his statement might help him to regain?

Mr. Prescott: I take the right hon. Gentleman's more serious point about making a proper judgment between green-field, green-belt and brown-field sites. I am bound to say that I am somewhat confused about his position and that of his Front Bench, which seems to change nightly. The Opposition cannot decide what areas should be given to green-field and to brown-field site development. The Tory party manifesto refers to 60 per cent. for brown-field areas, the consultation document says 50 per cent., both the right hon. Gentleman and the hon. Member for South Suffolk (Mr. Yeo) have said that it should be 75 per cent., and a meeting of the shadow Cabinet a few days ago appears to have changed the figure to 66 per cent. However, the record of the Conservatives when in office, over their last 10 years, was 42 per cent.

Mr. Soames: Will the Secretary of State answer a specific question? Will he explain to my constituents in Mid-Sussex why, after the most exhaustive and careful examination and the finding of the Government inspector, he should have torn up and thrown aside the structure plan for West Sussex, which had been so carefully prepared and agreed to, and which was the basis upon which we could go ahead? Will the right hon. Gentleman explain to the House why he tore up that excellent piece of work?

Mr. Prescott: It is difficult. The hon. Gentleman will realise that West Sussex is seeking a judicial review of the decision. I thought that I had made it clear that the

number of houses that it was proposed to build was contrary to what we thought to be the best judgment for the area. Clearly the inspector and I had a disagreement about the matter. We shall argue the case in the appropriate place. As I have said, it will be a matter for judicial review. That is all that I can say about the matter at this stage.

Mr. Soley: Does my right hon. Friend recall the early 1980s, when the then Tory Government promised a bonfire of planning controls? Over the following decade they managed to build too few houses in the wrong places for the wrong groups of people. Now the Conservatives wonder what the problem is.

Does my right hon. Friend recall also that it was a Labour Government who in 1947 produced a progressive planning Act? It is now 50 years since the Town and Country Planning Act 1947 came into effect. To deal with the problem, we need a modern, sophisticated reversion to that 1947 Act so that we get the right type of housing in the right places for the many people who need it in both city and rural areas.

Mr. Prescott: I agree very much with my hon. Friend. The statement that I shall make to the House shortly will cover many of the points that he has raised. The review that we are conducting of the planning machinery will have an impact on many of the decisions that are taken in future.

Mr. Matthew Taylor: The Minister's comments would be more welcome if the Government had not recently made a series of major decisions allowing green-field and green-belt development. Would it not be appropriate, given that the Government themselves say that that policy must change, to announce a moratorium on any further major permissions until the Government have announced their new policy?

Mr. Prescott: I well understand the hon. Gentleman's point. However, he will realise that I am governed by statutes. Whether I agree or disagree with the inspector's report, I have to operate within a certain timetable. I am left with no choice about that. Therefore, I have taken the decisions that I have. I have intervened, disagreed or agreed, whatever the position may be. I have no choice in the matter until I make a statement to the House in a couple of weeks' time.

Helen Jackson: Does my right hon. Friend agree that the beautiful open Pennine countryside around the huge conurbations of Manchester, Sheffield and other cities in the north has been preserved because of Labour Government policies, which have been implemented by Labour local authorities? Will my right hon. Friend recognise in his forthcoming statement that if there is any dilution of the present controls and a dependence on commercial interests, the present safeguards will not apply, especially to the beautiful countryside in the Pennines.

Mr. Prescott: I agree with what my hon. Friend has said—*[Interruption.]* I think that we can agree that the then Labour Government set up a legislative framework after the second world war. The previous Conservative Administration built upon that framework and were able to double the number of areas in the green belt. There is no dispute about that. I remind the House, however, that that was the result of Labour legislation. Despite all the controversial decisions that have been taken in the nine months since we have been in office, the designated green-belt area is greater now than when we came into power.

Mr. Dafis: Does the Secretary of State recognise that one of the problems that is caused sometimes by restrictive housing policies in rural areas that are designed to protect the countryside from unnecessary development is that local people on low incomes are forced out of the housing market as a result of competition with people with high incomes moving in from urban areas to rural areas? Do not restrictive policies in rural areas need to be accompanied by special measures to protect the needs of local indigenous rural areas? What ideas has the right hon. Gentleman about that?

Mr. Prescott: It is important that we concern ourselves with the provision of social housing. The argument between green belt and brown-field sites is not necessarily totally about that issue. Indeed, in green-field areas, sufficient consideration has not been given to the provision of social housing. We are talking about the provision of housing and where it is distributed, and my statement must address itself to that point. I must ask the hon. Gentleman to wait another couple of weeks.

Sir Norman Fowler: Taking up the point made by my hon. Friend the Member for Mid-Sussex (Mr. Soames) and the hon. Member for Sunderland, South (Mr. Mullin), surely what matters are not the words used by the Secretary of State about the countryside but the decisions that he takes. Is it not a fact that there is widespread concern throughout the country that, even if the public win their case before an independent inquiry or panel, it will be overturned by the Secretary of State?

Mr. Prescott: I do not agree with the right hon. Gentleman. Indeed, I read the leaflet produced yesterday by the Opposition called "Save Our Countryside", which seeks an assurance that never again would a Government ignore and overturn the recommendation of an independent planning inspector. I presume that Governments will always reserve the right to judge whether the planning inspector is right. We recognise that. It is a proper judgment that Governments have always observed on these matters.

I regard such pamphlets and, indeed, the targets set by the Opposition as sheer rhetoric and hypocrisy in their hope that it will divert the Government from their course. It will not. Despite all the controversy about recent decisions, more areas are in the green belt than when we came to power.

Rough Sleepers

3. **Mr. Heppell:** What measures his Department proposes to reduce the numbers sleeping rough in towns and cities outside London. [24889]

The Minister for Local Government and Housing (Ms Hilary Armstrong): We have announced more than £20 million of funding for rough sleeper strategies in

18 areas outside central London. I can announce today a further £1.5 million of pump-priming funding over the next 12 months. That will support local rough-sleeping strategies in 16 new areas and fund additional hostel staff in five existing areas.

Mr. Heppell: I thank the Minister for that answer. I also thank her for the fact that Nottingham has already had some help with the rough sleepers initiative. I am pleased that the initiative will also be passed on to other areas of the country. I understand that the social exclusion unit is doing some work on the rough sleepers initiative. How does she plan to co-ordinate, through her Department, what happens to rough sleepers?

Ms Armstrong: I am one of the Ministers attached to the social exclusion unit, and rough sleeping is one of the first three issues that it is looking at. We are determined that we will make it much less necessary for people to sleep rough on the streets of Britain, and are determined to do what we can to tackle the causes of homelessness as well.

Mr. Sayeed: I am glad to hear what the Government are doing to reduce the number of people sleeping rough. It is a disgrace that anyone sleeps rough. An average of 3 per cent. of local housing owned by Labour local authorities is unoccupied, and in Islington it is 6 per cent. Why cannot it be used by people who are sleeping rough?

Ms Armstrong: Much attention has been paid by local authorities throughout the country to how to bring unoccupied houses back into occupation. We also have to face the enormous number of properties that the previous Government allowed to be left aside, and that is taking a lot of sorting out. We want to ensure that every single house in this country becomes a home, and that we tackle the things that currently lead to people losing their homes and having nowhere to live. We are determined to tackle that, and hope that we will get the support of Opposition Members in so doing.

Local Government Finance

4. **Mr. Burstow:** How many and what proportion of local authorities with responsibility for education, are receiving less than the amount that has been passported through the capping regime to raise standards in schools as a result of the increase in revenue support grant adjusted for changes in nursery voucher funding and increased national non-domestic rate. [24891]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): One hundred and sixteen out of 150 local education authorities—or 77 per cent.—have an increase in revenue support grant and NNDR entitlements that is less than the increase in their 1998–99 standard spending assessment for education.

Mr. Burstow: Before Christmas, the Deputy Prime Minister told the House that the cost of extra spending on education this year would not fall on the council tax payer. Will he confirm that the figures that he has given show that the only way in which the vast majority of councils will be able to spend extra money on education to protect our school budgets this year will be by cutting social service budgets or increasing the council tax?

Mr. Raynsford: As the hon. Gentleman will know only too well, the increase in education spending—£835 million—has been fully matched by grant. That was made clear by my right hon. Friend the Deputy Prime Minister.

As the hon. Gentleman also knows, this Government inherited a framework from the last Government that envisaged a real-terms increase in the contribution of local charge payers, because of their policy of reducing grant below the level of total standard spending. We have not worsened the position, and I remind the hon. Gentleman that we have ensured that the education increase has been matched in full.

Mr. Yeo: The Minister seems to be modelling his approach to answering questions on that of the Prime Minister. Will he now say simply, in language that even those outside the House can understand, that, because of his local government settlement—despite all the boasts about the importance of education—more cash will go to schools next year only if other services are cut, or if council tax payers suffer a massive increase?

Mr. Raynsford: The hon. Gentleman has the brass neck to come to the House and raise such matters, when he knows full well that his party's decisions would lead to real-terms increases in council tax. That was the legacy of his party's Government. He also knows—and it is disingenuous of him to pretend otherwise—that the £835 million increase in education expenditure has been fully met by grant.

Mr. Skinner: Does my hon. Friend appreciate that, although the additional education money has been handed over, some local authorities have not come out of the spending round very well—especially Derbyshire, which has ended up at the bottom of the pile?

We are long past the time when Labour Members, particularly Ministers, should be arguing about keeping to the Tory guidelines. Enough is enough already. People out there—our supporters—expect more than that. [HON. MEMBERS: "Hear, hear."] The Tories are cheering, but I am talking about their policies.

Will my hon. Friend make representations to the Chancellor of the Exchequer? Will he remind the Chancellor that, if there is an extra £10 billion in taxable income for this financial year, we ought to be using it to ensure that Derbyshire and other areas benefit?

Mr. Raynsford: I hear what my hon. Friend says. *[Interruption.]* I do not know why Conservative Members seem to be trying to line themselves up with my hon. Friend's comments, given that he was directly criticising the policies of the last Government.

I remind my hon. Friends that we have provided for a 3.8 per cent. increase in local government expenditure, which is double what was left by the last Government. That is the present Government's commitment to improved relations with local government. We always said that this year's settlement would be difficult, because we inherited a financial framework and we are committed to working within it.

Fuel Poverty

6. **Sir Robert Smith:** What action the Government are taking to reduce fuel poverty. [24893]

The Minister for the Environment (Mr. Michael Meacher): We have cut value-added tax on fuel to 5 per cent., and pensioner households will get extra help with their heating costs this winter and next. This year, at least 400,000 low-income households should benefit from the home energy efficiency scheme.

Sir Robert Smith: I thank the Minister for his answer. Has he considered the role that the environment task force can play in trying to improve energy efficiency? To that end, what efforts is he making to ensure that people receive not only money for the labour, but cash towards the cost of the materials required? The labour in itself will not make a house more energy-efficient.

Mr. Meacher: We are indeed looking to the environment task force, under the new deal, to generate energy-efficiency projects for the fuel poor. The hon. Gentleman is right: the grants that we will provide are intended not simply to ensure that training is provided, or indeed that payments can be made to managers and contractors, but to cover payments for the equipment and plant that may be necessary. We have been examining the matter seriously, and I think that when the hon. Gentleman looks at the final figures he will see that we have taken it fully into account.

Mr. Ruffley: Will the Minister explain why Ministers talked out the Cold Weather Payments (Wind Chill Factor) Bill, a private Member's Bill? Does he understand how disgusted old-age pensioners are in my county at the Government's actions in connection with cold weather payments?

Mr. Meacher: Let me make it very clear that we have already taken substantial action to assist pensioners with heating costs this winter and next winter, and that, for the period after that, we will—*[Interruption.]* I hear exactly what the hon. Gentleman is saying. Perhaps he could just listen for a moment and he might learn a little.

In the period after that two years, we intend to review the cold weather payment system precisely to take account of the long-term results of the pensions review and of the need for long-term support for pensioners' heating costs. We have just announced also that we are reversing the decision of the previous Government to cut the budget of the Energy Saving Trust this year from £19 million to £13.5 million. We have restored the whole of that amount. Given a gearing ratio of 4:1, that will lever in about £20 million extra from the private sector. That is a substantial benefit to pensioners and others on low incomes.

Rural Development

7. **Mr. Beith:** How many members of the north-east rural development agency board will be chosen for their ability to contribute a strong rural perspective. [24894]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): Our White Paper "Building Partnerships for Prosperity" made it clear that, outside London, each RDA board will include at least one member who can contribute a strong rural perspective.

Mr. Beith: Does the Minister realise that there is a distinct jobs crisis in more remote rural parts of the northern region and that it cannot be addressed by measures—necessary as they are—to deal with urban problems in the region? The crisis is made much worse by what is happening in our farming and fishing industries and by the effect of the strong pound on export industries. Does he recognise that it is vital that we have people on the RDA who have some experience of trying to earn a living in the countryside, if we are to ensure that we have measures that will address its problems?

Mr. Caborn: We take on board the right hon. Gentleman's concerns. That is what the Under-Secretary of State for the Environment, Transport and the Regions and I have been doing in discussions throughout the rural areas. I think that there is now a consensus that we need to bring together both the urban and rural areas to find solutions to these problems. We are applying the single regeneration budget through the RDA and the right hon. Gentleman will know that, in that way, it plays a major role in assisting rural regeneration. For far too long, rural areas have been left out in the cold. We are going to be bring them in and have a comprehensive approach to regeneration in both rural and urban areas.

Mr. Sheerman: Will my hon. Friend ensure that he has a structure for attracting candidates to the north-east RDA board that is flexible enough to include interested people who are in the midst of their career, not just the retired and people who are overcommitted? Will he be flexible in trying to attract entrepreneurs, academics and people who can give a little less time than the three days that I believe are predicted?

Mr. Caborn: As my hon. Friend knows, we have clearly said that we want to broaden as much as possible the selection process. I again invite hon. Members to send to my Department names that they believe should be considered for the posts of chairman, deputy chairman or member of the board. We will be more than willing to accept those. We will make the process as transparent as possible and it will be in line with Nolan. We want dynamic people—whom we can attract from the regions—to drive the agenda that is laid out in the White Paper.

Mr. Chope: The process is anything but transparent. In Committee this morning, the Minister and his colleagues rejected an Opposition amendment which would provide for consultation with rural interests before appointments are made to regional development agencies. That rejection shows that the Government are engaged in a betrayal of rural interests.

Mr. Caborn: What a load of claptrap, and this morning we heard it all in the Committee of which the hon. Gentleman is not even a member. We gave comprehensive answers. As the White Paper clearly states, we are addressing rural and urban concerns with equal power. This morning's Opposition amendments were negative.

Regional Development Agencies

8. **Mr. MacShane:** If he will make a statement on the democratic accountability of the regional development agencies. [24895]

Mr. Caborn: Regional development agencies will be non-departmental public bodies and as such they will be accountable to Ministers. However, RDAs will be responsive to regional views and will be required to give an account of themselves to those who have an interest in their work.

Mr. MacShane: I thank the Minister for that answer. He will be aware that one of the clear signals from last year's election was that people want a complete rejection of the centralising "Whitehall knows best" mentality of the Conservative party. The previous Government ran the most centralised party machine since the holy Roman empire. As a former Sheffield steelworker, the Minister will know the importance of not creating quango outposts of Whitehall. I invite him to go part of the way towards the full monty by saying that we need real, democratic accountability for RDAs. Their members will take important decisions, and they must be connected democratically to the regions from which they come. We should start finally to dismantle the centralised Tory state that has done so much damage to our country.

Mr. Caborn: I thank my hon. Friend for, as usual, a forthright question. I again assure him that it was set out in the manifesto on which we fought the 1 May election that we would set up regional development agencies in the English regions. There will consult the chambers that are being set up in all nine English regions, and in the fulness of time we shall give the people of the regions through a referendum or other such mechanism, the opportunity to state whether they want a directly elected regional assembly. As my hon. Friend rightly reminds the House, we were overwhelmingly elected on the basis of our manifesto.

Mr. Baldry: Does not the Minister's answer confirm that regional development agencies will lead to less accountability, more bureaucracy, considerable duplication of effort and much local authority confusion? They are a sop to Labour leaders in boroughs such as Gateshead and others in the north-east. What might be suitable for the north-east is not necessarily suitable for other large parts of the country. Very few people want such bodies, and they will not be of any real benefit to the people of Britain, will they?

Mr. Caborn: If regional development agencies are such bad models, I cannot understand why the Conservative Government kept them for 18 years. It was in 1975 that a Labour Government introduced the Scottish and Welsh development agencies, and the previous Administrations kept them. If I remember correctly, it was Prime Minister Thatcher who used those models to set up a body in Northern Ireland. We are giving England the same good institutions that exist in Scotland and Wales. I remind the hon. Gentleman that there were 1,500 responses to our consultation and almost universal acceptance of the concept of regional development agencies.

Mrs. Ellman: Does the Minister agree that the effectiveness of regional development agencies can be maximised by them working closely with regional chambers? It is in the chambers that policies on transport, the environment and further and higher education can be developed and linked to essential economic development.

Mr. Caborn: My hon. Friend has tremendous experience in the matter. As she clearly said, the partnership and bottom-up approach that regional development agencies will use in creating regional partnerships will address issues such as a weak competitive base and create more wealth for our nation. The Government will endeavour to create such an approach by ensuring that the Bill—if Conservative Members will allow us to get it through the House—is an enabling measure that brings together all the partnerships to bear down on the serious issues confronting the regions.

Departmental Travel

9. **Mr. Baker:** What steps he is taking to encourage employees within his Department to travel to work by means other than private car. [24896]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): All Departments have been asked to draw up and implement green transport plans with the objective of minimising the environmental impact of Departments' transport activities. To achieve that objective, all civil servants and Ministers will be urged to use public transport for official business and, whenever possible, for commuting. Walking or cycling short distances will also be encouraged. My Department is taking the lead in the development and implementation of the policy.

Mr. Baker: May I welcome the commitment shown by the Secretary of State and the Minister for the Environment to developing an integrated transport policy—which I support and which is a most welcome change from the previous Government's transport policy? However, for Ministers to be entirely effective, they will have to ensure that their own house is in order and that their Departments are whiter than white—or greener than green. Might it be helpful if the Secretary of State did not use a four-litre Jaguar and if he persuaded his colleagues to use public transport more? Some Ministers—including the Parliamentary Secretary, Lord Chancellor's Department—have not so far travelled by train.

Angela Eagle: I have clarified the Department's approach to the matter. The hon. Gentleman must realise that there are circumstances in which cars are necessary—for example, for security reasons, in Northern Ireland. Figures alone do not tell the whole story. Nevertheless, in my own case, of the 31 journeys on official visits that I have made outside London since I was appointed, one has been by car, four by air and 26 by rail.

Pedestrians

29. **Mrs. Anne Campbell:** What steps he is taking to improve facilities for pedestrians in order to support walking as a mode of transport. [24916]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I chair the walking steering group which is introducing a national walking strategy and good practice guidance. [*Laughter.*] These will help local authorities to improve conditions for walking, including its integration with other transport modes. We expect walking to feature more prominently in local land use and transport planning.

Mrs. Campbell: I thank my hon. Friend for that reply. Does she agree that local authorities can do a great deal more to encourage people to walk to work, to school and to their local shops? Would not that help to eliminate the 48 per cent. of car journeys that are shorter than two miles—thereby improving the air pollution and congestion that have been left behind by the previous Administration?

Ms Jackson: My hon. Friend is entirely right. I am sure that she will be delighted to learn—if she does not already know—that we have managed to increase the amount available for local authority transport packages. For 1998–99, £85 million has been allocated, compared to £79 million for 1997–98. Virtually all the packages that we are funding include measures to help pedestrians. I should tell Conservative Members who seemed to find the idea of a walking steering group so risible, that the group was formed in 1996, when their party was in government.

Mrs. Virginia Bottomley: May I warmly congratulate the hon. Lady on her enthusiasm for the walking steering group? Will she reassure me that the Ramblers Association is a member of the group? If so, I am sure that it advised her that best step that she could take to make life worthwhile for walkers would be to attack the problem at the Devil's Punch Bowl and at Hindhead common, and to approve the A3 Hindhead tunnel scheme as part of the trunk roads review.

Ms Jackson: I must congratulate the right hon. Lady; no opportunity to mention her constituents' concerns passes her by. A national walking strategy cannot be imposed, or solely owned, by the Government or by any other one group, however. We believe that the number of interested parties who make contributions to the steering group will best serve the needs and rights of pedestrians.

Mr. Brake: Notwithstanding the Minister's response, is she aware that some organisations, particularly cycling groups, are worried about the lack of any proposed national strategy on walking?

Ms Jackson: I understand the difficulties that cyclists face because there is no particular strategy highlighting the needs of vulnerable road users. However, my discussions with the walking steering group and cyclists groups reveal that there is a shared agenda. It is entirely possible for us to move forward on the understanding that we have to provide more access to our roads, which are not the exclusive reserve of one form of transport.

Birmingham Northern Relief Road

30. **Dr. Tony Wright:** If he will review his response to the inspector's report on the Birmingham northern relief road in respect of the Lichfield and Hatherton Canal. [24917]

The Minister of Transport (Dr. Gavin Strang): The formal, legal decision has been taken and cannot now be reopened. That decision placed obligations on Midland Expressway Ltd. to carry out advance work and facilitate restoration of the Lichfield and Hatherton canals, if and when they are restored to a navigable state.

Dr. Wright: My right hon. Friend will know that the canal scheme is a major scheme for the entire west midlands canal network, with enormous potential for tourism, recreation and employment. When the inspector approved the Birmingham northern relief road, he insisted that the canal scheme was safeguarded. My right hon. Friend will know that there is enormous dismay at the Government's decision not to safeguard the scheme or ensure that the developers safeguard it. If a privately funded toll road does not safeguard major public schemes, will not many people consider the cost much too high?

Dr. Strang: I understand the potential benefits of the restoration of those and other canals, and I can well understand my hon. Friend's disappointment. I know that he and the hon. Member for Lichfield (Mr. Fabricant), along with members of the Lichfield and Hatherton canals restoration fund, met my noble friend Baroness Hayman to discuss the issues. I understand that it was a constructive meeting and that some useful suggestions were made.

Mrs. Spelman: Can the Minister assure the House that the Government will consider the impact of the Birmingham northern relief road on adjoining motorways, particularly the M42, which is subject to part of the review? Can he say when the review is likely to be completed?

Dr. Strang: I can give the hon. Lady the assurance she seeks. She will be aware that the BNRR was given the go-ahead because of the need for a new strategic route to serve the west midlands, the north-west of England and Scotland. On her specific point about the timetable for the conclusion of the review of our trunk roads programme and the subsequent announcements, I expect that to be later in the year, probably in the summer.

London Underground

31. **Mr. John Cryer:** What plans he has to increase the level of investment in the London underground. [24918]

37. **Mr. Burstow:** What plans he has to modernise the London underground; and how they will be funded. [24924]

Mr. Prescott: We are in the final phase of developing proposals for a public-private partnership to provide London Underground with the funding that it needs to increase investment and modernise the network. We shall shortly be in a position to make an announcement.

Mr. Cryer: Does my right hon. Friend agree that the underground should remain in public hands and be

publicly accountable, and that, if there were any danger that it would be broken up and sold off—as there was under the previous Government—it would follow the same pattern as British Rail and end up in the hands of a bunch of spivs and jackals? Three years after privatisation, trains are slower, there is less investment and the railway companies are crying out for increased subsidies.

Mr. Prescott: My hon. Friend can be assured that we have set ourselves against the privatisation of London Underground. The proposal will be a public-private partnership that is fully consistent with the underground being publicly owned and publicly accountable.

Mr. Burstow: Does the Deputy Prime Minister rule out the proposal, reported in *The Times* as coming from the Prime Minister, to break the underground into many parts and sell 51 per cent. of the business to the private sector?

Mr. Prescott: I have read many reports in the press of different proposals that I am considering. I reiterate that we shall not propose privatisation. We want a public-private partnership that is publicly owned and publicly accountable to raise the £7 billion that the underground needs. We have to be sure that we get the formula right. If we do not, we shall end up with a proposal like the channel tunnel rail link arrangement, which we have just seen fail.

Mr. Pickles: In that public-private partnership, will the right hon. Gentleman confirm the undertaking given to me in an answer by the Chief Secretary to the Treasury, that the current definition of public expenditure will remain unchanged? If so, how will he encourage private investment in the railways when his hon. Friends refer to those in charge as spivs and jackals?

Mr. Prescott: I am sure that I shall be able to reassure the House that what I have claimed about the public-private partnership will be fulfilled, but hon. Members must wait for the statement, which will come shortly.

Sir Norman Fowler: Does not everybody, including the Secretary of State, agree that the way forward for the underground is through private investment? On public investment, will he confirm the figures given to the Transport Sub-Committee, which show, contrary to the impression he gives, that, since 1960, core investment, including renewals, has averaged £250 million a year at current prices and that no Labour Government in that period achieved even that average figure?

Mr. Prescott: The reality is that, after 18 years of Tory Administration, there is massive disinvestment in the underground. One of the last acts of the previous Government was to reduce investment by over £300 million. We have to find a formula to finance proper investment in the underground. We shall do that and we shall make a statement to the House shortly.

Buses (Disabled Access)

32. **Ms Hewitt:** What proposals he has to make buses accessible to disabled people. [24919]

Ms Glenda Jackson: We have recently published our proposals under the Disability Discrimination Act 1995 to require all buses and coaches to be accessible to disabled people, including wheelchair users. Copies of the consultation document setting out the proposals, including a timetable for implementation, have been widely distributed to disability organisations, local authorities and the bus and coach industry. Copies are also available from the Library.

Ms Hewitt: I thank my hon. Friend for that reply, which will be warmly welcomed by organisations representing disabled people. Will she join me in congratulating Leicester City Buses, which has already introduced new vehicles—kneeling buses—which are easily accessible to people with disabilities and to people encumbered by small children and heavy shopping? Will she take every step to ensure that the timetable set out in the consultation document is adhered to?

Ms Jackson: I not only welcome but warmly welcome the initiative, as I do all such commitments by bus companies around the country. They have clearly understood that improving services to people with disabilities also provides infinitely better services to the whole community and will increase the number of bus passengers, which the Government strongly endorse.

Mr. Ian Bruce: I am sure that the hon. Lady has read many of the studies from around the world on examples of large amounts of money being concentrated on ways to get wheelchairs on and off public transport. Has it not been shown that very few people use such facilities? [HON. MEMBERS: "Shameful."] The previous Government's investment in motability and ensuring that taxis were available for wheelchair users is probably a better use of money. I am sure that we all believe that we should try to help those who are ambulant but have difficulty in getting up large steps. I hope that the Minister will take that into account, rather than trying to be politically correct. She must ensure that we invest our money correctly to provide the best form of transport to get wheelchair users to and from work and the shops.

Ms Jackson: I agree with some of my hon. Friends that that was a shameful question. The hon. Gentleman talks about "our" money. Wheelchair users and people with disabilities also pay taxes. It is absurd to suggest that adaptations to increase accessibility on public transport are rarely used. We have to have the accessible transport before we can make any such judgment.

Vehicle Emissions

33. **Ms Rosie Winterton:** If he will make a statement on the enforcement of vehicle emissions standards by local authorities. [24920]

Ms Glenda Jackson: Seven local authorities have been given powers under regulations which came into force on 26 December 1997 to enforce vehicle exhaust emissions standards at the roadside. The seven authorities are Birmingham, Bristol Canterbury, Glasgow, Middlesbrough, Swansea and Westminster. Offenders will be liable to pay a £60 fixed penalty. We will be reviewing the effectiveness of the regulations over the next 12 months or so, with a view to extending the powers to all local authorities.

Ms Winterton: I thank my hon. Friend for her reply. Given the fury felt by pedestrians and motorists when they

see old decrepit vehicles, particularly buses and lorries, belching out black smoke and choking nearly everyone in sight, will she consider, when reviewing the regulations, allowing local authority trading standards officers to track down such polluting vehicles and take firm action against their owners, instead of having to rely on roadside checks or on referrals to the traffic commissioners?

Ms Jackson: Such facilities already exist. My hon. Friend referred to traffic commissioners. As I am sure she is aware, those who ply under operator licences are the responsibility of traffic commissioners. All traffic commissioners should publish details of smoky vehicle hotlines so that members of the public can highlight offending vehicles to them and the vehicle inspectorate.

Mr. Ottaway: Does the hon. Lady agree that the best way to control vehicle emissions is to ensure that responsibility for cleaner cars rests with manufacturers? With that in mind, will she take this opportunity to praise Westminster city council, which for years has run its pool cars on liquid petroleum gas, provided incentives for electric cars, run an exhaust watch scheme and is now one of the pilot authorities in the vehicle emissions testing scheme? Labour talks about it; Conservative Westminster gets on with it.

Ms Jackson: Westminster council has certainly got on with it—but under a Labour Administration. I am somewhat surprised that, in the hon. Gentleman's long list of praise, he neglected to praise my right hon. Friend the Chancellor of the Exchequer, who froze duty on gas road fuels in his Budget. I am sure that the hon. Gentleman is aware of the proposals made in January by my noble Friend Baroness Hayman for concessions for cleaner lorries and buses through the reduction in vehicle excise duty. It is the Government's firm conviction that the protection of the environment must be at heart of all our policies.

Mr. Bill O'Brien: May I congratulate my hon. Friend on the work that she and her Department are doing in identifying vehicle emissions? Will she carefully consider the fact that, owing to vehicle emissions, the incidence of asthma, particularly among young children, is increasing in many of our towns and cities? It is therefore important that we extend monitoring of emissions in our towns and cities to address the problems of ill health among many of our citizens, particularly children.

Ms Jackson: My hon. Friend makes a particularly accurate point. That is why the regulations will be reviewed over the next 12 months with a view to extending powers to all local authorities. I am sure that my hon. Friend agrees that that procedure alone will not be sufficient to bring about clean air, which the Government are committed to achieving.

Road Congestion

34. **Mr. Day:** If he will make a statement outlining how he plans to tackle congestion on Britain's roads. [24921]

Dr. Strang: The Government are developing an integrated transport policy. As part of that, we are considering options for tackling congestion and pollution on local and national roads. We will announce how we intend to proceed in the forthcoming transport White Paper.

Mr. Day: I thank the Minister for that reply. Will the Government turn their mind for a moment from clobbering the motorist with threats of heavy increases in petrol prices to the Manchester airport eastern link road, which is left over from the previous Government's road programme? Residents in the area have fought very hard for the road. Although a third of it has been built, the rest has not. It is not even linked to the airport—and it is traffic from the airport of which the local area is supposed to be being relieved. I hope that the Minister can assure my constituents that the road will be finished before the Government complete their seemingly endless review.

Dr. Strang: The review is neither lengthy nor endless. I recognise the popular support for the road to which the hon. Gentleman refers and I pay tribute to his efforts to advance its cause—indeed, he raised the matter with my noble Friend Baroness Hayman. We shall make an announcement about that road, and others, in the summer.

Ms Walley: I welcome the integrated transport review, but may I draw to my right hon. Friend's attention a pitfall against which we must guard? We should not proceed with the review of trunk roads before we have had the opportunity to put at the heart of our policies integrated transport and concern for the environment and sustainability. I am thinking in particular of the recommendations of the Government office for the west midlands.

Dr. Strang: I agree with everything that my hon. Friend says, which is why we attach such a high priority to our integrated transport White Paper. It is an indictment of previous Conservative Administrations that this transport White Paper will be the first for more than 20 years. In 18 years, the Conservative Government produced only a Green Paper—a consultation paper.

Sir Norman Fowler: Does the Minister agree that a policy of taxing and taxing the motorist hits everyone, irrespective of need, and will not by itself tackle congestion? Is it, in principle, his policy to ring-fence the proceeds of any congestion tax and use them to improve transport, and is that also the Treasury's view?

Dr. Strang: In the consultation paper that we issued last August—about which we received so many responses and on which we held so many constructive seminars throughout the country—we made it clear that we were considering the possibility of new dedicated income streams. That would discourage car use—not necessarily car ownership—and also raise money not only for us, but for local authorities to invest in improved public transport.

Dr. Iddon: Does my right hon. Friend agree that the previous Administration's policies, such as the deregulation of buses, a lack of investment in rail, and predict-and-provide road building, caused the congestion on our roads, which costs British industry and commerce £19 billion a year? Is not that a good reason for having a properly integrated transport policy?

Dr. Strang: My hon. Friend is absolutely right. Current traffic projections, which are based on the assumption that

policies will be unchanged, are not consistent either with developing a modern, competitive economy, as we must tackle congestion, or with environmental sustainability. We must tackle this issue, which is why we are biting the bullet and publishing the first transport White Paper for more than 20 years.

Rail Freight

35. **Mr. Llwyd:** What initiatives his Department is pursuing to increase the current level of freight being transported by rail; and if he will make a statement. [24922]

Dr. Strang: We have already revitalised the freight grants scheme and secured a better deal for channel tunnel rail freight. We are considering further measures to encourage rail freight in the development of our integrated transport policy, on which we shall issue a White Paper in the spring.

Mr. Llwyd: I am sure that everyone agrees that moving freight from road to rail is a good, sound policy. What is being done to encourage Railtrack to modernise the gauge and move freight to the railways? Surely Railtrack should now consider using the international size of loading gauge. Is it not high time for us to ensure greater equality between road and rail? Should not road transport pay for the cost of the infrastructure and the damage that it does to the environment?

Dr. Strang: The hon. Gentleman is right to want an increase in the amount of freight moved by rail. The Government are putting their money where their mouth is. Some £15 million was spent on rail freight grants last year, this year we will spend £30 million, of which two thirds has already been spent, and next year the budgeted figure is £40 million. We are determined to increase the amount of freight that goes by rail.

Mrs. Dunwoody: My right hon. Friend will be aware that it will be difficult greatly to increase the percentages, given the fragmentation of the existing railway system. Will he consider carefully ways in which the companies can be encouraged to allow some expansion of freight paths within the existing system?

Dr. Strang: My hon. Friend is right. For far too long, freight has played the Cinderella to passengers on the railways. We are determined to improve the situation and, as part of that policy, we intend to set up a new railway authority, one of whose key objectives will be to examine ways to encourage more freight on to the railways.

Health Services (London)

3.30 pm

The Secretary of State for Health (Mr. Frank Dobson): I wish to make a statement on the future of health and health care in London.

At the general election, we made it clear that we wanted to make sure that every Londoner has access to top-quality health care. We promised a moratorium on all hospital closures in London while the future of London's health care was reassessed against what Londoners really need. We have kept that promise.

On 20 June last year, just seven weeks after coming to office, I announced that a swift and independent review of London's health needs was to be carried out by a distinguished panel chaired by Sir Leslie Turnberg, then president of the Royal College of Physicians, formerly consultant physician at Hope hospital, Salford, and professor of medicine at Manchester university.

Since then, the review panel has done a remarkable job. It has reviewed all the evidence, consulted widely and carried out a large number of meetings and visits. The panel received and considered more than 1,800 responses from local people and organisations. It submitted its report on 18 November. Since then, it has been considered very carefully by the Government. We have been faced with some tough decisions.

Today, seven months after the panel was established, I am publishing the report of the independent review panel—the Turnberg report. I am also publishing the Government's response. The Turnberg report spells out a clear set of recommendations for the improvement of health services in London. I am glad to be able to announce that the Government accept all its recommendations. Many are in line with our proposals in the White Paper "The new NHS" for a 10-year general improvement programme to make the NHS modern and dependable. All are accepted by the Government, and the necessary further work is already being put in hand.

Time does not permit me to list all the important recommendations in the Turnberg report, so I shall concentrate on a limited number of most immediate interest to Londoners. The report recognises that in many parts of London—especially in the most deprived areas—primary care, mental health, intermediate care and community services are simply not up to the standard to which everyone in our country is entitled. The report proposes a range of measures to bring things up to scratch. We accept those measures. We shall provide an additional investment of at least £140 million in those services for London over the lifetime of this Parliament. An extra £30 million will be targeted on those services in the coming financial year.

The report recognises the need for new arrangements to ensure a Londonwide strategy for health and proposes, as a medium-term aim, a single NHS regional office for London. Without Londonwide strategies and actions, the necessary improvements in mental health services and the proper integration of services for children and older people will be hard to achieve, if not impossible.

The report concluded that there is no evidence that

"there are more acute hospital beds available to Londoners than the English average".

The Government have therefore abandoned the presumption that we inherited from our predecessors, that London is overprovided with acute hospital beds. As a result, any future changes in bed numbers in London will be in line with those in the rest of the country.

The review panel was asked to look at the plans of London NHS trusts and health authorities, including their plans for capital developments. It was asked in particular to advise on the future of Queen Mary's university hospital in Roehampton, Harold Wood and Oldchurch hospitals in east London and St. Bartholomew's hospital. For those purposes, the panel reviewed London hospital provision in terms of five sectors covering north, south-east, south-west, west and east London respectively. It faced some awkward choices and made some tough recommendations. The Government have made similarly hard-headed decisions.

For north London, the panel said that a new hospital building was "sorely needed" to bring University College hospital, the Middlesex hospital, the Hospital for Tropical Diseases and the Elizabeth Garrett Anderson hospital for women together on one site. That would provide top-quality local and specialist services, with academic and research facilities shared with University college nearby. As the local Member of Parliament, I warmly endorse that proposal. The panel also recommends urgent capital investment at the Whittington hospital. We shall invite plans for such improvements. The need for swift action is understood, but it will take time to carry out all the necessary evaluations before work can proceed.

For south-east London, the panel endorsed the proposal to build the new Queen Elizabeth hospital at Greenwich through the private finance initiative. It also supported the proposals for further improvements to King's College hospital on the Denmark Hill site.

The panel considered the proposal to close the accident and emergency unit at Guy's hospital and called for a re-evaluation of the proposed closure to ensure that alternative services will be able to cope. That evaluation has taken place. Additional accident and emergency capacity is already in place at King's and Lewisham hospitals. The situation will continue to be closely monitored in the lead-up to the closure of the Guy's A and E department and beyond. Contingency plans will be put in place to provide additional services if patient numbers are higher than expected.

The panel also called for a re-evaluation of the proposed shift of other services from Guy's to St. Thomas's, to ensure that best use is made of some of the facilities at Guy's which, on present plans, would be vacated. That is likely to keep more services at Guy's than was planned by the previous Government.

In south-west London, the panel favoured plans for investment in the development of a community hospital on the site of Queen Mary's Roehampton. That means the replacement of acute services currently provided at Queen Mary's by improved alternative acute services at Kingston hospital and St. George's hospital. The Government accept that proposal. The panel also endorsed a proposed shift of services between St. George's and Atkinson Morley's hospital.

In west London, the panel supports the shift of services from Queen Charlotte's and Chelsea hospital to the Hammersmith site. It also called for special attention to be given to the need to foster the national and

international role of Hammersmith hospital and its relationship with Imperial College medical school. A series of service reviews is now under way in west London, addressing that aim and the need to serve local people.

It was in east London that the panel faced the most difficult problems. It was asked to consider proposals involving the future of Harold Wood and Oldchurch hospitals. It supports the development of a new hospital at Oldchurch, rather than at Harold Wood, to provide the full range of services for that area—not least because that is where the majority of the population live, including those with the greatest health needs. Like all the other new reconfiguration proposals that I mentioned, that proposal will be the subject of local consultation.

For the east end, the panel recommended a package of measures to counter the deprivation and ill health of many of the local people. It proposes investment in intermediate and community services. It also proposes the full utilisation of beds at Homerton hospital and Newham general hospital and new investment at Newham general hospital. It endorses the proposal to rebuild Royal London hospital Whitechapel, but with 900 beds, rather than the 1,100 in the current stalled plans for that redevelopment. Those have been difficult decisions.

That leads me on to the future of St. Bartholomew's hospital. The Turnberg report recommends that Bart's should not close. The Government agree, and Bart's will be saved. [HON. MEMBERS: "Hear, hear."] We will not countenance the closure of that great hospital, which has faithfully served the people of London for 875 years.

During the time when the new Royal London hospital is being built and other hospital developments are taking place in the east end, Bart's will continue in its present role. When that period comes to a close, in line with the proposals of the Turnberg report, Bart's will concentrate on its renowned specialist expertise, with a focus on cancer and cardiac services.

We owe a great debt to Sir Leslie Turnberg and his colleagues for their work and their wisdom. I believe that the Turnberg report will prove to be a far-reaching and far-sighted plan for the improvement of health services in London. The Turnberg proposals have the backing of the Government, and the personal backing of the Prime Minister. They will provide a firm foundation for a 10-year programme to provide London with a modern and dependable health service. That programme paves the way for the investment of well over £800 million to provide London's health service with the fine modern buildings that patients and staff deserve. At least £140 million will be provided to support primary care and mental health. That amounts to a boost of almost £1 billion for health care in London.

There have been many reports on the future of health care in London. Some have mouldered on library shelves; others have been the subject of endless and indecisive debate; and all the while buildings have been left to deteriorate, staff have been left uncertain and patients have been left to wait. That will not be the fate of the Turnberg report.

By accepting all its recommendations, the Government have turned that excellent report into an action plan to modernise London's health service. From today, we shall be mobilising all those who care about London's health services, not just the hard-working people who work in the NHS, but people in local government, universities, scientists and other researchers, people in business, patient groups and local people, to work together systematically to deliver the improvements that Londoners want to see, year by year. That is what the Turnberg report recommends. That is no more than Londoners deserve. The chattering times are over. The time for action has come.

Mr. John Maples (Stratford-on-Avon): As has become the habit of the Government, the report was comprehensively leaked before it was given to the House. The White Paper was leaked; the Green Paper on public health has been printed almost in full in the *Health Service Journal*; and yesterday, the *Financial Times* was obviously accurately briefed on the Turnberg report. It is a great and continuing discourtesy to the House that it is not informed of such decisions first.

I echo the Secretary of State's thanks to Professor Turnberg and his colleagues for their work, which will provide a valuable basis of information for planning health services in London. The panel was established last June so that it could report by October. Why has it taken the Secretary of State more than two months, nearly three, to publish its report? The answer is that it did not solve the right hon. Gentleman's problem, because it was supposed to give him cover for keeping Bart's going to provide local services. It has not done so.

It is now clear that another problem was the Treasury, which apparently believed that Bart's should be shut completely and that all services should be transferred to the new hospital, the Royal London. The Secretary of State has been forced to come up with a face-saving formula which, according to the Treasury, does not stand up financially.

Labour Members cheered when the Secretary of State said that he had saved Bart's, but let no Labour Member kid himself that Bart's has been saved for the people of east London. We welcome the tertiary referral centre—it will no doubt provide wonderful services for cancer and cardiac patients from throughout the country—but Bart's hospital will not provide any of the local services usually provided by a district general hospital.

May I ask the Secretary of State some questions? *[Interruption.]* I should like to ask the right hon. Gentleman some questions; perhaps he would like to hear what they are without interruption. Do the boards of the Royal Hospitals NHS trust and East London and The City health authority agree with that decision? Did they want to continue local services on the Bart's site, or did they believe that it would have been more efficient to transfer all the services to a new hospital on the Royal London site? Is it not the accepted wisdom of most expert opinion that such specialist hospitals are not a really good idea and that real breakthroughs occur when all the specialties are on the same site? Has the Secretary of State asked the royal colleges for their opinion on splitting those hospitals?

What was the Treasury's estimate of the additional cost of the decision? The local health authority is already running a significant deficit and if there are, as I expect, additional costs, will it be reimbursed for those additional costs?

During and before the general election, Labour exploited the Save Bart's campaign, but it is not now prepared to give the people behind that campaign what

[Mr. John Maples]

they wanted—the continuation of local services on the Bart's site. The review and the decision have not been about saving Bart's; they have been about saving the Secretary of State's face, and it looks as if the people of east London will have to pay for it.

Can the Secretary of State confirm that the new Royal London hospital will go ahead? Does he agree that what is really needed in east London is better primary care, and can he confirm that the extra costs of the decision will reduce budgets for local services, including primary care?

What really improves cancer care is early diagnosis by general practitioners. If that is made less likely by the decision and its extra costs, the people of east London will gain little, if any, advantage from the new tertiary services.

I welcome the decision to provide more beds in London. In the Tomlinson report, Sir Bernard Tomlinson said that if the rate of emergency admissions increased, more beds would be needed, and that has clearly happened; but they are most needed in long-term care, and that problem results largely from Labour local authorities' appalling performance in providing nursing home beds.

We cannot let this decision pass without reminding the House of some of the Government's broken promises on London hospitals. [HON. MEMBERS: "Oh."] They do not like being reminded of them. It has not taken long to get some broken promises.

Before the election, Labour candidates in Putney and Brent, North obtained promises from the then shadow Secretary of State to keep open Edgware general hospital and Queen Mary's university hospital at Roehampton. The Secretary of State promised a moratorium on closures while the review was under way. All those promises have been broken. Both accident and emergency departments have been shut—effectively a death sentence for a hospital. Queen Mary's has been run down to the point of unviability. We all suspected that we would soon be told that it could not continue with such reduced services and that what remained would have to be moved to the Kingston site. That has been confirmed this afternoon.

The same is true of Edgware. There is no way that Edgware general will remain a district general hospital. Last week, when I challenged the Secretary of State, he tried to wriggle out of that, saying that he had not promised no service rundowns, only no closures. It will not take long for the people of Edgware and Putney to discover that they mean the same thing, and they will not be impressed by the Secretary of State's distinction.

It will be interesting to see whether the new Labour Members for those constituencies—the hon. Members for Putney (Mr. Colman) and for Brent, North (Mr. Gardiner)—who campaigned heavily, ruthlessly and with great bravado on the issue before the election, now have the courage to stand up to the Secretary of State and fulfil their election commitments.

The Government have so many reviews going on that it is difficult to remember which is which, but this is the one that was to give the Secretary of State cover for keeping Bart's open. It has not. Bart's will close as a district general hospital providing local services to local people in east London and the City. The Secretary of State has neither saved Bart's nor, I suspect, improved local services. His solution will probably cost more. Promises have been broken at Edgware and Roehampton, and it remains to be seen whether the new Royal London hospital ever actually gets built.

Mr. Dobson: As I said when I telephoned you earlier today, Madam Speaker, I am disgusted by the leak of part of the proposals to the *Financial Times* yesterday. That was a discourtesy not just to the House, but to the excellent team of people who produced the report. There may be some ersatz upset on the Opposition Benches, but if Opposition Members had seen me when I got into my office this morning and discovered that the leak had taken place, they would have realised that I was rather more upset than they are.

Let me make it clear that the purpose of the Turnberg panel was to produce an independent report from five excellent people of the highest integrity. They have done that, and we have accepted every one of their recommendations. Any suggestion that what I have announced today is a face-saving formula is an insult to the integrity of the people who produced the report and recommended everything that I announced today.

The hon. Gentleman referred to accepted wisdom. The accepted wisdom is that Papworth, which might be described as a single-subject hospital, is an excellent hospital, that the Royal Brompton, which is similar, is an excellent hospital, and that the Christie hospital in Manchester is an excellent hospital. There is no reason why we should necessarily go along with what happens to be the current fashion in health care.

The hon. Gentleman asked whether we had consulted the royal colleges. We have not consulted them, but I cannot do much better than ask the then president of the oldest and most distinguished of the royal colleges to conduct the review.

With regard to primary care, I have made it clear, the report makes it clear and I made it clear in my statement that we want much more effort to be put into improving primary care, particularly in east London, where it is in a bad state.

When it comes to broken promises, there is none. We have kept every single one of our promises in relation to health care in London. We promised that no hospital would be closed while the review was undertaken: no hospital has been closed. We promised that there would be a review: there has been a review. We did not promise to accept every recommendation in the review, but we have done so, because they are first-rate, wise and sensible recommendations.

On Edgware hospital, the scheme that has been worked out by the Minister of State, my hon. Friend the Member for Darlington (Mr. Milburn), commands the support of the bulk of the people in the Edgware area.

Finally, when the hon. Gentleman speaks of hospitals that have been run down in London, let me remind him that they have been running down for 18 years under his hon. Friends. We are stopping the rundown and sorting things out, and we have been in power only nine months.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): Does the Secretary of State accept that no praise can be too great for him and the Prime Minister, for removing the death sentence on St. Bartholomew's hospital imposed by the previous rotten Tory

Administration—a death threat that barbarians from Whitehall have sought to uphold ever since? Does he accept—here I choose my words carefully, in order to avoid hyperbole—that when the final paragraph of the last chapter of the definitive history of the world comes to be written, and the writer looks up into the sky at the pantheon of the gods—that is, those people who have made a real contribution to humanity and civilisation—the Secretary of State will be there among them? Frank, you've been brilliant.

Mr. Dobson: It would be churlish of me to challenge anything that my hon. Friend said. This may be an appropriate opportunity to say that it is almost impossible to exaggerate the symbolic significance of St. Bartholomew's hospital, which has served London and Londoners in peace and in war, in good times and in bad, for 875 years. A party that calls itself the Conservative party might have thought that there was some merit in its history and tradition, but it has taken a Labour Government to do something about it.

Mr. Simon Hughes (Southwark, North and Bermondsey): I join the Secretary of State in thanking Sir Leslie Turnberg and his colleagues, without reservation, for an excellent report. From what I have seen so far, it is a professional piece of work that commands the confidence of those with whom they work. I also thank the Government for accepting the panel's recommendations without reservation. When the Government accept a package of general and specific recommendations produced by an independent body, we should recognise that that is a statesmanlike response.

Mr. Dennis Skinner (Bolsover): However.

Mr. Hughes: No, there are very limited "howevers". I have two specific points. First, I note the Turnberg panel's scepticism about the old Government strategic plan for my part of London, and particularly Guy's hospital. I urge Ministers to look particularly carefully—I know that they are willing to do that—at any proposals remaining on the table to close casualty at Guy's. I urge them to view even more sceptically the advice that they receive from civil servants and officials to the effect that the Government should close and leave empty perfectly good buildings on the Guy's site—whose construction cost millions of pounds of taxpayers' money—and build replacement buildings, costing millions of pounds of taxpayers' money, just down the road. That would be folly. If the Government do not accept that proposal, Guy's hospital may continue to flourish.

Secondly, I believe that the proposal regarding Bart's is realistic and reasonable. It is not what everyone wanted for Bart's, but it will produce a much more viable site for London in terms of size and retain a centre of excellence which, like Guy's, is recognised all over the world. Lastly, I shall put a question.

Madam Speaker: About time.

Mr. Hughes: I know, Madam Speaker.

Does the Secretary of State agree that the message of the report is that London health services require proper funding, no further rundown of beds and, above all, democratically accountable and co-ordinated strategic planning? We must never leave the vulnerable, such as the mentally ill and the elderly, to look for the scraps from the health service while others benefit from the best health service in the world.

Mr. Dobson: I thank the hon. Gentleman for his welcome for the report. I am sure that Sir Leslie Turnberg and his colleagues will be as grateful as I am for his comments.

I recognise the force of the panel's recommendation in relation to the proposed replacement of some excellent, new, occupied buildings at Guy's with others at St. Thomas's, which would involve great expense. There may be merit in moving some of the facilities to St. Thomas's as part of the rationalisation of the two hospitals, but we shall consider that matter carefully. In view of how much careful thought has gone into the report, it would be wrong for me to make an instant judgment as to what facilities should or should not be moved.

The same principle applies to the Bart's-Royal London situation. A very large hospital at the Royal London was proposed to replace the existing Royal London and Bart's hospitals, most of whose buildings are in excellent nick and provide an excellent service. We think that the decision makes financial sense—and every other sort of sense.

Kate Hoey (Vauxhall): I welcome the Secretary of State's statement, and particularly the lifting of the uncertainty that has surrounded two great hospitals—Guy's and St. Thomas's—for some time. Given that the decision has been made to centralise accident and emergency services at St. Thomas's, will my right hon. Friend confirm that, whatever changes might take place, there will have to be a large women and children's unit at St. Thomas's? Does he agree that this provides an opportunity for all those involved with St. Thomas's and Guy's to begin to work together and increase the positive partnership that has been established in the past two years?

Mr. Dobson: I know that what my hon. Friend wants me to confirm is what she wants to happen. I do not think that I should take important and delicate decisions about the future of two great hospitals while standing at the Dispatch Box. I hope that the re-evaluation will come up with what my hon. Friend wants. It may not, however, and I do not want to comment on that.

I shall say, however, that in recent times the board, the management and the clinicians of both St. Thomas's and Guy's have been working much better together than ever seemed possible. I hope that they are now successfully working as one unit, carrying on the fine traditions of both hospitals and providing services both to local people and to people from throughout the country who come to them for specialist attention.

Mr. Eric Pickles (Brentwood and Ongar): I refer to Harold Wood hospital. The Secretary of State says that there is to be public consultation. Is he aware that public consultation has already taken place and that the unanimous view was in favour of Harold Wood hospital? Is he further aware that, were it not for the review, the contracts were due to be signed, and that construction would have been taking place on the Harold Wood site

[Mr. Eric Pickles]

right now? The further delay means that my constituents will have to put up with accident and emergency services at difficult-to-reach hospitals that are not in terribly good condition.

Is the Secretary of State aware that about £15 million of public money has been expended by Harold Wood so as to be ready for the accident and emergency service? Is he further aware that additional projects are planned for Harold Wood? What is the future of those projects? Will they go ahead? What is the long-term future of Harold Wood hospital? It is a hospital that is close to a railway station, a major road and the M25.

Finally, at a recent meeting of South Essex health authority, which was held in my constituency, I was told that it was the Government's view that money should be taken from prosperous areas so that it might be given to socially deprived areas. Is that an accurate reflection of the Government's position?

Mr. Dobson: We believe in having a proper standard of health care in every part of the country and fair funding between different parts of the country. As for the proposals for Oldchurch and Harold Wood, they represent the considered opinion of an expert panel of great integrity, without any influence from me or any other Minister or anyone else in my Department, so far as I know.

I know that there have been several consultations about several propositions affecting Harold Wood and other hospitals. There will have to be consultation on the current proposal for Harold Wood which, as I understand it, has not been put forward before. I emphasise that I want to get on with these things. We do not want endless rounds of consultation. We need to ascertain what people think and, having borne that in mind, we need to come to decisions and get on with doing some work. People are sick to death of the delays.

As for the money that was expended over the past 18 years on various abortive schemes and consultations, I do not think that I should be expected to accept responsibility for that.

Mr. Clive Efford (Eltham): No issue could arise and no statement could be made that would underline more the difference between Labour Members and Opposition Members. Will my right hon. Friend join me, as someone who stood side by side with thousands of campaigners to save the national health service from the ravages of the previous Administration, in congratulating the hundreds of thousands of campaigners who fought to save the NHS in the hope that a Labour Government would be elected to make the sort of statement that my right hon. Friend has made today?

Mr. Dobson: I entirely agree with my hon. Friend, as someone who once got the backside of his trousers wet sitting in Euston road protesting in favour of retaining the Elizabeth Garrett Anderson hospital for women. I suppose I might even call myself a humble foot soldier in the campaign that has been fought, but perhaps that is not the right part of my anatomy.

I congratulate everyone in London who campaigned so long and hard to try to ensure that Londoners receive the health service that they deserve. I am sure that every one of them will join me in thanking Sir Leslie Turnberg and his colleagues for their work.

Sir Sydney Chapman (Chipping Barnet): As funding of the national health service increased from £8,000 million a year to £42,000 million under 18 years of Conservative government, we shall all read the Turnberg report with great interest.

I wish to ask the Secretary of State two questions. First, will there be an accident and emergency department at Edgware hospital? That is a matter on which a number of his colleagues campaigned during the election. Secondly, will the report do anything to reverse the cuts that are being made to the funding of Barnet health authority, which are not in any way due to a lack of resources, but are being made just because it is claimed that Barnet health authority was over-provided for in previous years?

Mr. Dobson: We need to get a few things straight. It was not a Labour Government who closed the accident and emergency department in the middle of the night; it was the Tory Government who did that. We have made no bones about it. Since we came to power, we have accepted that, sadly, the shift of the A and E department is here to stay, but I emphasise that, so far as I know, the scheme that was worked out by my hon. Friend the Minister of State—

Mr. Maples: It is shut.

Mr. Dobson: It was shut when we came to power, and it was shut by the hon. Gentleman's mates when he was out of office because people in his London constituency had rumbled him—even before they rumbled a lot more of them at the general election.

Ms Diane Abbott (Hackney, North and Stoke Newington): Does the Secretary of State agree that not since the blitz have the people of the east end faced an onslaught such as that which they faced as a result of Tory cuts in the national health service? One of the most important aspects of Sir Leslie Turnberg's report is that he makes it clear that the Tory idea that the problem in London was that we had too many beds was complete nonsense. My right hon. Friend's decision to abandon that concept will be widely welcomed, as will the promise of more resources and the decision to keep open Bart's hospital.

Mr. Dobson: I thank my hon. Friend for her remarks and generally agree with what she said. What is needed is to get the standard of health and health care in the deprived boroughs of the east end up to the level that people in Surrey, Kent and Hertfordshire have come to expect. People in the east end deserve standards that are just as good as those for people anywhere else.

Mr. Richard Ottaway (Croydon, South): What is the future of Purley hospital?

Mr. Dobson: It is not covered by the review.

Mr. Jeremy Corbyn (Islington, North): I thank the Secretary of State for his brave decision to lift the cosh

from Bart's hospital—a decision that will be well received in the borough of Islington—for his determination to put new money into London's health service, and for linking the issues of poverty and ill health, which were so ignored by the previous Government and by all health planning.

I ask my right hon. Friend two specific questions. First, what services does he propose should be developed on the Whittington hospital site, which he mentioned in his statement? Secondly, what will be the longer-term arrangements for more democratic and rational planning of health care and community care needs throughout London, after the Turnberg panel has finished all its work?

Mr. Dobson: I thank my hon. Friend for his remarks. I hope that he and my right hon. Friend the Secretary of State for Culture, Media and Sport, who represents Islington, South and Finsbury, and who is dealing with matters connected with the national lottery at the moment, are pleased with what is being done. When my hon. Friend has had the opportunity to read the Turnberg report, he will see that there are proposals in it for a Londonwide strategic approach, and for changes so that general arrangements in London reflect local needs and priorities better.

On the Whittington hospital, proposals have not gone very far. All we have is a proposal that the hospital needs more investment, and it will get more investment, but the nature of that investment and what it provides will have to be worked out in relation to other services provided by the surrounding hospitals.

Dr. Jenny Tonge (Richmond Park): Does the Minister share the sadness that my constituents and I feel at the downgrading of Queen Mary's Roehampton to a community hospital? Although we accept that it is inevitable, it is inevitable because of the shambolic policies pursued by the previous Government, in particular the rebuilding of Westminster hospital—with which Queen Mary's Roehampton was linked—in central London on the Chelsea and Westminster site, which was a total waste of money when a good site was waiting at Queen Mary's Roehampton.

Three things worry us very much, and we shall want an assurance about them if we are to accept the solution that the Turnberg report has suggested for hospital services in south-west London.

First, will the Secretary of State pay due regard to staffing problems in hospitals such as Queen Mary's Roehampton, where full services will not be provided, and where staff recruitment is proving very difficult? I have some fears for patients' safety in the interim period during the changeover. Secondly, will the right hon. Gentleman address the travel problems of my constituents who will no longer be able to undergo surgery at Queen Mary's, or to visit patients having surgery there? Thirdly, and most important, will he please ensure that what is provided in the next financial year will include money for all the building work that will be necessary at Kingston hospital, so that my constituents can receive proper in-patient care there?

Mr. Dobson: I share the hon. Lady's concern and sympathy for all those associated with Queen Mary's Roehampton, just as I have always sympathised with people who have lost their hospitals. I think that, in my time, my constituency has lost the best part of 10 hospitals of one kind or another through amalgamation or closure, and I know how upsetting it is.

On balance, however, I think that, given the circumstances that we inherited and which the Turnberg panel was examining, the panel had no alternative but to recommend what it recommended. It may seem like crocodile tears to suggest that we ought not to talk about the hospital's being downgraded, but in a sense it is not downgrading to enable top-quality community services to be provided on a site. I hope that, ultimately, people will realise that there is merit in providing top-quality alternative services.

As the hon. Lady knows, consultation is taking place, and I hope that it will bear in mind all the considerations that she raised. We shall try to ensure that it does before any decision comes to us, if it is challenged by the community health council.

Several hon. Members *rose—*

Madam Speaker: I now ask hon. Members to make no comments, but to put one question to the Secretary of State. If they put more than one question, I may be inclined to ask the Secretary of State to answer only the first. I cannot call all hon. Members at this rate, with all the comments that they are making and all the long questions that they are asking.

Mr. Andrew Dismore (Hendon): May I remind the Secretary of State of the history of Edgware hospital? The previous Government closed it on 1 April, and continued to knock it down in the run-up to the general election. At the election, we promised that there would be a review. The review has happened—

Madam Speaker: Order. I have just made a ruling. We know exactly what has been happening. If the hon. Gentleman has a question to ask the Secretary of State, he must put it, or I shall call another hon. Member.

Mr. Dismore: Does my right hon. Friend agree that the best way of sorting out health service problems is to consult the local community and hold discussions with it? That is what we did when we carried out the Edgware review, and the result of the review will be better services for local people. That did not happen under the previous Government, who closed the hospital.

Mr. Dobson: I entirely agree.

Mr. James Clappison (Hertsmere): May I return to the second part of the question asked by my hon. Friend the Member for Chipping Barnet (Sir S. Chapman)? What action will the Secretary of State take in regard to the further £7 million programme of cuts in services at Barnet and Edgware which was recently announced?

Mr. Dobson: I remind the hon. Gentleman—who, if I remember rightly, was a member of the previous Government—that one of the problems in Barnet was the huge deficit that the health authority and the trust were running. That is having to be put right. We cannot have health authorities and trusts in deficit. The cash increase

[Mr. Dobson]

for Barnet health authority next year is £6,176,000, and for this winter alone it received more than £1 million to help it out; but it really must put its house in order—even if, under the previous Government, it was a disorderly house.

Mrs. Eileen Gordon (Romford): Will my right hon. Friend pass on our thanks to Sir Leslie Turnberg and his panel for the excellent news for east London and Romford in particular, and also thank them for endorsing the local community's view that hospital services should be at the heart of the community—and that part of the community is Oldchurch?

Mr. Dobson: I entirely agree. As I think Sir Leslie is observing our proceedings, he will receive the message directly and it needs no elaboration from me.

Mr. Andrew Lansley (South Cambridgeshire): From the Secretary of State's remarks, should we deduce that he regards the decision to retain Bart's as a tertiary referral centre as setting a precedent for resisting the incorporation of such centres into district general hospitals rather than their retention as separate sites of specialisation?

Mr. Dobson: As I have said at the Dispatch Box on innumerable occasions, I am a great believer in horses for courses. I am not necessarily in favour of bureaucratic neatness. Our attitude to the national health service is that we want to keep what works and discard what does not. As the hon. Gentleman well knows, in some regions, some specialist hospitals are doing a brilliant job and if anyone, for the sake of neatness, wants to persuade me to change the position, they will have a lot of talking to do.

Ann Keen (Brentford and Isleworth): Does the Secretary of State agree that today's welcome report will undoubtedly increase the retention of experienced medical and nursing staff in London, and that now that they are no longer competing with each other and are working on clinical need, with their expertise, that can only assist Londoners?

Mr. Dobson: I hope that our announcement will improve morale and enthusiasm among health service staff in London. I think that they were looking for some action and some certainty. Once we get on with it, they will be even better pleased.

Mr. John Cryer (Hornchurch): May I remind my right hon. Friend that the decision that was made under the Conservative Government to close Oldchurch and to keep open Harold Wood was based on skewed information and skewed consultation exercises, and that today's decision, on which I congratulate him, will be welcomed as the right one by people throughout Oldchurch, Rainham and the rest of east London?

Mr. Dobson: I thank my hon. Friend for his remarks. I am sure that the Turnberg panel examined carefully and objectively the information before it before coming to its conclusion. I am sure that the panel is sad that it means that Harold Wood will not be a major acute hospital, but these decisions have to be taken.

Mrs. Virginia Bottomley (South-West Surrey): In spite of the swashbuckling style, the right hon. Gentleman's statement has an extraordinarily familiar ring about it. Having considered the five quadrants, he has said that 95 per cent. of the changes set in hand by report after report should proceed. Obviously, some of the changes will be greatly welcomed by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), but does the Secretary of State agree that the problem was not beds, but the duplication of the specialist units, which has deprived London of the money needed for primary care and mental health services? The urgent need in London is for primary care and mental health services, and that is what we await.

Does the right hon. Gentleman agree with Robert Maxwell's comments when he was finishing his time at the King's Fund? He said that, for 50 years, London had been looking for teaching and research centres of excellence that were linked to the universities and that, at last, it seemed as if that was exactly what was going to happen.

Mr. Dobson: Indeed, and everything that we are doing at Guy's, St. Thomas's, King's College, Bart's, the Royal London, University College, Hammersmith and Queen Charlotte's and Chelsea hospitals promotes top-quality services for local people. Most of those great hospitals are located even now, as they were when they were first founded, in deprived areas where people most need care. That is what we are doing.

As for the suggestion that, in some way or other, battering the hospitals into submission would improve primary care, I quote from Sir Leslie Turnberg's report:

"Improvements in primary care have not been able to substitute for reductions in secondary care."

In view of the fact that the right hon. Lady has asked a question today after her disastrous encounter with Bart's, I refer her to the Book of Proverbs, chapter 26, verse 11:

"As a dog returneth to his vomit, so a fool returneth to his folly."

Mr. Tony McNulty (Harrow, East): I thought that the right hon. Member for South-West Surrey (Mrs. Bottomley) was rising to apologise to London. We live in hope.

My right hon. Friend the Secretary of State will be aware that more than 120 groups and organisations took part in the three-day review on Edgware hospital and that those taking part included Conservatives from Barnet and Harrow. The consensus that was built on the review is clearly the way forward for Edgware, and that is the reality for the local community. In the context of Edgware hospital, I ask my right hon. Friend not to listen to any knee-jerk nonsense from Conservative Members.

Mr. Dobson: I entirely agree with my hon. Friend.

Ms Margaret Hodge (Barking): I join other east London Members in congratulating my right hon. Friend and my hon. Friend the Minister of State on the wise decision on Oldchurch hospital. There has been mention of heaven. Does my right hon. Friend agree that, if my

predecessor Jo Richardson is up there, she will be at the centre of the crowd waving a flag, congratulating my right hon. Friend on his sensible decision, which will result in a first-class health service for the people of Barking?

Mr. Dobson: I agree with my hon. Friend. The living approve of what we are doing, and I guess that the dead would also approve if they were still around.

Mr. Stephen Timms (East Ham): I welcome what my right hon. Friend said about investing in GPs in east London. Can he confirm that the Government aim to have as many GPs per head of population in east London as there are elsewhere, and that the premises from which they operate should be of as high a quality and standard as elsewhere? Does he agree that that is nothing like the case today?

Mr. Dobson: Our recent White Paper, "The new NHS", made it clear that we believe that all parts of the country are entitled to the standards of health care to which those in the richest and healthiest areas are accustomed. The report is a reaffirmation on a London scale of our national commitment in the White Paper.

Mr. Keith Darvill (Upminster): I thank my right hon. Friend for his statement. Does he agree that the co-operation between Barking and Havering health authority, the hospital trusts, the local authorities and Labour Members during the review process is a fine example of cross-agency co-operation, which we should support for the future of our health service?

Mr. Dobson: I certainly agree with my hon. Friend. Above all, we want to encourage all parts of the health service in London to work together. It is plain that when they and local social services departments and voluntary groups work together, the result is much better than under the old system in which they worked against each other.

Mr. Nigel Beard (Bexleyheath and Crayford): Is my right hon. Friend aware of the widespread welcome in the London boroughs of Bexley and Greenwich for the decision to rebuild the Queen Elizabeth hospital? That will bring to an end a period of local hospital closure during which the prevarication of the previous Administration did not reassure health services in the area.

Mr. Dobson: I entirely agree with my hon. Friend and look forward to the necessary progress that will enable work to start on the site in Greenwich as soon as possible.

Mr. Neil Gerrard (Walthamstow): Can my right hon. Friend say when we might see the details of the distribution of the extra money for the next financial year? He may know that my local health authority, Redbridge and Waltham Forest district health authority, is in financial chaos. That is a legacy from the previous Government and is also because of rank bad management. The authority is currently proposing cuts in precisely some of the areas such as mental health and community services that my right hon. Friend has identified as needing improvement.

Mr. Dobson: The authority certainly faces significant problems, which have existed for a long time. It has already received its general allocation. Some of the additional £30 million that I mentioned may be spent on primary care or mental health care in that area. However, it cannot be used just to wipe out the deficit that the health authority has run up.

Mr. Mike Gapes (Ilford, South): May I add my voice to that of my hon. Friend the Member for Walthamstow (Mr. Gerrard) on the need to deal with the problems in Redbridge and Waltham Forest? Although I welcome my right hon. Friend's statement, I should draw attention to the fact that the new Oldchurch hospital will be only three and a half miles from the new King George hospital, in my constituency. May I ask for my right hon. Friend's assurance that the planned consultation process will include detailed discussions with King George hospital, with Redbridge and Waltham Forest health authority and with local residents on the implications of the decision, so that we can ensure that there is no question of any threat to King George hospital? We want to ensure that we have a new hospital at Oldchurch and a successful and improving—as it is—King George hospital.

Mr. Dobson: I assure my hon. Friend that there will be thorough local consultation, and that any decisions will take account of the possible impact of a new hospital at Oldchurch on neighbouring hospitals. I reassure him that our objective is to build up, not run down, London's hospitals.

Dr. Vincent Cable (Twickenham): Does the Secretary of State acknowledge that the closure of Queen Mary's as a district general hospital will bring additional pressure on a variety of neighbouring hospitals—particularly the West Middlesex, which is already under severe pressure? What specific action will he take to deal with that?

Mr. Dobson: As the hon. Gentleman knows, public consultation is in progress on the ramifications of the proposal to close Queen Mary's Roehampton. As I have just told my hon. Friend the Member for Ilford, South (Mr. Gapes), the ultimate decision will have to take account of the impact on other hospitals. Everyone knows that the West Middlesex has severe problems that will have to be sorted out; we want to get on with doing just that.

Despite the comments of the Opposition spokesman, the hon. Member for Stratford-on-Avon (Mr. Maples), in replying to the statement, we have conducted the review as quickly as possible. The review has been established, reported and completed, and is therefore off the list of reviews. It has been a very good review, and it will provide the basis for a programme of real action. We cannot simply sit around talking about action. If we did so, Londoners would never forgive us.

Points of Order

4.26 pm

Mr. David Willetts (Havant): On a point of order, Madam Speaker. I tabled a written question to the Chancellor of the Exchequer, asking

"when the Government expect to publish the conclusions of the Office for National Statistics review of unemployment statistics."

In the past hour, I have received from the Treasury the answer:

"I shall let the hon. Member have a reply as soon as possible."

However, just as I was receiving that reply from the Treasury, a press conference was being conducted at which the Treasury was providing the results of the review of unemployment statistics.

May I ask you, Madam Speaker, to remind Ministers that they have an obligation to answer openly and frankly questions from hon. Members? It is very disappointing that an answer is available at a press conference, but that it apparently cannot be given to a written question.

Madam Speaker: I shall do more than that. If the facts are as the hon. Gentleman describes them, it is to be regretted that he has not received a substantive answer to his question. I intend to look into the matter as soon as I leave the Chair.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. You are the sixth Speaker whom I have had the privilege of serving, and the one about whom there has been the least complaint—not least because you have permitted two private notice questions on Iraq. *[Interruption.]* Some people might think that war is more urgent than Welsh devolution—but I leave that.

My point of order is this. In a statement in today's edition of *The Times*, Mr. Marc Weller, the deputy director of the centre of international studies in the university of Cambridge, says:

"Preventative wars directed against the future military potential of a state are unlawful."

Have you, Madam Speaker, had any request from a Minister to state the legal basis on which military action is threatened in Iraq? The background is that, this morning, I talked to four separate international lawyers, three of whom said categorically that military action in these circumstances is unlawful. Before we go any further, and at their convenience, the Government should make a statement on the matter.

Madam Speaker: I fully understand and appreciate the hon. Gentleman's deep anxiety. Indeed, he and I had an exchange this morning, when I let him know that I could not be helpful to him today. The Government have not told me that they intend to make any further statements. As the hon. Gentleman knows, later this week the President of the Council will be announcing next week's business. Perhaps he will seek an opportunity to press for a statement or a debate on the matters that he raised.

Parliamentary Currency Commission

4.29 pm

Mr. Michael Fabricant (Lichfield): I beg to move,

That leave be given to bring in a Bill to establish a commission, chaired by a law lord, to examine and report to Parliament and to the public on future currency arrangements for the United Kingdom, including consideration of the options of retaining sterling, adopting the European Single Currency, or adopting the United States dollar.

My Bill is straightforward enough. It recognises the importance of the decision that the British people will have to make in due course: whether or not to enter the European single currency.

The Bill has two main provisions. Those old enough to remember the referendum in the 1970s on entry to the European Economic Community might recall that, despite the plethora of information that was available for and against joining the EEC, as it was then known, the salient points were not clearly argued out. The pros made their case and the antis made theirs. Often their arguments did not meet, so clear conclusions could not be drawn. It was a little like Prime Minister's Question Time.

My Bill would appoint a commission, independent of Parliament and politics, chaired by a senior judge, to argue out the pros and the cons of Britain surrendering its national currency. Its findings would be made available to everyone entitled to vote in the referendum.

The Bill then goes further. It seeks to think the unthinkable. If, for the first time since the Norman invasion, the Government were to decide that we should adopt a foreign currency and surrender the pound because they believed that that was the best option for Britain—they might well decide that it was not and that we should stay as we are—the commission would be charged to ask: "Are these our only two options? Might there be an even better one?"

Deciding to stay with sterling or to adopt the euro are not the only two options. Joining a new currency is a decision that might last for generations. Limiting the options to just two is not rigorous economics and the Chancellor himself wants the decision to be based on economic grounds.

Last October, the Chancellor published "UK Membership of the Single Currency: An Assessment of the Five Economic Tests". Although parts of the document owe more to Mandelson-speak than to Treasury-speak, on the whole I welcome the Green Paper with the brown cover. I agree with the opening statement that the Chancellor makes in the preface:

"The decision on a single currency must be determined by a hard-headed assessment of Britain's economic interests".

Although members of the United States Federal Reserve, historians and economists have all said that a single currency can work only if there is, in effect, a single Government commanding a pan-European economic regime, that is a separate though most fundamental issue which—using all my reserves of will power—I shall ignore today.

Let us look at the economic criteria set out in the Green Paper for entering a single currency: business cycles, economic structures and—in Euro-speak—convergence. For Britain to operate successfully in a single currency, our economy must be synchronised to that currency. I asked the Library to analyse movements of the pound

against the deutschmark, the French franc and the United States dollar since we left the exchange rate mechanism and the pound could float freely, reflecting the real value of the currency. In the five years from October 1992 to October 1997, the standard deviation in values between the pound and dollar was just 3.3. In marked contrast, the standard deviation between the franc and the pound was almost double at 6.3 and between the deutschmark and the pound it was more than double at 7.

In other words, the pound is linked twice as strongly to the dollar as it is to either of the two main continental European currencies. That is good for British exporters to the Americas, the far east, and other dollar zone areas, but it does not augur well for British membership of a European single currency, which would be dominated by the German and French economies.

It is not surprising that Oxford Economic Forecasting's report published last autumn states that income tax and unemployment would rise if we entered economic and monetary union. It forecasts that the basic rate of income tax would have to rise from 23p to 28p to control inflation, with a resulting rise in unemployment.

What about labour market flexibility? European Union citizens can already work in any EU member state without a work permit. In practice, language and culture present the real barrier. Twice as many workers from the United States, Canada, Australia, and New Zealand as EU citizens are currently employed in the UK. Our entering EMU will not make a euro's worth of difference to that. Commonality of language, legal system, and culture is everything.

The Prime Minister has justified the introduction of the national minimum wage by claiming that the United States has such legislation. I am not opposed to the principle of a minimum wage that protects workers exploited in garment trade sweatshops in Bradford or the east end of London. However, the legislation in America is realistic. It excludes young employees and many industries, including those related to tourism. The Prime Minister is wrong to say that there is a national minimum wage in the United States. It has regional variations and the rate, which has just gone up, is only £3.05 an hour for those to whom it applies.

The legislation currently before Parliament has no exemptions and is convergent to some European legislation. I fear that if it is meant to converge our economy with the rest of Europe, it will succeed. Our unemployment will rise in harmony with the rest of Europe, where laws owe more to political correctness than to economic reality. The American economist Barry Eichengreen found that

"The adjustment to regional labour market shocks is about 20 per cent. faster in the US than in the EU".

Is not that what we want for Britain?

James Capel's November briefing last year stated:

"The UK is out of synch with Europe"

and:

"The UK is different".

It reports that, while German households have debt of only 17 per cent. of disposable income because they rent, the equivalent figure for Britain is 110 per cent.—six times as much—because we enjoy a home-owning economy. However, the US figures are similar to Britain's. Long-term mortgages are as available in the US as they are in the UK. To converge with Europe, are we to become a home-renting society?

We may not like it, but Britain's economy has greater economic convergence with the US than with the larger continental economies. The culture, legal system, and huge mutual investments make it so. Moreover, that convergence has stood the test of time. It meets the economic tests set down by the Chancellor.

The Bill would empower an independent commission to examine all the options. I believe that there are sound economic, let alone constitutional, grounds for keeping the pound. If I am wrong, let the commission investigate whether our interests would be better served by joining the dollar zone rather than the euro zone. I am not seriously suggesting today that we should adopt the dollar, but if the commission favours the dollar, why should we opt for the euro if it is second best?

The Chancellor has said:

"The decision on a single currency must be determined by a hard-headed assessment of Britain's economic interests".

The commission could determine which single currency.

I beg that leave be given to bring in my Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. Michael Fabricant, Mr. Eric Forth, Mr. David Amess, Mr. Howard Flight and Mr. Peter Atkinson.

Parliamentary Currency Commission

Mr. Michael Fabricant accordingly presented a Bill to establish a commission, chaired by a law lord, to examine and report to Parliament and to the public on future currency arrangements for the United Kingdom, including consideration of the options of retaining sterling, adopting the European Single Currency, or adopting the United States dollar: And the same was read the First time; and ordered to be read a Second time on Friday 3 July, and to be printed [Bill 115].

Orders of the Day

Government of Wales Bill

[5TH ALLOTTED DAY]

Considered in Committee [Progress, 2 February].

[MR. MICHAEL LORD *in the Chair*]

Clause 80

GRANTS TO ASSEMBLY

4.39 pm

Mr. Richard Livsey (Brecon and Radnorshire): I beg to move amendment No. 387, in page 38, line 28, leave out from 'Parliament' to end of line 29.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 369, in page 38, line 29, at end insert

', and the totality in any financial year of such amounts shall be no less than a totality produced by the application of the Barnett Formula.

(1A) In this section "Barnett Formula" means the non–statutory mechanism for calculating, on the basis of proportions of population, the equivalent changes to the budgets of the territorial departments following changes to programmes and budgets in England.'.

No. 388, in page 38, line 29, at end insert—

'(1A) The amount of money referred to in subsection (1) shall be the current block grant as determined on the basis of the Barnett Formula for the first full year of the Parliament's operation commencing on 1 April 2000.

(1B) Adjustments to the Barnett Formula to take account of population changes shall be made following the publication of census and mid–census population figures.

(1C) In this Act "Barnett Formula" means the non–statutory mechanism for calculating on the basis of proportions of population, the equivalent changes to the budgets of the territorial departments following changes to programmes and budgets in England.

(1D) The Assembly and Parliament shall conduct a joint review of the funding formula for the Assembly for implementation in the tenth year following the establishment of the Assembly.'.

No. 371, in page 38, line 31, after 'Assembly', insert

'out of money provided by Parliament'.

No. 18, in page 38, line 32, at end insert—

'(3) No payment may be made under this section until the Secretary of State, Minister or government department (as the case may be) has laid before the House of Commons a statement certifying that the payment is based on the needs of Wales in relation to the United Kingdom as a whole.'.

No. 435, in page 38, line 32, at end insert—

'(3) In determining the amounts of payments made under this section, Ministers of the Crown shall have regard to objective indicators concerning Wales, which shall include—

(a) Gross Domestic Product per head as a percentage of the average for the United Kingdom,

(b) indicators of relative deprivation, and

(c) an indicator of the divergence of sparsity of population from the average sparsity of population for the United Kingdom.'.

No. 438, in clause 81, page 39, line 18, at end insert—

'(4A) The statement shall include details of the arrangements referred to in section 80(3).'.

Mr. Livsey: Amendment No. 387 removes the words

"of such amounts as he may determine",

but permits the Secretary of State to make payments to the assembly. It paves the way for amendment No. 388, which represents the input and impact that Liberal Democrats seek.

The purpose of the amendments is to put the Barnett formula into the debate on the assembly and how the assembly should be financed. They seek to remove the Secretary of State's flexibility in determining payments to the assembly. Clause 80 uses the phrases "from time to time" and

"of such amounts as he may determine".

That does not provide a concrete funding formula on which the assembly can develop long-term funding plans.

The Barnett formula has been used for Wales since 1980. The fact that it has been used for almost 20 years is an indication of its success and widespread acceptance as an adequate solution to the problem of funding Wales and Scotland to take account of the particular needs of those countries. The Barnett formula has tended to preserve higher expenditure per capita in Wales than in England. That is important because the cost of providing many services in Wales is much higher than in England. Although that is largely due to the sparsity of population in mid-Wales and north Wales, it is also due to quite high levels of social deprivation in south Wales and other parts of the country. That will not change when the assembly begins its work, so its budget should be based on the same principles as now.

The Barnett formula is non-statutory. Our amendments would provide a statutory basis for securing its principles, which, of course, relate to the annual change. Amendment No. 388, however, recognises that the formula may not be the most appropriate long-term solution to the problem of funding Scotland and Wales. Perhaps some of us would prefer even higher funding, given the low level of gross domestic product that Wales has achieved, particularly over the past 10 years. Proposed subsection (1D) therefore includes provisions for a joint review of the funding formula after the assembly has existed for 10 years.

Page 25 of the White Paper states that the present arrangement for deciding the size of the budget allocated to Wales will be retained. Our amendments seek to include that commitment in the Bill, so that it is quite clear from where funding for Wales is derived.

We also support amendments Nos. 435 and 438, which would allow the particular problems of deprivation and sparsity of population in Wales to be considered when the assembly's budget is determined. As an hon. Member who represents a rural constituency, I know only too well the problems of population sparsity and the importance of achieving a fair settlement on sparsity factors. One has only to consider local education authority school transport bills, for example, to realise the enormity of the problem. I have great pleasure in commending the amendments to the Committee.

4.45 pm

Mr. Denzil Davies (Llanelli): I shall speak to amendments Nos. 369 and 371, which are in my name and the name of my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). Amendment No. 369 deals with the Barnett formula, and I shall return to it later.

I should mention to the Under-Secretary of State for Wales, my hon. Friend the Member for Neath (Mr. Hain), that amendment No. 371 is a probing amendment to clarify what is meant by clause 80(2), under which, apparently, any Minister of the Crown will be able to make payments to the assembly. Apparently, those payments will not specifically be from money provided by Parliament. What payments are envisaged and why are they not from money provided by Parliament? I suspect that such payments would have been from money provided by Parliament before the transfer.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) explained the Barnett formula. Given that—I think—we are all well aware of its intricacies and details, I shall not have to try to explain it again either to myself or to anybody else. There is a magical figure of 6.02 somewhere or other, which is supposed to indicate the relationship between the populations of Wales and England. The figure is higher than it would otherwise be, which means that any increase in the block grant for the Welsh Office is slightly greater than the corresponding increase for England. Conversely, of course, if there is a decrease, the resulting decrease is greater. We shall, therefore, lose out if there are reductions in expenditure.

I have no doubt that the Minister will give a number of reasons why the Barnett formula should not be incorporated into the Bill. We shall be told that the Barnett formula covers only the block grant to the Welsh Office and not other expenditure in Wales, For example, about 8 or 9 per cent. of total United Kingdom social security expenditure, including income support and spending on disability, is spent in Wales. That is higher than the percentage of the United Kingdom population who live in Wales and higher than the figure in the Barnett formula, which shows—I say this as an aside—how dependent Wales is on those social security payments.

It will be argued that there is no need to include the Barnett formula in the Bill because the Government say—I entirely accept their statements—that they have no intention of changing it. Another argument against the formula's inclusion is that no Parliament can bind another Parliament.

I broadly accept those arguments—there may be others—but the Barnett formula is all that we have. My hon. Friend the Minister looks as though he agrees with me. If he wants to introduce a better and more sophisticated system, we shall accept it. I accept that this Parliament cannot bind its successors, but it is better that such provisions are included in a Bill than in an order or Government statement. If there is nothing better on offer, the Barnett formula should be entrenched in the Bill.

Last week, I think, my hon. Friend the Member for Cardiff, West (Mr. Morgan) rightly said that a scheme of devolution needs both a dispute resolution procedure and a resource allocation system.

Mr. Rhodri Morgan (Cardiff, West): A resource transfer mechanism.

Mr. Davies: As my hon. Friend says, a resource transfer mechanism. The Bill provides, to some extent, for a dispute resolution procedure. We find tucked away in schedule 6 the proposal that, in any dispute between central Government and the devolved assembly, the Wales and Chester circuit will have the opportunity to appeal to the Judicial Committee of the Privy Council. No doubt the lawyers will be delighted at that—I see the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) perking up. There is an irony in that proposal. Traditionally, the Judicial Committee of the Privy Council has heard such appeals from overseas territories, dependent territories and colonies. Nevertheless, at least there will be a dispute resolution procedure.

The Bill contains nothing about a resource transfer mechanism. That is why I argue for the inclusion of the Barnett formula, which would provide some means—albeit imperfect—through which to decide how resources can be transferred. The lack of such a mechanism is a substantial weakness in the Bill. We are engaged in finding a constitutional settlement. Whenever one makes a criticism, one is immediately put in the "No" camp, but I have no objection to devolution. I object to the lack of a proper constitutional settlement for the protection of Wales. England does not need a Barnett formula, and I suspect that the Scots do not any longer need a Barnett formula, either—their budget just about balances.

Mr. Tam Dalyell (Linlithgow): What the right hon. Gentleman says is not the received wisdom in Edinburgh.

Mr. Davies: I shall not stray further into Scottish matters and the question of Scottish wisdom or otherwise.

Wales needs such a mechanism, however, and it should be entrenched in legislation to protect the Welsh against the English. I have great respect for the English as a nation and as a people, but I have never trusted them.

I am surprised that the Welsh nationalists, having accepted some of the baubles offered by the London Government, now seem to trust the English. Personally, I do not trust them, although I respect them, which is why I want the Barnett formula included in the Bill—I want Wales to be protected.

During the referendum campaign and in our consideration of the Bill, there has been a romantic belief that everything will be the same after devolution and after the Scots have all gone back to Edinburgh to practise their received wisdom. A few days ago—I think that it was when we debated the order-making powers—my right hon. Friend the Secretary of State referred several times to the unitary Government. I made a mental note of it: he kept saying that the unitary Government will do this but not that.

I do not want to split hairs, but there will be no unitary Government—in any meaningful sense—after the Bill has been enacted and after the Scottish Parliament has been

[Mr. Davies]

established. There will be a central Government, but not a unitary Government in the form that we have known for many hundreds of years.

The central Government will try to balance the conflicting interests of the three nations of Britain—the Scots, the Welsh and the English. I exclude Ireland, as I am talking about Britain, not the United Kingdom. There will be competition for resources. Decisions that a unitary Government would naturally make behind closed doors—no one would even think about it—will have a greater transparency, and resources will be the prime subject of dispute between the three nations of this British state.

We are told that the Secretary of State, be it my right hon. Friend or anyone else, will fight hard in Cabinet to maintain the block grant for Wales. Alas, the Secretary of State will have no Department in a Cabinet where everyone else—with the exception of the Secretary of State for Scotland—will have one. The system in Whitehall is governed by Departments—civil servants and Ministers carry the views of their Departments into Cabinet. The Secretary of State for Wales will be in a weaker position than his Cabinet colleagues.

Mr. Gareth Thomas (Clwyd, West): I am intrigued by the fact that my right hon. Friend does not have more ambitious aspirations for Wales. Does he accept that, if the process of allocation of resources is more transparent, a genuine debate will be fomented about the assessment of need within the constituent parts of what will remain the United Kingdom? There may be no unitary Government, but there will be a unitary Treasury, so to speak.

Mr. Davies: My hon. Friend trusts the English: I do not. The argument will be between Secretaries of State who will see themselves more and more as Secretaries of State for their responsibilities in England. The Secretary of State for Trade and Industry will be a Secretary of State for English trade and industry, and the Minister of Agriculture may go the same way. The Cabinet will more and more be a Cabinet for England, because England will be the prime concern of its members. Once we have unbundled the unitary state, we shall have three nations in Britain.

5 pm

Mr. Rhodri Morgan: I may be confused about the timing of the invention of the Barnett formula—which has operated reasonably successfully in protecting the level of the Welsh and Scottish block grants—but I thought that it was developed to cope with the devolution that was anticipated in 1979. I recognise my right hon. Friend's expertise as a Treasury Minister at that time. Does he agree that the real risk to the Welsh block grant—and any preferential levels of Welsh public expenditure—would have arisen if Welsh devolution had never been proposed in 1978 and 1979, even though it subsequently went down in flames? Without the proposal, the Barnett formula would never have been invented.

Mr. Davies: I understand that point. The Barnett formula was not entirely new, and there was a previous formula under Goschen some years before. As a Chinese philosopher once said, there is little new under the sun. The Barnett formula was devised to cope with devolution, but I do not understand my hon. Friend's point. Once the unitary state is unbundled, the question of resources will assume—

Mr. Gareth Thomas: The point that my hon. Friend the Member for Cardiff, West (Mr. Morgan) makes is that the Barnett formula was predicated on administrative devolution. What distinction is there in principle between democratic devolution to accompany the administrative devolution that exists, and the original presupposition behind the formula?

Mr. Davies: We are not arguing that point. I approve of the Barnett formula and I was a Treasury Minister when it was devised, although my colleague Lord Barnett dealt with it. I want to see the formula in the legislation, and I take it that my hon. Friends agree with me.

Mr. Rhodri Morgan: I agree that, had it not been for the devolution measure of 1979, which went down in flames, the Barnett formula would never have been developed.

Mr. Davies: That may be true, but I still do not see what conclusion my hon. Friend is trying to draw.

Mr. Michael Ancram (Devizes): I wish to take advantage of the fact that the right hon. Gentleman was a Treasury Minister at the time. Was not the Barnett formula a secret for two years, before George Younger announced it to a Select Committee? Does that tally with the formula being developed to cope with the coming devolution?

Mr. Davies: The right hon. Gentleman is correct. The formula was in existence before it was revealed to make the position more transparent. However, we are all now in agreement that the Barnett formula is marvellous. My right hon. Friend the Secretary of State will be pleased that Labour Back Benchers are completely unanimous—not for the first time—in wanting to see the Barnett formula in legislation.

Mr. Rhodri Morgan *indicated assent.*

Mr. Davies: My hon. Friend agrees.

In some ways, our debates on the Bill are very romantic. Yesterday, the hon. Member for Ynys Môn (Mr. Jones) suggested that the First Secretary of the Welsh assembly could sit in the Council of Ministers and negotiate on behalf of the United Kingdom, even though he or she would not be a member of the Cabinet or of the Government. That is an illustration of the cloud-cuckoo-land nature of some of our debates.

Mr. Ieuan Wyn Jones (Ynys Môn): If the right hon. Gentleman cares to read the contribution from the Under-Secretary of State for Wales, the hon. Member for Bridgend (Mr. Griffiths), at the end of the Second Reading debate, he will discover that those words came from his hon. Friend's mouth.

Mr. Davies: I am sorry if the romanticism I mentioned has even infected those seated on the Treasury Bench. I have no doubt that my hon. Friend the Under-Secretary of State will make up his mind without my intervention.

As our debates have proceeded, concordats have been mentioned. They have not been trotted out yet, because they are still frantically being drafted. What are the concordats for, except to try to plug the gap that I have mentioned? Did someone at the Institute of Welsh Affairs say, "Yes, we have a problem. The Secretary of State will no longer have a Department and the Welsh assembly will not have the entrée into Whitehall that a Department has. Let us think of something to try to plug the gap in the devolution scheme." The result is the concordats, which are an acceptance that a problem will arise in the relationship of the First Secretary and the assembly with other Departments, including the Treasury.

Who will be party to the concordats? Will there be a concordat between the assembly and the Treasury? Is such a concordat being drafted already for the Treasury's consideration? Will it contain the Barnett formula?

Mr. Dafydd Wigley (Caernarfon): It will be too late then.

Mr. Davies: I do not know whether it will be too late. A concordat would be second best, but it would be an attempt to plug the gap. If there were no gap, there would be no need for the concordats. I hope that when the Secretary of State winds up, he will tell us whether the assembly will have a concordat with the Treasury. If so, I take it that the Barnett formula will be a central part. At least it would then be in the concordat, although that would not be as satisfactory as having it in legislation.

The second reason why we need the Barnett formula—or something better—in legislation is a continuation of the first reason. Sadly, Wales is the poorest country in Britain. It is probably not quite as poor as Northern Ireland, although there is not much in it. Wales is a dependent nation. Dependency is considered bad these days, but Wales—and we must be realistic, especially as we move towards devolution—is dependent on the English taxpayer. As I said before, England does not need a Barnett formula. The Scots may need one, but Wales certainly needs one because it is the poorest country. If it came to negotiation in the future without such a formula entrenched in legislation, Wales would be at the mercy of those terrible English who cannot be trusted on such matters.

I shall briefly describe the unpleasant state of Welsh dependency which means that we need a Barnett formula. Over the years, the Welsh Office and other Departments have produced regional budgets. I commend them for that because it is not easy to produce a regional budget. It is perhaps easier now, with computers, than it used to be 20 years ago, and more statistics are now available. However, the relevant figures are easy to extrapolate and we have debated them before. The last Welsh regional budget was for 1995 or 1996 and it showed that the difference between the income raised in Wales by taxation and the amount of total public expenditure spent in Wales can amount to £4 billion or £5 billion a year.

That figure may not mean anything, but if I were to translate that into the Maastricht criteria on budget deficits, which is a rule of thumb that people use, my calculations, which have never been properly challenged, show that the Welsh budget deficit would be about 14 or 15 per cent. of Welsh gross domestic product. Greece has a budget deficit of about 7 per cent. of GDP. No country could ever fund the sort of deficit that Wales has—it would be impossible to operate with a deficit of nearly 15 per cent. of GDP.

The Administration would have either to cut expenditure or to try to raise taxes, but raising taxes in that situation would be absolutely hopeless. Somebody calculated that to balance the Welsh budget—balancing budgets is fashionable these days; everyone tries to do it and apparently President Clinton has managed not only to balance the budget, but to produce a surplus—our public expenditure levels would have to be on a par with those of Slovakia, which is one of the poorest countries in central Europe. That is the reality of the situation.

I sit here listening to speeches from the Welsh nationalists in which they call for more power for this and more power for that, but they do not make any attempt to consider or discuss where the money will come from to enable that power to be exercised. The Welsh Liberal Democrats are even crazier; they want to have a power to vary taxation—

Mr. Livsey: Quite right.

Mr. Davies: A power to vary taxation means putting it up or bringing it down, but if there is a budget deficit of 15 per cent. of GDP and if the economy has not got a tax base that comes anywhere near to covering public expenditure, the idea of putting up taxes is simply mad. If public expenditure is not covered by taxes to the tune of a 15 per cent. difference, cutting taxes is also mad. I cannot understand why the Liberal Democrats, who obviously have not looked at the Welsh economy, want the power to vary taxes in an economy with a budget deficit of 15 per cent. of GDP.

Mr. Cynog Dafis (Ceredigion): Local government has that power, and plenty of local authorities have that sort of deficit.

Mr. Davies: Yes, and the position is becoming worse, if I am to believe what I read in the *Western Mail* today, but that is no real answer. My point is that it is irrelevant and nonsensical to have powers to increase or reduce taxes when the Welsh economy is in such a dependent state.

Mr. Livsey: The right hon. Gentleman is making great play of Liberal Democrat policy, but that policy is strictly limited in terms of upward or downward variation of taxation—it is marginal in terms of the overall situation, and I am sure that, as an economist, he recognises that.

Mr. Davies: I certainly do not accept that I am an economist and I hope that the hon. Gentleman will withdraw that statement.

Mr. Livsey *indicated assent.*

Mr. Davies: I am glad to hear that the Liberal Democrat party's policy is marginal in this respect, but whether marginal or not, the point is one of principle; it makes no sense to increase taxes even marginally in an economy such as that of Wales.

The same is true of the Welsh establishment. There is now a body called the Institute of Welsh Affairs which churns out paper and, if my analysis is correct, it is wholly

[Mr. Davies]

funded by the English taxpayer. One of its suggestions was that the number of Members of the Assembly should be doubled from 60 to 120, but there was no attempt to say where the money would come from. We know that the Secretary of State will take a chunk out of the budget first and that the assembly then will have to pay its way out of the budget for hospitals and schools. The Institute of Welsh Affairs has shown no awareness or understanding of the real economic problems facing Wales, and it gives me no great pleasure to point that out.

The city of Cardiff would disappear down an economic black hole if Wales had to balance its budget, because that city exists because of public expenditure. Every establishment is parasitic on public expenditure, but the Welsh establishment is more parasitic than any other in the western world, because it is almost totally dependent on public expenditure. There is, however, no awareness in Wales of the real enormity of the problems of the Welsh economy. That is why we need to have a proper financial resource settlement in the legislation, so that in future, Wales will not be at the mercy of cuts or of attempts to create surpluses in public expenditure—or whatever the latest economic fashion might be.

I hope that my right hon. Friend the Secretary of State will consider my points, although the time to do so was probably before the White Paper was drafted in that dreadful Cabinet Committee chaired by the Lord Chancellor. The opportunity was either missed or stopped—I do not know which, and I doubt that my right hon. Friend will rise to speak on that subject. Having said that, there may be an opportunity before the Bill returns to the House of Commons to look at this issue again. It is in the interests not of any of us here, but of Wales, that Wales is protected in future in terms of public expenditure.

5.15 pm

Mr. Ancram: It is always a pleasure to follow the right hon. Member for Llanelli (Mr. Davies) and, although I do not necessarily agree with his solution to the problem as set out in his amendments, I agree with much of his analysis.

I am sure that we all agree that we are now discussing one of the central parts of the Bill. Devolution was sold to the people of Wales on the basis that financial provision from the United Kingdom, which is channelled in part through the Barnett formula, would not change. That was the claim made in the White Paper and the constant pledge made by the Secretary of State during the referendum campaign. It is also written into the explanatory and financial memorandum to the Bill, although, as the Secretary of State well knows, the moment the Bill becomes an Act—if he achieves that—the explanatory and financial memorandum will fly off and there will be no mention of the Barnett formula in the statute, so its presence now is of fairly limited value.

The reason all those assurances were given is that, without such assurances, the Bill would be a mess of pottage—and a cold one at that. Because those assurances had been given, we all expected to find them on the face of the Bill, so clause 80 came as something of a surprise. Clause 80 states:

"The Secretary of State shall from time to time make payments to the Assembly out of the money provided by Parliament of such amounts as he may determine."

That is hardly an assurance. There is no definition of "from time to time", whether it means an annual, monthly or five-yearly payment. There is no description of the amounts and no criteria for calculating them. There is even no identification of which Secretary of State is being talked about, because under the Bill it could mean any relevant Secretary of State. Whichever Secretary of State it is, the only thing that is certain is that the determination is not bound in any way but is entirely at his discretion.

That is what appears on the face of the Bill. There is therefore nothing that tells us to what the payment will relate and nothing that assures us that it will not be totally at the whim of the Westminster Government of the day. If the clause does refer to a Secretary of State for Wales who is arguing his case within that Government, we need to remember that he will have lost almost all influence and clout, because his powers will have been transferred to the assembly.

I am sure that we shall be told that such details are not put on the face of Bills, to which my answer is that, in the past, they have not needed to be. I happen to agree—this is why I disagree with the right hon. Member for Llanelli—that detailed formulas should not be included in legislation: circumstances and definitions can change, and formula setting by primary legislation is an inflexible tool; but that does not mean that there should be no criteria whatsoever on the face of the Bill.

I am sure that we shall also be told that what has gone on before will continue and that, in a sense, nothing has changed; but a lot will have changed. What will have changed specifically is that the issue will no longer be one of making financial arrangements and provisions between Ministers and Departments in the same Government, but one involving two different Administrations and sets of politicians who might not see eye to eye. I have spoken before about testing constitutional change against the worst-case scenario, and we must take into account the fact that there may be times when the Administrations in Cardiff and in London are of different political complexions or hold different economic views, yet there is nothing in the Bill that gives us any comfort on that score.

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): I find the right hon. Gentleman's concern for Welsh finances and the Welsh economy touching. Let us not forget that when he was a member of the previous Government, one Secretary of State for Wales, the right hon. Member for Wokingham (Mr. Redwood), boasted of sending millions of pounds from Wales back to the Treasury. The right hon. Gentleman supported his right hon. Friend's policy.

Mr. Ancram: We welcome the Minister to the Chamber for the debate. We had been wondering whether there was something ideologically wrong with his views on devolution, because he has hardly been seen during our deliberations. It is typical that he should take refuge in that type of argument.

We are talking about the protection of Wales in the future. I expressed my concern about that throughout the referendum campaign, and I was accused of scaremongering. I also expressed my worries when the White Paper was published. We waited until the Bill was published to see if it improved matters, but because it is as it is, I must repeat my anxieties.

I am sure that we will be told that the funding will be agreed under concordats. Hon. Members may remember that, yesterday, the Under-Secretary, the hon. Member for Bridgend (Mr. Griffiths) said that concordats could not be binding beyond one Parliament. It would not take primary legislation, or even secondary legislation to change them, merely a decision to abandon them—a decision that could be taken unilaterally.

I am fascinated by the concept of concordats. Will they be presented to the House for parliamentary approval? If so, does that give them an enforceable standing that they would not have otherwise? I would love to know the answers to those questions because we talk about concordats as though they were something special and reassuring, but none of us know what they are other than that they are informal agreements of a non-lasting nature. If I were a lawyer advising my client as to whether to sign away his birthright on that basis, I would tell him that he was off his head even to consider what was on offer.

The next cry we will hear is, "Why are we worrying about it?" We will be told that the current Barnett formula has been in operation for a long time and that the Government have no intention of changing it—that is what the Treasury says. It is perfectly true that, when we were in government, we faithfully, and, frequently, even generously applied that formula to Wales and Scotland. There is every reason to worry, however, perhaps not in the short term, but in the medium and longer term, because times change, as do needs and democratic demands.

The Conservative Government believed that the Barnett formula generally reflected need in the area at which it was directed. It is worth remembering two salient features of that formula. First, it does not affect the baseline provision, which has remained based on historic criteria. It therefore does not impinge upon the fundamental area where any calculation of basic need would be made. Secondly, Barnett provides that where comparable changes to programmes in England are made, it results in equivalent changes in the budget of Wales, calculated on the basis of population shares.

If the baseline generally reflects need, Barnett provides a population-based formula for dealing with changes to expenditure. We took the view that that generally kept the system in line with need.

There are two elements at work. The historic element that should be based on need and the Barnett formula, which is the means of making adjustments. That arrangement is now being questioned, not by Conservatives, but by many who are associated with the Labour party. Labour Members representing the north-east have already demanded that the Barnett formula should be reviewed because they believe that it operates adversely to their interests. The Treasury Select Committee has called for a needs assessment to show whether Barnett remains the best way in which to allocate increases. When Lord Barnett appeared before that Committee, he agreed that there was a case for a review of the formula.

The fact is that devolution has rubbed the lamp, and the genie of needs assessment has been let out. He will not so easily be put back in the lamp despite the Treasury's bold attempt in its document, which was published on 8 December. We understand that the formula will continue but that it will be amended to meet the requirements of devolution. Factors relating to domestic agriculture, forestry and council tax rebates will be brought into the relevant blocks. In future, an annual update of the Barnett formula to take account of mid-year population estimates will start in 1999 and 2000, noticeably safely after the assembly elections have taken place.

My concerns do not stem from the Treasury document, but from a number of comments and statements that have been made. The clearest one was that contained in the publication entitled "A guide to the Scotland Bill". I accept that that document does not relate to the Bill, but it discusses the Barnett formula and admits that it is—I choose my words carefully—an administrative arrangement, which will not be prescribed in legislation. It is nothing lasting, certainly nothing in any enforceable form, let alone in tablets of stone.

In evidence to the Treasury Select Committee, Lord Barnett rubbed the lamp yet further by proclaiming in paragraph 9:

"there should be a Barnett Formula Mark II based on needs. The review would have to take account of needs, income per head and expenditure per head."

In annex D.12 of the Government's White Paper, they admit that any substantial revision of the formula would need to be preceded by an in-depth study of relative spending requirements. Essentially, that means needs.

The Treasury Select Committee went further in paragraph 12, when it stated:

"The Committee was disappointed that no Government studies have been made in relation to the appropriateness of the Barnett Formula and how it relates to needs. The Committee only took evidence relating to the formula. We believe, however, that it is time to bring the needs assessment up to date; this would help to show whether the Barnett Formula remains the appropriate method of allocating annual expenditure increases . . . to the four nations of the Union."

There again, the needs element is the genie that has been taken out of the lamp.

Concern about the need for a review is not new. Paragraph 11 of the Treasury Select Committee report cites the evidence of John Gieve, the deputy director of general expenditure at the Treasury, who agreed that there

"is a long-established practice of looking at the allocation of spending across programmes and across regions to try and get the right distribution. I cannot think of any government which would say that it was not interested in whether the distribution between areas or between services did not reflect relative need . . . all governments would subscribe to the fact that spending should broadly reflect needs."

Once again, it is clear that the pressure caused by the development of the devolution package has reopened the issue of needs.

I am not arguing for a change in the current arrangements. I am merely reflecting the fact that the demands for change in the formula are already running hard and that, in particular, the Bill offers no defence against them and no limits on them. Indeed, it does not even start to try to do so. We always warned that the demand for change would be one of the corollaries of devolution, but at the time we were accused of scaremongering. It gives me no pleasure to see that we have been proved right.

We now must find a way in which to protect the position of Wales to ensure that, despite the best endeavours of the Secretary of State, the people of Wales

[Mr. Ancram]

are not asked to sell their birthright for such a mess of pottage. Anecdotal evidence suggests that Wales would not fare badly from any assessment of need or anything that recognised that as the basis for making provision.

We look first to the Bill to protect that position, but it is not only silent but complacently so on the issue. There are no indications of how, when or in what circumstances, and according to what criteria the assembly would be funded, or by whom. There is no provision for the assembly to make any representations to Westminster about what Wales needs. Even the Stormont Government had that right. All we have is a complacent fallback on an administrative arrangement and the past. Perhaps those arrangements and the Barnett formula work where the demander and the provider are part of the same Administration, operating a friendly formula for resource allocation, but that ball game will have passed to one where internal United Kingdom opposition will increasingly raise its head. That is already happening. If the plan of the Labour Government to regionalise England goes ahead, that competition will become even more intense.

Where there are disagreements, there are no guarantees that the position of Wales would be protected. Under the Bill, that would depend on the Westminster Government and the Secretary of State—a Secretary of State with no clout or influence.

Mr. Jon Owen Jones (Lord Commissioner to the Treasury): They can change it now.

Mr. Ancram: I thought that the Secretary of State had clout and influence now, but if the Whip says not, I will accept that from him. The position will have changed after devolution.

The Bill cannot afford to be silent on the issue. There is no point in trying to entrench a formula, as suggested in amendment Nos. 369, 388 and 436, because circumstances change, as do political imperatives. A lack of flexibility could be damaging. The right hon. Member for Llanelli argued that that was not so, but an administrative arrangement could be changed and if such an arrangement had been mentioned in a Bill, that legislation could begin to look pretty sorry. There must be some reference point, some criteria in the Bill; that is why we tabled amendment No. 18. We did so because we believe that what we are suggesting will create the discipline needed and provide more than a transient agreement or a political whim.

With clause 80 as it stands, the Bill is a hostage to fortune. It is vague, ill-defined and circumventable, and it offers neither assurance nor financial protection. It leaves an enormous void which, if left unattended, will focus resentment and dissent for years to come, play into the hands of nationalists on both sides of the border and, ultimately, do Wales no good.

We all know from experience that the Treasury hates criteria that might bind it, but amendment No. 18 seeks to introduce the element of criteria, which will, we believe, protect the interests of Wales. The amendment may not be cast iron. It may indeed be little more than indicative, but, by requiring a statement showing that the payment is based on needs in Wales relative to the United Kingdom as a whole, it imposes certain duties on the Government of the United Kingdom. It will require the Westminster Government, or the Secretary of State, or the Treasury, to make their determination of the sum to be paid according to criteria that are more than mere political and transient judgments—which the present Bill allows for—but are based on facts that reflect the genuine long-term requirements of Wales.

On any view, our amendment must be better than the void in the Bill. I seriously hope that the Government will accept it and get themselves out of what is an enormous hole which, by their actions, they are making deeper each day by the digging in which they are engaging.

5.30 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): I shall speak to amendment No. 369, which is in the name of my right hon. Friend the Member for Llanelli (Mr. Davies) and myself.

I want to say two things to the right hon. Member for Devizes (Mr. Ancram). First, he made several pertinent points, which I appreciated, but drew curious conclusions from them. He laboured long over the fact that an assessment of needs would be a dangerous threat to Welsh expenditure. However, if a proper objective needs assessment were made at this moment, the amount of money coming to Wales—regrettably, and for the reasons that my right hon. Friend the Member for Llanelli cited—would increase beyond what the Barnett formula provides. It would not decrease, unless there was total political malice.

Mr. Ancram *indicated dissent.*

Mr. Rowlands: Well, one got the impression that, during half of his speech, the right hon. Gentleman was threatening us with a needs-based assessment, not saying that it was a good thing—but I give way.

Mr. Ancram: I am grateful to the hon. Gentleman for giving way, because I may not have made myself clear. Amendment No. 18 actually proposed that a needs-based statement be made to Parliament. I said what I did because the Government found their arguments on the fact that a needs-based assessment is unnecessary because the Barnett formula exists. I am saying that, the way that things are moving, I am not sure how much longer it will be used. We must provide against that eventuality.

Mr. Rowlands: We have it at the moment, so amendment No. 369 suggests that the Barnett formula, however imperfect, is at least a basis on which one can plan and think about the short to medium-term financing of the assembly.

I have read with interest the Treasury Select Committee Report on the Barnett formula—its second report of 1997–98. The description of the Barnett formula that was made in the Committee and endorsed by Treasury officials was:

"a non-statutory policy rule based on mutual understanding between parties within the policy network, the implementation of which is subject to both sides observing the behavioural 'rules of the game'."

I should not like to rest the future funding of a Welsh assembly on a system that was merely

"the behavioural 'rules of the game'"

being observed by all the parties. Therefore, I agree that, whatever the Barnett formula's other imperfections, it should be given a statutory base. I should not like to rest the assembly's funding on that weasel-worded description of the Barnett formula. It is important to give the formula better standing and status than it apparently has in the Treasury's eyes. That is my first point.

Secondly, from what have I read of the origins of the formula—I do not want to go over the exchange between my right hon. Friend the Member for Llanelli and my hon. Friend the Member for Cardiff, West (Mr. Morgan)—Joel Barnett rather denied that it was purely devolution-driven and argued that it was a more convenient way of negotiating these matters for the nations within the United Kingdom.

Joel Barnett argued—I put the point to my right hon. Friend the Secretary of State—that the strength of the formula was the fact that it avoided an annual negotiation on a territorial basis. If that is the case, presumably the future Secretary of State for Wales will have no negotiation to conduct. If we had the Barnett formula, at least we would know that that was a basis and that, whatever happened, the Secretary of State for Wales's negotiating position would not be a main determining factor. Is not that the case, and is it not a possible case for giving greater status to the Barnett formula, to avoid annual negotiations by the Secretary of State to obtain money for the Welsh assembly? Treasury officials said that that was the value and purpose of the formula.

Mr. Gareth Thomas: Does my hon. Friend accept that enshrining the Barnett formula, with all its imperfections, in legislation will serve as a disincentive to the type of needs-based re-assessment that we all need in Wales?

Mr. Rowlands: I do not think so, because everyone accepts that the Barnett formula—as the report says—does not take into account or reflect spending needs. It never did.

The Barnett formula is a formula for calculating the block expenditure, based on the annual changes in the English departmental programmes. That is one weakness of the scheme—that the future funding of the Welsh assembly will depend on the changes of English departmental spending, as will funding for Scotland—but the formula is the only one that we have at the moment and, until we get a proper needs-based assessment, we had better put up with it.

Anyone who has studied the effort that was made in 1978-79 knows—this is why amendment No. 18 probably is not realisable—that it will take quite a long time to determine and organise the needs-based redistribution of such money. Therefore, I think that we had better hang on to what we have. I do not say that because I believe the formula to be perfect, and I do not agree with my hon. Friend the Member for Clwyd, West (Mr. Thomas) that, if we hang on to it, it will stop Whitehall thinking about needs-based arrangements.

I have some questions for my right hon. Friend the Secretary of State. First, I want to probe him on what will be included in the funding from the Secretary of State. The Barnett formula does not take account of some things; for example, in-year changes of expenditure are not subject to the formula. I understand that if, during a financial year, the Government run into some bother and have to cut public expenditure, those cuts in public expenditure in the English Departments concerned do not trigger the Barnett formula. The Barnett formula does not cover in-year changes of expenditure one way or the other. Alternatively, if, for some reason, expenditure is drawn down on the contingency reserve fund, that is not included in the Barnett formula.

When the Minister replies, will he tell me how such situations will be dealt with in an assembly-Westminster-Whitehall relationship? If, for example—and it will happen to Governments in future—there is a bit of a spending crisis and a Budget is introduced, or an expenditure cut is ordered within the financial year, changing the basis of the funding, how will that be reflected in the Welsh assembly's funding? We need an explanation because that, as I understand it, is not covered by the Barnett formula.

Similarly, if changes take place in the opposite direction—if extra spending takes place for a situation that has arisen—that is not, within the year, covered by the Barnett formula. In such circumstances, how would the funding of the Welsh assembly be influenced by such changes?

My second question to my right hon. Friend the Secretary of State is as follows. One talks about Welsh block expenditure as being £7 billion. Not all that amount is covered by the Barnett formula, as such. There is about £250 million worth in the Secretary of State's budget relating to agricultural spending of one kind or another. What will be the position of that £250 million—not a meagre sum, although a large proportion of it, £200 million, consists of EU receipts from the common agricultural policy?

There is expenditure outside the Barnett formula, in the Secretary of State's £7 billion block budget, which is not dealt with in the same way as the expenditure determining the block expenditure of the other 96 per cent. What happens to the £250 million at present in my right hon. Friend's £7 billion budget, which is not covered by the same rules? Where will that money go? How will it be accounted for? How much will stay with the Secretary of State, how much will go down to the Welsh assembly, and how much will go back to other Whitehall Departments? I should be grateful if my right hon. Friend would explain.

That touches on a point that has been mentioned over and over again, and sooner or later we will have to come to terms with it. What reserve powers will the Secretary of State have? What budget will he have, after the assembly has been established? Serious issues are involved.

Thirdly, the clause deals with the amount that the Secretary of State will hand over to the Welsh assembly. He has said repeatedly that the assembly's running costs of £15 to £20 million will be covered by the savings that he intends to make in the quangos even before the assembly is established. How far are we down that route of savings to offset the cost of running the assembly? Those are questions thrown up by the argument.

I return to the point made by my right hon. Friend the Member for Llanelli. We need some kind of formula enshrined in legislation or in a concordat that will have

[Mr. Rowlands]

some power or force to it. The Barnett formula is the best that we have at present. As my hon. Friend the Member for Clwyd, West suggested in his intervention, it is not perfect by any means.

For example, our gross domestic product is 18 per cent. lower than England's, our household disposable income is 11 per cent. lower, our personal income is 17 per cent. lower, and our average earnings are 17 per cent. below those of England.

Two conclusions emerge from those astonishing figures: we need at least the Barnett formula, but we will need Barnett-plus to ensure the effective financing of the Welsh assembly. As my right hon. Friend argued, we cannot cut the umbilical cord of redistribution of resources in the United Kingdom at present. With the Welsh economy in its present state, this is not the time to do such a thing. It is vital that that umbilical cord is not cut. The pressures for redistribution that continue in the United Kingdom should not be taken off, because by any objective analysis we shall need more, sadly, not less, in the short to medium term.

5.45 pm

Mr. Wigley: I shall speak to amendment No. 435, and amendment No. 438 which is grouped with it. Before I go into the substance of our amendment, which picks up some of the themes that hon. Members have been running on, I want to dispute the myth that is continually perpetuated, that poor little Wales will never be able to afford anything and must depend for ever and a day on an umbilical cord to somebody or other, and that we can never stand on our own two feet and do anything for ourselves.

Figures have been generated by the Welsh Office over the years—especially during the 18 years of Tory rule—to justify the amount of money that was going by the formula to Wales to sustain public expenditure. Yes, on certain expenditure headings, Wales has a greater per capita expenditure, but on others that are not in the block, we have significantly less. About 1 per cent. of the expenditure on the defence of the realm comes through into the economy of Wales.

There was a series of theoretical errors in the paper produced by the Welsh Office during the Conservative regime—taking into London the money that came from Brussels on account of the Welsh economy, for example; and taking in the tax that is paid for civil servants who are based in London as an income into the UK, rather than crediting it to a Welsh account. The paper was totally flawed.

We must approach the question from the reality that we know in Wales now, not on the basis of spurious figures generated for a political purpose. The reality is, however, that the income per head in Wales has dropped from about 92 per cent. of the UK average 20 to 25 years ago, to 83 per cent. now. That is the result of the 18 years of government that we had, our dependence on the Barnett formula and the assumptions from which it was projected. That is what is basically wrong.

There is room to challenge the Barnett formula. I note with interest that Lord Barnett himself recognises that it is time to look at the matter again, because Wales is not doing well enough out of the formula. Over those 18 years, because the Barnett formula existed, it was taken as a fig leaf to justify the levels of public expenditure in Wales, when the economy in Wales, with the problems that we had with the run-down of the coal industry and the steel industry, and the problems in the rural areas, justified a significantly greater injection of money there. Had there been that injection, the economy would by now have been much stronger than it is.

Mention was made earlier of the fact that countries cannot balance their books. There is one country that is balancing its books—the Irish Republic—no doubt because of the munificence of the English taxpayer, who has paid money to Brussels *[Interruption.]* It makes me sick—the way that Tory Members sneer at the efforts that Ireland has made to pick itself up by its bootstraps. They denigrate Ireland at every opportunity. Now that Ireland has succeeded in getting its GDP per head not only higher than Wales but higher than the UK, they want to say, "Ah, but it is our money that has done it." It is high time that people in the Tory party paid tribute to Ireland for what it has done, rather than trying to draw it back time after time.

Mr. Richard Shepherd (Aldridge-Brownhills): Will the right hon. Gentleman give way?

Mr. Wigley: To come back to Wales—[HON. MEMBERS: "Give way."] I know that hon. Members in the imperial party do not like this, because it is always their game to run down Ireland, to sneer at Ireland and, whenever possible, to have wars with Ireland. That is partly why we have the problems that we have now. If they go to Dublin—

Mr. Shepherd: On a point of order, Mr. Martin. Is it in order for an hon. Member to make aspersions and judgments on the internal process of another man's thoughts, without giving way?

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): What I can say at this point is that it would be in order to speak to the amendment.

Mr. Wigley: I am, perhaps, too easily tempted to go down that road when I hear attacks on Ireland.

Mr. Shepherd: Will the right hon. Gentleman give way?

Mr. Wigley: Out of kindness, yes.

Mr. Shepherd: The essence of the amendment and of the right hon. Gentleman's argument was the size of transfer payments. No one was making a critical judgment one way or the other. The fact is that the Irish Republic has had huge transfer payments, as much as 5 to 6 per cent. of GDP in recent years. The point arising from some of the arguments on the amendments was that Wales similarly receives large transfer payments.

Mr. Wigley: The point that is material to the argument is the success that the Irish Republic has had in generating its economy to the point that the GDP per head of Ireland is higher than the GDP per head of the UK. Even if one takes out the current transfer payment from Brussels to

Ireland, it is still higher. That is because over the years the Irish Republic succeeded in using those transfer payments to build up the economy. That brings us back to the core of the argument, as advanced by the right hon. Member for Devizes (Mr. Ancram) and earlier participants.

Over the period from 1978, when the Barnett formula came in, to the present time, when we have seen the GDP per head of Wales go down, we did not have the transfer payments that were necessary to meet the economic circumstances of Wales at that time, because the Barnett formula does not do that. It increases or decreases in line with the changes in England, where circumstances were entirely different. Because of that reliance on the Barnett formula, there was no attempt to address the stark reality of the Welsh economy that has seen incomes per head drop to a tragically low level in many parts of Wales, where there is rank poverty and deprivation. The Barnett formula has not begun to address those problems because the base situation is inadequate.

Working within a United Kingdom framework—although Plaid Cymru is more than happy to see Wales become a self-governing country making its own way in the world—any payments that are made to the National Assembly for Wales should have regard to objective criteria. That is where I return to the comments of the right hon. Member for Devizes. Our amendment spells out what those objective criteria should be, and I commend them to hon. Members.

First, we believe that there should be a reference to the disparity in GDP per head between Wales and the United Kingdom.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): Does the right hon. Gentleman concede that the criteria that would work well for Wales—we are poorer, so the Barnett formula should give us more—would penalise Scotland, where GDP is about the same as in England, very heavily?

Mr. Wigley: I am certain that our Scottish friends are capable of looking after themselves. In the context of this Bill, we shall look after Wales as best we can.

I believe that the question of GDP per head in Wales and the disparity compared with England, which has widened over time, should be addressed. The disparity within Wales is even more significant. There is desperate poverty in parts of Wales, such as the old slate quarrying and coal mining areas of Gwent and particularly Glamorgan. There must be equalisation the like of which we have not seen in the past 18 years under the formulae that have applied. GDP is not the only factor—there are other indices of deprivation, such as health and morbidity figures, housing and unemployment. There are many large pockets of youth unemployment in our country.

We believe that sparsity of population is another factor that must be taken into account, as the hon. Member for Brecon and Radnorshire (Mr. Livsey) said in opening the debate. We should bring some objective criteria into play. If we are to discuss the matter logically, we must consider the base and not merely the adjustment mechanism.

Mr. Lembit Öpik (Montgomeryshire): Is the right hon. Gentleman trying to introduce, through the amendment, a needs-based consideration into the Barnett formula, thereby satisfying some of the concerns that were raised earlier?

Mr. Wigley: Yes, but I would not introduce it into the Barnett formula. As defined and described, the Barnett formula is related to yearly changes. That is another characteristic of the formula that fills me with hesitation. If we are moving to an era—heaven forbid—when parties compete with each other to cut public expenditure, in terms of social security or in other directions, applying the Barnett formula could lead to a greater reduction in Wales than in the United Kingdom. That would cause problems.

Mr. Denzil Davies *rose—*

Mr. Wigley: I am drawing my remarks to a close.

For both those reasons—the size of the base and the appropriateness of the adjustment mechanism—we believe that amendment No. 435 provides a safeguard and should be built into the Bill. I ask the Minister to respond to that point.

Dr. John Marek (Wrexham): I agreed with almost every word of the speech tonight by the right hon. Member for Devizes (Mr. Ancram)—not the first time in 15 years, but it happens rarely. We must recognise that he made a sensible contribution on behalf of the Opposition. Rather than trying to denigrate and wreck the Bill, the right hon. Gentleman pointed out that the formula as expressed in clauses 80 and 81 is not quite right. He said that we should do a little more to ensure some clarity and avoid problems in the future when the national assembly is up and running. I think that that is true.

I think that most hon. Members who have spoken in the Committee believe that clauses 80 and 81 are all right; they will do. The national assembly will be established and it will be able to operate. However, the situation could be improved. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) expressed the view that is probably nearest to my own when he said we need Barnett plus. We could probably make do with Barnett for the first five, 10 or 15 years, but it is clear that we will need a little more than clause 80 provides at present.

Mr. Denzil Davies: Amendment No. 369 refers to "no less than" the amount produced by the application of the Barnett formula. Therefore, it allows room for that kind of variation.

Dr. Marek: I am grateful to my right hon. Friend for making that point. I cannot support the Conservative amendment, which is a probing amendment; if the Opposition seek to divide the House, I shall not vote for that amendment. However, hon. Members have recognised that there is a problem, and we must consider it carefully.

The right hon. Member for Devizes asked how the money would be transferred from the Treasury to the national assembly. There is no Welsh consolidated fund, although there will be provision for such a fund in the Scottish legislation. The Minister should consider that point. He may have argued for a Welsh consolidated fund and have been bound hand and foot by Treasury solicitors

[Dr. Marek]

saying, "You cannot have a Welsh consolidated fund or anything like it." I do not know. However, I will be interested to hear the Minister's comments about that.

A Welsh consolidated fund—comprising money from the Treasury upon which the assembly could call at will—would assist me and other hon. Members who worry about how money will be transferred from the Treasury to the assembly.

Mr. Rowlands: From memory, I think that a Welsh consolidated fund was written into the earlier devolution legislation.

Dr. Marek: My hon. Friend is quite right. Why is there no consolidated fund for Wales when there is one for Scotland? Clause 80 states:

"The Secretary of State shall from time to time make payments to the Assembly out of money provided by Parliament of such amounts as he may determine."

I can imagine a Secretary of State who is not on friendly terms with the national assembly leadership withholding its money. In such circumstances, the First Secretary of the national assembly would be forced to telephone from Cardiff, Swansea or Wrexham every morning to ask, "Have you put the cheque in the post, because we want to sign a contract or provide funding for a hospital or school? Is the cheque on its way?" Will the money be provided in the form of a banker's draft? Will the assembly have to wait until a cheque has cleared? That is not satisfactory.

To the extent that I perceive a conversion in the Opposition's view regarding the Welsh assembly, I am less concerned that things will go badly wrong if there are different ruling parties in Westminster and in the assembly. Even so, we are talking about primary legislation and we should address that point. I ask the Minister: why is there no Welsh consolidated fund to help this process? If there will be no such fund, will the Government introduce an amendment—perhaps in another place—that will make it clear that adequate moneys will be transferred in good time and in sufficient quantities from the Treasury or the Secretary of State for Wales to the national assembly in order to avoid any cash flow problems?

Most hon. Members would agree with the application of the Barnett formula if clauses 80 and 81 contained a little more substance. I think that that is the general view—and it is probably also the view of Ministers. I wonder whether we can do something about that, although we clearly do not want to see formulae in primary legislation. I agree with the right hon. Member for Devizes about that. It would be better to have a needs-based formula than a Barnett formula. I think that we would all agree on that. I am not under any illusion that that could be done in one or two weeks or a month, or before the latest time for the tabling of amendments in another place. But could they table a proposal to amend primary legislation so as to commit the Secretary of State for Wales to abide by certain criteria when determining the sum that is to be transferred to the national assembly? At present, the Bill contains no such provision. It merely refers to the Secretary of State providing

"such amounts as he may determine."

There is no reference to the Secretary of State providing according to needs, to the Barnett formula or to anything else.

6 pm

We have the Judicial Committee of the Privy Council to resolve disputes. Perhaps we could use it to settle any dispute over whether any criteria have or have not been followed sufficiently by the Secretary of State for Wales in determining how much money he should transfer. From the point of co-operation, we need something. I have no intention of supporting the amendments tabled by Members of the Liberal Democrats or of Plaid Cymru. I shall definitely not be supporting the Conservative amendment, although I agree with what the right hon. Member for Devizes said. However, if the Government would at least consider the points that have been raised by many right hon. and hon. Members this afternoon, we should be making progress. Our debates on this Bill have been unusually co-operative and forward-looking and in this instance, we deserve a response from the Government.

Mr. Shepherd: I shall speak briefly because we are under enormous time constraints. Secondly, I shall take up a point raised by the right hon. Member for Llanelli (Mr. Davies).

Mr. Denzil Davies: Pronunciation?

Mr. Shepherd: The right hon. Gentleman must forgive me; I am an alien. He is right not to trust the non-Welsh on these matters.

The right hon. Gentleman makes the point that as we come to the end of the unitary state as we have known it, the transfer payments within what was the unitary state will come under more open discussion. We have only to listen to the hopes and aspirations of the Liberal Democrats and the Welsh secessionist party, with their Prime Ministers, Cabinets, research assistants and the huge paraphernalia of additional expenditure that will be given to a political class for Wales, to reflect on the wisdom of the Welsh people—or 75 per cent. of them—in refusing to support the Government's proposals.

I merely note that 75 per cent. must have heard the speeches of the right hon. Member for Llanelli over many years, in which he has highlighted the real difficulties where there is a poorer region within our island and the transfer of payments to it. Most of us who believe in Britain believe profoundly in the principle of transfer payments. We see ourselves as equal citizens in a commonwealth. Each British citizen contributes through tax and financial arrangements to the benefit of the whole.

However, we hear words such as "assumption" and "grabbing" used across the Chamber in relation to the Welsh people. The Government's case was, of course, predicated on the Welsh electorate, not the Welsh people. Half a million Welsh people live within the confines of England. A huge proportion of the Welsh electorate is excluded from discussion of these matters. Family, love and community mean that we, the melting pot in England, with Welsh Members elected as English representatives, have a fundamental interest in ensuring the well-being of each part of the Union.

We have heard the prattling, if I may so, of the Welsh secessionist party, which appears to think that Wales is a fiscally self-contained unit and could launch itself on the international stage, maintaining the standards of living and the aspirations of most of Britain on its own economic base, for which it condemns 18 years of Thatcherism or Conservative government? The rigamarole goes on through each debate, but in this instance we are talking about a matter of substance. We are one small island in the world. We are intermingled by blood and common language. The nonsense that I so often hear is expressed as a form of irritation by many in Wales, who say that they are corralled in Welsh-speaking schools when their heritage for more than a millennium has been integration with England. Indeed, when we divide the Union and talk about it, England and Wales is the unit on which we reflect; that has been the position for most of us for most of our lives.

The secessionists now see that unit as an inconvenient association. They now postulate to the Welsh people that without funding from across Britain—Welsh, Scottish and English taxpayers as well—it would float off into some glorious financial future as a free-standing independent nation, separate from the other nations of this commonwealth of Britain. That has been the tone and temper of our debates as they have developed on these most delicate subjects. I genuinely think that that is why Wales has been so cautious about going for the route proposed by the Government. I genuinely think that.

That is no criticism of the Government. I think that they were fixing a political fix in the Welsh Labour party. Wales got what it wanted, and that was a Labour Government. That was the substance of it all. We are now hearing demands and interpretations of matters within the remit of the White Paper that are far beyond anything to which the Government have committed themselves. As a result, caution is urged by English elected representatives. I say that because my neighbouring constituency Member is the hon. Member for Walsall, South (Mr. George), who is Welsh born. The hon. Gentleman is proud of his associations with Wales.

Divisiveness is introduced by those who think that they are mounting a separate state within the Union of Britain while at the same time expecting others to fund their ambitions.

Mr. Wigley: Will the hon. Gentleman give way?

Mr. Shepherd: No. I have finished.

Mr. Gareth Thomas: I well understand the thrust of the arguments that have been presented to us so forcefully by my right hon. Friend the Member for Llanelli (Mr. Davies). My right hon. Friend believes that, in the new era of devolved government, Wales needs an insurance policy. He thinks that it should have reassurance that it will not be worse off than it is now. As I understand it, that is the basis of my right hon. Friend's amendment.

Perhaps my right hon. Friend takes the view that I have outlined because, having had the benefit of long experience in Parliament, his estimation of human behaviour may be rather more pessimistic than mine. On any level, however, I believe that there are fallacies in his argument.

Why should a more transparent and devolved system of government preclude a genuine debate on what the various regions of the United Kingdom require to produce equalisation and parity in terms of prosperity? That sort of debate is common elsewhere in Europe. I know that my right hon. Friend is antipathetic towards the concept of Europe, as are various Opposition Members. However, there exists a system for regional transfers within Europe that is entirely consistent with the concept of member states—let alone the modest form of regional government that we propose. There is an open debate in Europe about which regions within Europe should receive transfers. We expect that there will be a healthy debate in Wales about the structural funds for which Wales will be eligible under the Agenda 2000 proposals. These funds should most certainly be based on gross domestic product and should reflect the fact that Wales is far less prosperous than other regions of the United Kingdom.

I do not agree with my right hon. Friend the Member for Llanelli, with respect, because I believe that we need a healthy and open debate that takes on board an assessment of real needs. As I am sure my right hon. Friend knows, I shall refer to five issues that show that there is a need to reconsider the present formula, non-statutory though it is, for the redistribution of resources. He says that he cannot trust the English, in perhaps somewhat intemperate language, although I understand the spirit with which it was stated: that, if we do not enshrine the formula in legislation we will be far worse off. But if the formula is enshrined in legislation, I do not trust this Parliament to be prepared to improve the present situation and to embark on a genuine open debate as to what the regions and nations of the United Kingdom require. If the formula is enshrined, it may be the minimum, within which we shall be trapped.

Wales has the lowest gross domestic product per head of any region in the United Kingdom. It also has the lowest level of personal disposable income of any region in the United Kingdom. The level of economic activity in Wales is very low. I am speaking specifically of my constituency, where economic activity and prosperity are among the lowest in the United Kingdom. Economic activity in Wales is above only that of Merseyside and the north-east of England. Average earnings in Wales are the second lowest in Britain, and are above only those of the north-east of England. Wales has the highest proportion of the population in the United Kingdom reporting long-term illness. Those facts serve to underline the point that the Barnett formula, based as it is on the historical, somewhat unscientific, inherited baseline, does not really address the objective criteria of relative deprivation.

I see strength in the Plaid Cymru amendment, which would import objective criteria into the assessment of budgetary transfers in the United Kingdom, but I suspect that it will be unworkable. What is needed is an open and transparent debate. Britain will continue to exist. Many Labour Members accept that the United Kingdom consists of various nations, and are proud to be Members of the British Parliament, which will, of course, continue and retain sovereignty.

Mr. Rhodri Morgan: I am grateful to you, Mr. Martin, for allowing me to participate in the debate. I shall make some observations on the Barnett formula and whether it could be improved on, and whether it can be caused to survive or be strengthened, so that there is a guarantee that it will continue beyond the process of democratic devolution—in so far as we can overcome the absence of

[Mr. Rhodri Morgan]

a written constitution and the fundamental principle of this Parliament that we have never found a mechanism to bind our successors.

I do not agree with everything that my right hon. Friend the Member for Llanelli (Mr. Davies) said, and I certainly do not agree with a great deal that the hon. Member for Aldridge–Brownhills (Mr. Shepherd) said. There has been a general call from both sides of the Committee that we should try to find a way of causing the Barnett formula, or another resource transfer mechanism based on objective criteria of relative need, to be written into the Bill, and that there should be another means of the Government declaring that they will produce a resource transfer mechanism, which is undoubtedly one of the fundamental features that can make or break successful devolution, before all the Parliamentary proceedings are over, so that, whatever the disputes resolution mechanism, it is there for guidance—for judges in judicial review cases, or whatever it is needed for. If they do that, we will have had the firmest possible declaration from Ministers about how they propose that the resource transfer mechanism will operate in future.

It is precisely because of devolution that the Barnett formula, and its predecessor, the Goschen formula, came into existence, not despite devolution, as my right hon. Friend and the hon. Gentleman seemed to argue: that a further act of devolution is a threat to the Barnett formula. That is a totally unhistoric view. The Barnett formula came into existence because of the expectation of devolution. Some have said, "You cannot prove that," and, of course, it cannot be proven, because the formula is somewhat shrouded in mystery.

The right hon. Member for Devizes (Mr. Ancram) said that the formula emerged only two years after it had been agreed between the Government Departments. He is right. Trying to get back to the origins of the formula and to see a document that clearly states it is difficult. It is like one of those theorems. As has been said of other formulae, trying to find out who understands the Barnett formula is difficult. Only three people understand it: one is mad, one is dead and the other one is an academic who, unfortunately, is on a sabbatical bicycling across the Gobi desert.

6.15 pm

There is an element of truth about that. The formula is open to dispute. However, it is certainly true that, fortunately, the academic in this case, Professor David Heald of Aberdeen university, is not on sabbatical bicycling across the Gobi desert, but quite recently gave evidence to the Treasury Committee. Appearing before the Select Committee might be far worse than bicycling across the Gobi desert, but he was there. As far as I am aware, he is the only academic to have taken much interest in the Barnett formula. I quote briefly what he said about it:

"With a view to regularising the financial relationship between the UK Exchequer and the proposed Scottish Assembly, the Labour Government in 1978 established a formula which linked changes in 'Scottish block expenditure' to changes in 'public expenditure in England on those services within the Scottish block'."

There are not many academics with an interest in this subject, and I take that as a fairly definitive statement from the only academic who is interested.

Lord Barnett differed slightly from that view when asked about this in the Treasury Committee, but he was asked the wrong question. He was not asked: "Was it because of devolution?" but "Was it because of devolution and the rise of Welsh and Scottish nationalism?" He said that that was part of the picture, but that there were other reasons. There were, of course, reasons other than resource transfer. These related to devolution, but were not to do with resource transfer. One of those issues was raised by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands)—to avoid the annual punch-up. That was the basis of the Goschen formula, which was brought in shortly after the Secretary of State for Scotland and the Scottish Office were introduced in 1885.

The Goschen formula was developed by the Liberal Government at the time to avoid annual punch-ups involving the Scottish Office and the Secretary of State for Scotland. Devolution causes formulae to be brought in. It is not a threat to the formulae. So long as we can agree on all that, we might be able to agree on the strongest formula that we can devise, given the absence of a written constitution and our inability to bind our successors. I hope that Ministers will be able to deal with that.

The other issue that the Barnett formula enshrined was delegation within the block. The Treasury ceased to control the expenditure of the Secretaries of State for Scotland and Wales, and a year later the Secretary of State for Northern Ireland. They could spend the money any way that they chose within the block that had been agreed. If they wanted to have a big year on roads and a lower year on health, or if they wanted to do the reverse, they did not have to justify it to the Treasury. That was in expectation of devolution. It is clearly inconceivable to have Treasury control over individual items of expenditure if there is democratic devolution. They were freeing up the Treasury control mechanisms on individual items of expenditure.

Those are the three principles of the Barnett formula. First, it enshrined higher expenditure per head in the block by fixing the baseline and tying the changes to an agreed formula. Secondly, it avoided the annual punch-ups by that means. That is why it has lasted for so long. Thirdly, there was no Treasury control over individual expenditure decisions within the block. My right hon. Friend also made the point that Wales is a poor country. We all know that. There is no question about that. Therefore a resource transfer mechanism is critical.

We must remember that public expenditure comes in three categories. There is the Welsh block—what the Secretary of State for Wales spends. There is a little outside the block, but by and large we are talking about expenditure on health, education, roads and highways, and most agricultural expenditure. Then there is the critical area mentioned by my right hon. Friend the Member for Llanelli: social security, which has nothing to do with the Secretary of State for Wales.

Another item is included in the resource transfer calculations relating to how dependent Wales is on the English taxpayer. Because Wales is a big retirement area, a large proportion of pensioners live there, and, relative to the population as a whole, a large proportion depend on benefits. That is an inheritance from our history of heavy industry: the right hon. Member for Caernarfon (Mr. Wigley) mentioned slate quarrying and coal mining.

Defence procurement is said to be completely outside the area of identifiable regional defence expenditure. We have only 1 per cent. of defence procurement relative to 5 per cent. of the population, which is a loss—if we want to call it a loss—of some £400 million in annual payments towards wages that would be earned in Wales if we had the same share of defence procurement as we have of population. Obviously, that means that there are many fewer well-paid jobs in Wales than there would be otherwise, but defence procurement cannot be distributed region by region or nation by nation in the United Kingdom.

In a sense, defence procurement is the regional policy of areas with a large number of defence establishments. It is, for instance, the regional policy of the Preston area, which is near the constituency of the hon. Member for Ribble Valley (Mr. Evans), an Opposition spokesman. There is the question of the vast taxpayer funding for British Aerospace—

Mr. Rowlands: It was the Neville Chamberlain Government.

Mr. Morgan: There are greater experts than me in the Chamber, so we will not go into the issue now.

I hope that Ministers will take on board what has been said by hon. Members in all parties. We have asked for the solidest possible enshrining in legislation or in declaration that would be proof against judicial review, and would help the Welsh assembly. We want something that will say, "There shall be a resource transfer mechanism"—a mechanism that will be based on the Barnett formula, or on something better and more lasting. It will strike people as odd, when they look at regional devolution measures throughout Europe, that the Bill makes no reference to the need for and provision of a resource transfer mechanism.

Mr. Martin Caton (Gower): For the time being, I too support maintenance of the Barnett formula as a mechanism for ensuring that Wales receives its fair share when Budget changes occur. That formula, however, just ensures that Wales receives any increase due to it on the basis of proportion of population, as was made clear earlier. That is why the formula could not prevent Wales from falling further behind England in terms of gross national product per head between 1976 and last year—and that is why I am attracted to amendment No. 435. The amendment, tabled by Plaid Cymru, tries to address need in Wales as compared to other parts of Britain.

I agree with the intention of the amendment, which is to establish objective indicators that can identify and realistically compare need. GDP, relative deprivation and sparsity are certainly factors that need to be included if we are serious about establishing a new needs-based formula. Apart from GDP per head, however, in terms of any comparators for economic activity—unemployment, the proportion of people out of work and not seeking work, youth unemployment, household disposable income or average earnings—Wales is markedly worse off than England in regard to wealth and the ability to create it.

How would we measure relative deprivation? Would we relate it to age and condition of housing stock? Wales has almost twice as many unfit homes as England, in percentage terms, and far more old homes. Rates of homelessness are also higher in Wales. As for health, the picture in Wales—as compared to England—is even bleaker. Wales has more long-term health problems; a much higher proportion of people receive sickness, invalidity or disablement benefit; there are higher death rates from heart disease; there are more cancer registrations; and there are longer waits for hospital treatment.

What does sparsity mean in real terms for real people? It means smaller primary schools—although, ironically, classes are frequently larger. It means twice the road length to maintain per head of population compared with England. It means that public transport—although even more vital—is often very expensive for both the individual and the public purse.

I am not convinced that amendment No. 435 adequately provides the framework for a new needs assessment formula, or whether it should be part of the Bill. If, however—as hon. Members on both sides of the Committee have said—there is a growing belief that spending in Wales, as compared to spending in the United Kingdom as a whole, should be reviewed, we must find a way of analysing comparative need objectively. I am convinced, on the basis of my experience and observation in my constituency and elsewhere as well as on the basis of statistics, that any fair review would result in an acknowledgement of the need to increase Wales's share of the cake rather than cutting it.

Mr. Hain: I agree with the right hon. Member for Devizes (Mr. Ancram)—which will worry him—that the debate has been crucial. I am disappointed that the hon. Member for Aldridge–Brownhills (Mr. Shepherd), who makes a valuable contribution to our debates, treated us to a rant rather than the intelligent speech that we have come to expect from him. I note that last night the hon. Gentleman voted for the proposition that there should be a Prime Minister of Wales; I am not sure how that squares with what he said this evening.

I particularly enjoyed the speech of my right hon. Friend the Member for Llanelli (Mr. Davies), which was typically witty and erudite. He does not trust the English—I assume because English clubs have been nicking all the best Llanelli players.

I apologise if my speech takes a little longer than ministerial speeches of this kind normally do, but many important points have been raised. First, let me deal with what my right hon. Friend the Member for Llanelli said about amendment No. 371, which deals with a slightly different aspect of the assembly's funding. The amendment would have the undesired effect of preventing the assembly from receiving money that Ministers or Departments have received from sources other than Parliament, which happens now in regard to some European money that the European Commission pays to a Department which, in turn, pays it to the Welsh Office. One instance is the European social fund, which comes via the Department for Education and Employment. I am glad that my right hon. Friend has tabled only a probing amendment, as amendment No. 371 would stop such arrangement from continuing.

My hon. Friend the Member for Wrexham (Dr. Marek) referred to the consolidated fund. The existing parliamentary arrangements would oblige the Treasury to release the amounts voted by Parliament from a

[Mr. Hain]

consolidated fund to the Secretary of State for Wales. I cannot imagine any circumstances in which a Westminster Executive would seek to defy the sovereignty of Parliament and abandon those arrangements.

My hon. Friend mentioned Scotland. Scotland is different: it has its own consolidated fund because revenues from any income tax levied there will go into it. I should add, however, that the Scottish consolidated fund will not protect the concerns raised by my hon. Friend, because it will still be largely dependent on payments into it by the Secretary of State for Scotland. The Government's White Paper "A Voice for Wales" committed us to retaining the present arrangements for deciding the size of the block that is allocated to Wales. That means linking changes to the Welsh block to changes in Government spending on comparable English programmes.

The Barnett formula, as it has come to be known, has operated in Wales and Scotland for many years and it has clearly achieved some acceptance. No obvious replacement of it would be fairer.

Dr. Marek: My hon. Friend has gone on to another section of his speech. I thought that I should wait until he finished his point before I intervened.

What assurance can he give the Committee that any money voted by Parliament for the national assembly will be paid forthwith into the bank for the national assembly?

6.30 pm

Mr. Hain: I realise that my hon. Friend is concerned about cheques being delayed in the post and so on, but I am sure that any Parliament will want to ensure that its relationship with the assembly is stable, honest and open, and that the procedures allow for that.

The Barnett formula is clear and easy to understand. It does not give Wales a disproportionate increase—it is purely a mechanical exercise that is based on relative populations. Criticism of Barnett often arises because of confusion between the absolute size of the block and the mechanism for adjustments.

The right hon. Member for Devizes quoted somewhat selectively, although accurately, from the Select Committee's report. It did not really challenge the case for Barnett. If the Government decide on a needs assessment, I am confident that Wales will not suffer. That point was made well by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), who I understand is to star in a "Panorama" programme that examines precisely the problems in his constituency that are a legacy of 18 years of Conservative rule. That is the background against which we are discussing this matter.

My hon. Friend the Member for Merthyr Tydfil and Rhymney raised in-year changes to the block. It is correct to say that such changes are not reflected through the Barnett formula, but there are exceptions and they are explained in the principles of the block budget for Wales, which were published by the Treasury in December. Paragraphs 10 and 11 describe circumstances in which access to the reserve can be obtained by the Secretary of State for Wales and of course subsequently by the Welsh assembly.

Mr. Rowlands: If there were an expenditure review and an urgent cut in public expenditure in the year, how would that be translated into assembly spending?

Mr. Hain: A Labour Government are not going to make any proposals for such adjustments. In the event of a disaster or similar event, a claim on the block could be made. Under the principles and rules that were published in December by the Treasury, a claim on the reserve could be made.

I agree with my hon. Friends the Members for Gower (Mr. Caton), for Cardiff, West (Mr. Morgan) and for Clwyd, West (Mr. Thomas) and with the right hon. Member for Caernarfon (Mr. Wigley) that Wales has higher needs. They are demonstrated by major economic indicators.

The latest figures available show that Wales has the lowest gross domestic product in Great Britain; it is only 83.1 per cent. of the UK average—and it has fallen, by the way, in the past 10 years or so under a Conservative Government. Wales also has the lowest personal disposable income of any region in the UK—that, too, has fallen since 1979. Average earnings in Wales are the second lowest in Great Britain. They too have fallen proportionately since 1979. Economic inactivity in Wales is more than 4 per cent. higher than it is in England; for men of working age, the figure is more than 5 per cent. higher. Apart from those economic indicators, the need to spend more in Wales is reflected in the statistics on the health of the Welsh population, the poorer housing conditions and the lower educational achievements.

It would not have been meaningful or practical to include the details of the formula and block rules in the Bill, as hon. Members have requested. As I have explained, the formula does not determine what the base line of the Welsh block is. I suspect that it would have been a novel use of primary legislation to specify that the Secretary of State should pay to the assembly no less than a particular sum of money. That would have flown in the face of the usual supply procedure by which Parliament approves the Government's requests for funds and authorises expenditure through the annual Appropriation Act. Inclusion of the formula in the Bill could not, therefore, have guaranteed that the assembly would receive a particular level of resources. In short, it would not have been meaningful.

The practical objection to including the formula and the block rules in the Bill is that the formula and rules are complicated, detailed and subject to change, for reasons that I shall explain. There would either have to have been an order-making power to amend the formula and rules in the Bill or, more likely, acceptance from the outset that the formula and rules would appear only in subordinate legislation.

Both the formula and the block rules are subject to regular revision. For example, the current rules will need to be amended to allow for the inclusion of forestry and domestic agriculture programmes in the Welsh block when they are transferred, as they will be, to the assembly. The Government have also announced that the population ratio that underpins the formula will be updated annually

from 1999-2000 onwards. It would therefore not be possible to put the population share in legislation without the ability to amend the legislation annually.

Nor does the formula tell the whole story of adjustments to the block. Increases or decreases can occur because of asset sales, changes in responsibilities or the imposition of new burdens, whether by the UK Government on the assembly and on its spending programmes or by the assembly on Government Departments.

Mr. Wigley: In case we do not have time otherwise, will the Minister clarify whether the assembly will be entitled to keep the revenue obtained by asset sales?

Mr. Hain: That depends on what the asset sale is. If it is a property owned by the assembly—an office block, say—there would be a case for that. If there were a privatisation in Wales—such as the privatisation of Welsh Water—the returns would go back to the Treasury.

The assembly will not be responsible for all Government expenditure in Wales and some of the expenditure for which it will be responsible will continue to be outside the block arrangements, such as most Europe-funded agriculture expenditure—a point that was mentioned by my hon. Friend the Member for Merthyr Tydfil and Rhymney.

Any reference to the Barnett formula in the Bill would mean that the whole system would need to be built into legislation. It may not be in the Bill, but the formula—this is an important point; it has not been lightly done—is referred to in the financial memorandum to the Bill, which again shows the Government's continuing commitment to retaining the present arrangements. However, it would not be meaningful or practical to include the details of the formula in the Bill itself. Changes to the Welsh block will continue to be determined by a formula, not by annual negotiations, as the amendments would require.

I remind the Committee that the formula and block rules have operated for nearly two decades without being included in legislation. During that period, they have operated entirely satisfactorily in terms of their mechanical operation, even under a Conservative Government who were hostile to Wales—*[Interruption.]* The Conservative Government were indeed hostile to Wales, as any of my constituents would confirm, in terms of the repeated attacks and insults heaped on Wales and the denial of our democracy.

To ensure that the formula and block rules are entirely open and subject to scrutiny, the Government, for the first time since the Barnett formula came into being—we deserve credit for this—published the principles that govern the block and formula arrangements on 8 December. I did not hear a chorus of criticism in the House when that document was published.

We are committed to publishing the full rules in due course and any revisions to them. Any major changes to the block and formula rules will be carried out only after a full study of relevant spending needs. That would be the time to consider such factors as GDP, sparsity of population and relative deprivation. The National Assembly for Wales would be fully involved in any such study.

My right hon. Friend the Member for Llanelli raised important points about concordats with the Treasury. There will indeed be a concordat between the assembly and the Treasury. It will cover, for example, the information to be exchanged between the assembly and Treasury. The Barnett formula and block rules will be published separately from any such concordat. The principles of the formula and the block rules were published in December, and we are committed to publishing the full block and formula rules and any significant changes to them.

Mr. Denzil Davies: Is my hon. Friend saying that the Barnett formula principles will not be in the concordat—the agreement—between the assembly and the Treasury?

Mr. Hain: The Barnett formula principles have already been published. The rules will also be published and the financial arrangements between the assembly and the Treasury will be published in a concordat.

The Government's view is that the determination of the Welsh block is best handled administratively, as it is now, but in a much more open and transparent fashion. Clause 81 obliges my right hon. Friend the Secretary of State to lay before the assembly a written statement of its estimated resources for each financial year. That will include details of how the total amounts have been calculated through the block and the formula system. That statement is the proper one in which to set out how the formula has been operated in any given year.

I welcome the wish to ensure that Wales's needs for a proportionately higher share of UK resources continue to be recognised, but it would not be appropriate to insert that sentiment in the Bill. I hope that my full explanation will satisfy the Committee why it is inappropriate to include the Barnett formula in legislation. The new openness that we propose about the detail of the formula and its operation each year is a much better guarantee of a fair settlement, and Parliament and the assembly will, for the first time, be able to see exactly how the formula operates. That is a stronger and more efficient form of accountability than attempting to capture the procedures in primary legislation.

Amendment No. 18 would involve unnecessary bureaucracy. It would strangle the assembly with bureaucracy—but perhaps that is not surprising because it is a Conservative amendment. It would require certificates to precede each payment by a Minister or Department. The overall position will be adequately set out in the statement for which clause 81 provides. The amendment is typical of the Opposition's churlish and niggling approach to the Bill.

There is adequate protection in our proposed arrangements to secure the financial basis for the assembly's budget. I ask the hon. Member for Brecon and Radnorshire (Mr. Livsey) not to press his amendment to a vote, and I hope that the Committee will support the clause.

Mr. Livsey: The debate has been wide-ranging, and many important principles have been enunciated in an effort to define how the assembly will be funded. Hon. Members have tended to focus on the Barnett formula, which has been operating for two decades.

The right hon. Member for Llanelli (Mr. Davies) raised several important issues and said that much more money is coming in than is calculated by the Barnett formula

[Mr. Livsey]

because of social security and other payments. The resource transfer mechanism needs to be better defined in the Bill, and the amendments relate to the Barnett formula. As the right hon. Member for Devizes (Mr. Ancram) raised similar issues, there seems to be some agreement that the method of funding should be defined. There is no complacency in the Treasury. The Secretary of State has taken a great interest in trying to ensure adequate funding for the assembly.

The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said that the Barnett formula was convenient because it avoided negotiations. That is a strong point. I understand the views of the right hon. Member for Caernarfon (Mr. Wigley) who tabled amendment No. 435 on the crucial issue of need. As hon. Members have said, Wales has many needs. It has low wages, a low gross domestic product, high unemployment and high social deprivation. I did not quite understand the rather intemperate speech made by the hon. Member for Aldridge-Brownhills (Mr. Shepherd). I am not a nationalist, but many members of my family lost the Welsh language because of discrimination. There are historical reasons for the majority of people in Wales no longer speaking the native tongue. Only about 20 per cent. of its people speak Welsh.

6.45 pm

The hon. Member for Clwyd, West (Mr. Thomas) spoke about an insurance policy in relation to the Barnett formula advanced by the right hon. Member for Llanelli. We have certainly had a healthy and open debate on many matters. The hon. Member for Cardiff, West (Mr. Morgan) rightly said that there was a need for a defined formula. The debate has identified the many problems that arise from rural and urban deprivation in Wales and has shown the requirement for a definition of need. That has not been spelt out in the Bill. We have debated the complex issues. In some respects, the Barnett formula has stood Wales in good stead, but there has been a reduction in GDP.

I was glad to hear the Minister say that the concordat will be different from the statement in the explanatory and financial memorandum, in that the Barnett formula will be acknowledged. He spoke about deprivation in Wales. The Bill must refer to the principles of resource transfer. If it is not acceptable to put the Barnett formula in the Bill, some kind of statement must be made about how to proceed.

In the light of the full debate on it, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Robert Syms (Poole): I beg to move amendment No. 15, in page 38, line 32, at end insert—

'(3) The Secretary of State shall receive representations and consult interested parties, including the Assembly, as to payments made under this section.'.

The Secretary of State will continue to be accountable to Parliament, but he will become the paymaster of the assembly. That is made clear in the notes on clauses, which state that he will be free to determine the amount of such payments. His role will be as a conduit for resources and it is important to amend the Bill to make him more accountable to the people of Wales.

The assembly will be one of the few examples of an elected body with no direct financial link with voters. Local authorities and even parish councils have some sort of financial link. The briefing paper in the Library states:

"Indeed Executive Devolution is unlikely to be stable or long lasting because it is so heavily dependent on co-operation between Cardiff and Westminster."

We are not so sure about Cardiff. Those of us who love the Union wish to strengthen the arrangement by trying to get around the disadvantages of the arrangements in the Bill.

Administrative devolution is an unusual creation and will require creative and imaginative suggestions—such as our amendment—to make it work. We therefore feel that incorporating amendment No. 15 would be an improvement. We feel also that it is not unreasonable that the assembly should be consulted on financial matters. Indeed, there is no reason why it should not be consulted.

We can now clearly discern in the Bill the shape of the assembly. We cannot, however, discern the Secretary of State's role. Our amendment would ensure that the Secretary of State's future role is defined. As Secretaries of State, Members of the Assembly, hon. Members and Governments come and go, our amendment would provide a safeguard by establishing a formal consultative process so that people in Wales may feed their views back to Westminster through the Secretary of State.

We believe also that the consultation process should include other bodies, such as trade unions and the Confederation of British Industry. A formal consultative procedure could be useful to the Secretary of State in establishing a financial background for those from Wales who provide advice and participate in consultation.

We have heard that the Bill is not an event but a process and that further powers may be given. If we provide a consultative role for both the assembly and the people of Wales, there will be a useful check in ensuring that the assembly's and people's views are fed back, via the Secretary of State, to the House.

We have heard much about accountability, inclusiveness and openness, yet clause 80 states nakedly the power of the Secretary of State. Although—to give credit to the Secretary of State—some of the proposals that we are debating are meant to reduce that power, our amendment would help to achieve that end. Creating a formal consultation process would help over a period of years to improve the role and relationship between the assembly and Westminster.

Mr. Hain: I congratulate the hon. Member for Poole (Mr. Syms) on his first appearance at the Dispatch Box. It was a very confident and pleasant performance.

The Secretary of State for Wales (Mr. Ron Davies): In contrast with the rest of the Opposition Front Bench.

Mr. Hain: I am far too nice to make such a point. I welcome the hon. Member for Poole to his new role.

On amendment No. 15, I should first make it clear that the assembly will be free to make any representations on funding that it wishes to make to my right hon. Friend. Paragraph D.14 of the White Paper made it clear that that was our intention, and clause 34 gives the assembly the power to make representations on any matter affecting

Wales. Nothing will prevent anyone who wishes to make representations from doing so. Therefore, amendment No. 15 is unnecessary for that purpose.

The amendment attempts also to ensure that my right hon. Friend will consult the assembly about its funding. I give the Committee an absolute commitment that discussions about those matters will take place between the assembly and my right hon. Friend during each public expenditure survey—subject to the operation of the Barnett formula, which we discussed in the previous debate.

We can be sure that the assembly will want to give the Secretary of State its views on the total level of resources that should be made available to it, any special factors that it wishes the Government to take into account in reaching their decision and its views on the detailed operation of the block formula. I expect a chorus of views from the assembly, through the Secretary of State, to the Cabinet.

The assembly and the Secretary of State's office will also have to discuss technical matters, such as settling the schedule of instalments of payments made by the Secretary of State to the assembly. There is no need for legislation to spell out how those discussions should be held. Moreover, the amendment would risk creating a more formalised and costly process by adding further statutory requirements for a potentially wide consultation process with undefined "interested parties".

I realise—undoubtedly I will be accused of being churlish for saying this—that the Tories need something to vote on today to justify their role as an Opposition, but amendment No. 15 should not be it. Behind the official Opposition's criticism of the Bill is an assumption that there will be massive conflict between the assembly and the Secretary of State—who the Opposition regard both as powerless and, conversely, as the powerful block to the assembly achieving its objectives. He cannot be both.

The Government are engaged in creating a new democracy and a new pluralism in Britain's democracy. The nation of Wales, the nation of Scotland and, eventually, the regions of England will be engaged in a process of dialogue, debate and—yes—pressure, and in a listening process.

Mr. Andrew Robathan (Blaby): As someone who is Welsh by descent, I think that it is rather peculiar that the Minister should talk about creating a new democracy. One in four electors in Wales decided that they would like an assembly, whereas three in four either did not bother to vote or voted against the assembly.

Mr. Hain: That really is like an old gramophone record. The hon. Gentleman simply does not wish to accept the results of a democratic decision of the Welsh people. The referendum result was clear. It stands, and no one can challenge it.

Mr. Ancram: I wonder whether the Minister can explain to the Committee how that new democracy and new friendship were demonstrated by the argument between the Secretary of State and the leader of Cardiff county council—a member of the Labour party—over the location of the assembly?

The First Deputy Chairman: Order. We are debating a specific amendment, to which the Minister is replying.

Mr. Hain: As I understand it, my right hon. Friend and the council leader were engaged in a loving and intimate dialogue—

Mr. Ron Davies: Politically.

Mr. Hain: They were engaged politically, yes—not in any sense personally. I should like to comment—if you will allow me, Mr. Martin—on the supreme irony of the Conservative party's claim that it is listening to Wales. It would be the first time in its history that it has listened to Wales. Wales was not listened to by a Conservative Government for 18 long years—during which our jobs were attacked, our coal mines were closed and all the indices of deprivation—in housing, wealth, education and employment—plunged in comparison with the rest of Britain. Wales was left behind by the Conservative Government. The Conservatives did not listen to Wales and that is why, on 1 May, they were wiped out of Wales in the general election.

The Government are confident that we will establish a new democratic relationship between the people of Wales and the House. Their views will be communicated through the House to the Government, and through the Secretary of State to the Cabinet. The Bill and its specific provision for finance for the Welsh assembly will guarantee a strong and lively democracy rather than one that is strangled from the centre—which is what Conservative rule has been all about. I urge the Committee to resist amendment No. 15 and to resist the Conservative party.

Question put, That the amendment be made:—

The Committee divided: Ayes 114, Noes 350.

Division No. 146] **[6.57 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Curry, Rt Hon David
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip

Hayes, John
Heathcoat–Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. James Cran.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Forsythe, Clifford
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gorrie, Donald
Grant, Bernie
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew

Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. John McFall and Jane Kennedy.

Question accordingly negatived.

It being after Seven o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [2 February], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 80 ordered to stand part of the Bill.

Clauses 81 to 86 ordered to stand part of the Bill.

Clause 87

NATIONAL LOANS FUND LENDING

Amendments made: No. 285, in page 41, line 33, leave out 'Minister of the Crown' and insert 'Secretary of State'.

No. 286, in page 41, line 39, leave out 'Minister of the Crown' and insert 'Secretary of State'.—*[Mr. Jon Owen Jones.]*

Clause 87, as amended, ordered to stand part of the Bill.

Clauses 88 and 89 ordered to stand part of the Bill.

Clause 90

AUDITOR GENERAL FOR WALES

7.15 pm

Mr. Ancram: I beg to move amendment No. 331, in page 42, leave out lines 28 and 29.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 332, in page 42, line 42, leave out from first 'so' to end of line 43.

No. 476, in clause 92, page 43, line 28, after 'may', insert

'with the agreement of the Assembly.'.

No. 338, in page 44, line 1, leave out from '(7)' to 'shall' in line 3 and insert

'Each member of the staff of the Auditor General for Wales'.

No. 477, in clause 93, page 44, leave out lines 22 to 24.

No. 339, in page 44, leave out lines 25 to 29.

No. 478, in page 44, line 45, after 'Treasury', insert

'and shall publish in the form agreed by the Assembly details of any accounts audited by him during the financial year.'.

Mr. Ancram: Amendments Nos. 331, 332, 338 and 339 are probing amendments. Amendment No. 331 would delete subsection (2), which says:

"The person for the time being holding that office"—

the office of the Auditor General for Wales—

"shall by the name of that office be a corporation sole."

What is a corporation sole? What does it mean? What would happen if the Auditor General for Wales were not a corporation sole? Would the people of Wales suffer if he were not? Are there financial considerations in being a corporation sole? Does it assist him in carrying out his job? In short, is this a necessary provision? In my limited experience of such matters, it seems a strange provision. I am sure that the Minister will convince me otherwise. I shall listen with interest to his explanation.

Mr. Bernard Jenkin (North Essex): The Minister is a lost soul.

Mr. Ancram: If the Minister can explain how to transfer from a lost soul to a corporation sole, I shall be even more interested.

The Bill allows the Auditor General to be removed from office on the ground of misbehaviour if the Secretary of State recommends his removal to the Queen. However,

[Mr. Ancram]

the Secretary of State may make such a recommendation only with the consent of the assembly. Amendment No. 332, which is another probing amendment, would delete that extra provision. The approach in the Bill seems rather long-winded. Is it necessary? Either there is misbehaviour sufficient to warrant removal from office or there is not. If there was a wrong accusation of misbehaviour, I presume that the Auditor General for Wales would have remedies.

The assembly could second-guess the Secretary of State on what amounted to misbehaviour. What would happen if the Secretary of State and the assembly disagreed? Is it in the interests of Wales for an Auditor General to remain in office if the Secretary of State believes him to be guilty of sackable misbehaviour? Would that be good for respect for the authority of that important office? Would it not tend to undermine the position of the guardian of the financial integrity of the assembly? I ask in all seriousness whether we should guard against that danger and whether the provision requiring consultation with the assembly is necessary.

Amendment No. 338 refers to clause 92(7). Will the Minister explain its purpose? Does a distinction need to be made between the work of the staff of the Auditor General in their ordinary functions and that requiring them to be a Crown servant for the purposes of the Official Secrets Act 1989? That seems a strange provision. I tabled the probing amendment to find out the thinking behind it. I should have thought that if one is a Crown servant for the purposes of the Official Secrets Act, there is some logic in being a Crown servant otherwise as well.

Amendment No. 339 would omit clause 93(2). I tabled it because the provision seems odd. It appears to relate to the expenses of the Auditor General that cannot be met by income received by him. Provision is made for those expenses to be paid by others. I should have thought that either expenses were allowable and paid from outside, or not allowable and paid for by the Auditor General. The provision seems to cross those boundaries, and it sparked a degree of interest—not to say suspicion—in my mind. I should be grateful if the Minister could set my mind at rest and assure me that there is nothing to be suspicious about.

Mr. Rhodri Morgan: I assume that the answer to the many questions asked by the right hon. Member for Devizes (Mr. Ancram) relates to the staffing structures of the assembly and the fact that the Auditor General's staff have to be firmly placed outside the assembly's staffing structures.

One of the controversies about setting up the assembly is whether Welsh Office civil service staff who will be transferred to work for the assembly will include what one could approximately call parliamentary staff. Such provision has been made separately for the Scottish Parliament but not for the Welsh assembly. The Welsh assembly's equivalent to parliamentary Clerks will not be separate from general assembly staff; they will be civil servants. There may be Chinese walls between them. In order to ensure that the Auditor General's staff are clearly not civil servants and not part of such an arrangement—which may itself come into question before the Bill has completed its passage—they have to be deemed a corporation sole. The Auditor General's staff will stand alone and be responsible only to the Auditor General.

I am not absolutely sure of my explanation, so I shall listen to any other possible explanations. I believe that the Bill has been structured in such a way to address the issue of how to separate the Auditor General's staff and to whom they are accountable; it ensures that they are not part of the general civil service of the Welsh Office.

Mr. Dafis: I wish to speak to amendments Nos. 477 and 478. Amendment No. 477 is not unlike amendment No. 339, but it would not omit so many lines of clause 93. It also concerns payment of the Auditor General's expenses and relates to additional expenditure that is not covered in the block. Would not such expenses be more appropriately met by the Auditor General's resources? In other words, why should not the money come from the Treasury?

Amendment No. 478 is simply about openness, and would provide for the publication of accounts audited by the Auditor General. Will the Minister say whether such publication will be required?

Mr. Desmond Swayne (New Forest, West): The question that occurs to me is whether the Auditor General is the servant of the assembly or of the Crown. From clause 90, it would appear that, as he is appointed by the Crown and can be sacked by the Secretary of State—albeit with the approval of the assembly—he is a servant of the Crown. However, under clause 91, he is to be paid by the assembly. I am not sure whether one can—or indeed ought to—serve two masters in that respect.

Our task in Committee must be to remove potential points of conflict. One potential point is brewing in the arrangements for the dismissal of the Auditor General. If the Auditor General has lost the confidence of the assembly, which pays him, he should go, irrespective of what the Secretary of State might think. If he has lost the confidence of the Secretary of State, but still has the confidence of the assembly, the obverse of the conflict arises. The Bill must provide for one or the other. The merit of amendment No. 332 is clarity; it provides for one and not the other.

Mr. Öpik: The Liberal Democrats similarly seek clarification. There seems to be a lack of certainty about whether the Auditor General will work for the Government or will be more independent. It goes without saying that we would prefer the post to be independent.

Perhaps it is just my schooling, but I, too, do not know what corporation sole means. It sounds like a technical description of a ghost, although I am sure that that is not the intent. I should be grateful for clarification.

I should like to make an observation on amendment No. 339. If we removed the specification that the assembly covered the Auditor General's expenses, even when they were caused by a failure on his or her part, we would effectively be introducing a fine. That is not the right way to go about things. If the individual is incompetent in the role, he or she should be released from employment. If there is a case for a fine, it should be

pursued through the legal process. It would not be right—basically—to fine through expenses. I should welcome the Government's views on that.

Mr. John Hayes (South Holland and The Deepings): *I want to reaffirm the points raised by my right hon.* Friend the Member for Devizes (Mr. Ancram) in two particular areas.

First, I hope that the Minister will be able to satisfy my inquiry about whether it is necessary to make the Auditor General a corporation sole when, as I understand its legal implications, it would make the Auditor General legally liable. I am interested in examples of when that might be deemed necessary.

The second point, which has been referred to by my hon. Friend the Member for New Forest, West (Mr. Swayne) and is dealt with by amendment No. 332, is the removal of the Auditor General. It could cause conflict to make his removal subject to, first, consultation and, secondly, the approval of the assembly. One notices that they are separate. Surely that could open up a can of worms because, if the Auditor General were in conflict with the assembly, the consultation and approval process would be fraught with difficulties.

The amendments tabled by my right hon. Friend the Member for Devizes address both those issues. I should be grateful to hear what the Minister has to say about them.

Mr. Hain: This debate is clearly not a great crowd puller, but it seems to have been designed to keep a Minister on his toes. The Bill provides for the appointment of the Auditor General for Wales by Her Majesty, which underlines the post's independence.

I accept that, as the right hon. Member for Devizes (Mr. Ancram) said, the amendments are probing, and I stress the importance of the Auditor General's independence. Although he will be appointed by Her Majesty, subsection (7) states that he

"shall not be regarded as holding office under Her Majesty or as exercising any functions on behalf of the Crown".

As the Auditor General will not be a Crown servant—he will be an independent being—it is necessary to make clear his powers to enter contracts. That answers the legitimate questions asked by the hon. Members for New Forest, West (Mr. Swayne) and for Montgomeryshire (Mr. Öpik).

7.30 pm

The right hon. Member for Devizes and the hon. Members for South Holland and The Deepings (Mr. Hayes) and for Montgomeryshire asked about corporation sole. My hon. Friend the Member for Cardiff, West (Mr. Morgan) said that it sounded fishy, but I shall let that pass. Subsection (2) provides that the Auditor General for Wales

"shall by the name of that office be a corporation sole."

That means that he has a legal personality equivalent to that of a company.

That replicates a similar provision in schedule 2(1) to the National Audit Act 1983, which applies to the Comptroller and Auditor General. It ensures that there will be no doubt about the power of the Auditor General for Wales to enter contracts for such mundane items as electricity or stationery for his office, or about his powers in more substantial matters such as the right to sue or be sued.

The Auditor General's status as a corporation sole will mean that rights and liabilities can attach to the office rather than to the individual office holder—people can sue the office rather than the individual office holder. Amendment No. 331 would delete subsection (2) and throw the position into confusion.

Amendment No. 332 would remove the requirement for the Secretary of State to consult the assembly before recommending to Her Majesty the removal of the Auditor General on the ground of misbehaviour. I accept that those are unlikely circumstances, but the White Paper made it clear that my right hon. Friend would advise Her Majesty on appointments that she made. We are considering requiring him to consult the assembly about those appointments by means of an order under clause 31.

Mr. Rhodri Morgan: There is a complex history to the ways in which extra-parliamentary figures can be removed in extraordinary circumstances. Today, many hon. Members have been considering whether the Director General of the National Lottery can be removed. Some directors general can be removed by a resolution of both Houses but, according to section 1(4) of the National Lottery Act 1993, which governs Oflot,

"The Secretary of State may remove a person from office as Director General on the ground of incapacity or misbehaviour."

That is parallel to what we are discussing, except for the fact that the Auditor General is supposed to provide, for the Back Benchers, protection against an abuse of power by Front Benchers in the assembly or any quango or public bodies that are accountable to the assembly. The assembly should be involved in the decision to remove the Auditor General, however exceptional the circumstances might be.

Mr. Hain: My hon. Friend makes a valid point. As the assembly will be consulted about the appointment of the Auditor General, it is consistent that it should also be consulted about his removal from office—of course, we hope that the need for removal on the ground of misbehaviour will never arise. The assembly will have a closer working relationship with the Auditor General than my right hon. Friend will, so it is right that its views should be taken into account.

Amendment No. 476 would require the Auditor General to obtain the assembly's agreement before appointing staff or securing services. The Government do not consider that appropriate, as it would fetter the Auditor General's independence, which is especially important to his role in ensuring that the most effective and efficient arrangements are made.

The Auditor General will be obliged, under clause 93(4) to (7), to consult the assembly's Audit Committee, which will be chaired by a member of a minority party, about his budget. That offers real protection for the Auditor General's independence of operation. Although he will not be accountable to the Committee in the usual sense, he will have to consult it and his arrangements will have to be transparent. It is more appropriate that the assembly's views be taken into account in that way than by the means suggested in the amendment.

Mr. Hayes: The possible contradiction between accountability and independence lies at the heart of the

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amendments. Does not what the Minister said about amendment No. 476 compromise what he said about the removal of the Auditor General? If the Auditor General is to be truly independent, he should not be bound by the possibility of being removed through the processes of consultation and agreement that we debated earlier.

Mr. Hain: The hon. Gentleman makes a fair point, which I do not want to dismiss or deride. It is difficult to strike the correct balance in these matters, but I think that we have done so in the Bill.

Mr. Ancram: If the Secretary of State believed that there had been sufficient misbehaviour to warrant dismissal but the assembly disagreed, would not that give rise to an unsatisfactory situation in relation to the Auditor General and his ability to continue his work?

Mr. Hain: If the exact circumstances that the right hon. Gentleman describes arose, there would clearly be a crisis around the Auditor General. It is difficult to imagine that he would retain the confidence of the democratic fraternity in which he will have to operate in Wales. It is important that there is maximum agreement between the assembly and the Secretary of State, but if the two were in an open conflict, we would have to live with it. The arrangements suggested in the Bill are the best in the circumstances.

Legislation that creates new public bodies often makes it clear that they are not to be regarded as exercising functions on behalf of the Crown, even when, as in the Auditor General's case, they are appointed by Her Majesty. That makes it clear which bodies or office holders are Crown bodies or Crown servants and which are not. That affects how other legislation applies to them. For example, Crown servants are automatically covered by the Official Secrets Act 1989. Crown bodies enjoy various exemptions under legislation. Amendment No. 338 would alter that unacceptably.

In the case of the Auditor General and his staff, we decided to follow the precedent of section 3(5) of the National Audit Act 1983 and Statutory Instrument No. 200 of 1990, which provide that the Comptroller and Auditor General and his staff are not treated as Crown servants except for the purposes of the Official Secrets Act 1989. That Act should apply to the Auditor General for Wales and his staff because of the access that they may have to classified papers.

Amendment No. 477, tabled by the hon. Member for Ceredigion (Mr. Dafis), would omit clause 93(1), which would leave it unclear as to who would meet the Auditor General's expenses. As the major benefit of his work would be for the assembly and its public bodies, it is right that the cost should fall to the Welsh block. The assembly will meet all his expenses, to the extent that they are not covered by income. The principal source of income will be audit fees for public bodies' accounts, under clause 93(3).

Mr. Dafis: Can the Under-Secretary give the Committee any idea of the total costs of the Auditor General?

Mr. Hain: The costs will be modest.

Amendment No. 339 would delete clause 93(2), which is modelled on a similar provision in section 4(6) of the National Audit Act 1983, which applies to the Comptroller and Auditor General. It is necessary to ensure that any sums payable as a result of a breach of duty are part of the expenses of the Auditor General for Wales. Without that provision, he might become personally liable for such costs and that would not be desirable.

Amendment No. 478 would impose a duty on the Auditor General to publish accounts of the bodies that he audits. That is unnecessary for the following reasons. All accounts audited by the Auditor General will have to be laid before the assembly, under clause 97(5) in the case of the assembly's accounts and under clause 138 in respect of the accounts of public bodies, the relevant functions of auditing their accounts being transferred to him by order. Clause 103 requires the assembly to publish all accounts laid before it by the Auditor General. As to the form of the accounts prepared by the public bodies, that will be the subject of directions by the assembly. The relevant powers will be transferred from my right hon. Friend the Secretary of State for Wales to the assembly by Order in Council under clause 22.

I hope that, with the benefit of those explanations, the right hon. Member for Devizes will agree to withdraw the amendment.

Mr. Ancram: I thank the Minister for those explanations, which were genuinely helpful in casting light in some dark places. In the previous debate, the Minister told us how mischievous we were to seek to include an amendment that would require the Secretary of State to consult, because he would do so anyway, and, in this debate, he has told us how irresponsible it would be to remove the requirement to consult, because the Secretary of State might not do so otherwise. Having been in the Minister's place, I know how difficult it is sometimes to reconcile notes from officials, but it is a joy for the Opposition to watch such tangles emerging. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 90 ordered to stand part of the Bill.

Clauses 91 to 98 ordered to stand part of the Bill.

Clause 99

ACCOUNTS OF ASSEMBLY SUBSIDIARIES ETC

7.45 pm

Mr. Jenkin: I beg to move amendment No. 343, in page 49, line 30, after 'Assembly', insert

'or the Welsh Development Agency'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss amendment No. 342, in page 49, line 30, leave out 'an' and insert 'a controlling'.

Mr. Jenkin: I do not pretend that the amendments are desperately cunning or designed to stretch the Minister out on the rack of office as he seeks to discover our motive. They are simply probing amendments. Clause 99 covers the Auditor General's right of access to accounts

relating to the assembly's expenditure, including accounts for any assembly subsidiary. The term "Assembly subsidiary" is defined in clause 99(4)(a) as

"any body corporate in which the Assembly holds an interest".

Amendments Nos. 343 and 342 would make it clear that an assembly subsidiary should include, for the avoidance of doubt, subsidiaries of the Welsh Development Agency.

Amendment No. 343 would also make it clear that we should keep to the usual meaning of the word "subsidiary" in corporate matters. In other words, a controlling interest would be necessary. It does not seem reasonable for the Auditor General for Wales to seek the accounts of businesses in which the WDA has a minority stake. That would not be a sensible use of his time or a suitable use of executive power.

Companies are regulated by the Companies Acts when they publish financial information. I have been a venture capitalist, and I believe that the WDA should have appropriate shareholders' agreements with any private companies in which it has invested. It should not be necessary for the Auditor General for Wales to be able to intrude into private affairs. I hope that the Minister will say whether the Bill already includes the subsidiaries of the WDA in the meaning of the phrase "Assembly subsidiary", and also whether the word "subsidiary" includes any body corporate in which the assembly holds any interest.

Mr. Öpik: The Liberal Democrats agree with amendment No. 343, which would include the WDA in the requirement to provide accounts. It seems sensible that such an important body is formally included. After all, it will probably become even more important to the Welsh economy and is, therefore, a legitimate target of scrutiny. However, we have a problem with amendment No. 342, because the assembly should have the right to look at the accounts of any organisation in which it has a financial interest.

Mr. Ancram: The Auditor General.

Mr. Öpik: The right hon. Gentleman is right to correct me. I mean that the Auditor General should have the right to look at the accounts of such bodies. A sad example from my own constituency illustrates that point well. A company called Merchants Design has gone into liquidation and questions have been raised about whether the necessary proprieties were observed in its financial handling. The right of access to its accounts would be beneficial so that any problems could be exposed.

Mr. Jenkin: If money from the WDA was invested in the business—even if it was only loan money—a loan agreement would provide the WDA with regular access to management accounts, probably every month. That would be the responsible way in which to conduct the investment. If investment was not conducted in that way, the Auditor General would have an argument with the WDA, not with the failed company. The company would have its own auditors who would ultimately be answerable to Companies House and the Department of Trade and Industry, which regulate the directors of companies. It would be for those bodies to decide whether the company was run properly, not the Auditor General for Wales.

Mr. Öpik: I understand that point, but it seems to me that there is a problem with that particular company specifically because the provision is not enshrined in legislation, and I look forward to hearing the Minister's response to that point.

It is my understanding that the Bill does not make it mandatory for the Auditor General for Wales to investigate every organisation, but simply gives the Auditor General the right to do so. Surely it is common sense that the Auditor General should have the power to act responsibly and investigate when that is appropriate. Again, I look forward to hearing the Minister's views.

Mr. Hain: I thank the hon. Member for North Essex (Mr. Jenkin) for the points he raises, which are genuine and probing, and which give us cause to reflect, especially about amendment No. 342. I am also grateful for the points raised by the hon. Member for Montgomeryshire (Mr. Öpik), which are legitimate.

It may help the Committee if I explain the background to clause 99. It caters, among other things, for the possibility that the assembly may establish companies to provide certain services. An example might be if the assembly decided to follow the model of the House of Commons and have a gift shop or cafeteria, and if it decided to run those operations through a subsidiary company. The assembly might also be involved in trusts or charities. Clause 99 ensures that, regardless of the fact that the assembly may have subsidiaries that take a particular legal form, the Auditor General for Wales can have access to their accounts and the Treasury can issue directions about the form of their accounts, if necessary.

As the Committee would expect, careful consideration was given to the definition of "Assembly subsidiary" in subsection (4). The problem with inserting the word "controlling", as amendment No. 342 would do, is that it would then be necessary to define "controlling", and it is our concern that whatever definition was adopted might enable the assembly to avoid the intended effect of clause 99. If the assembly held, for example, 1,000 shares in a company quoted on the stock exchange, that would not be an interest of the sort that would give rise to the Auditor General seeking access to the books of the company or to the Treasury seeking to direct the form of its accounts. In exercising their functions under clause 99, the Auditor General and the Treasury will be subject to review by the courts in accordance with well-accepted principles regarding the exercise of statutory powers.

Amendment No. 343 includes a body corporate in which the Welsh Development Agency has an interest in the definition of "Assembly subsidiary". That is not appropriate either. Although the WDA has powers to invest in companies, any such company would in no sense be a subsidiary of the assembly because it would be a subsidiary of a public body funded by the assembly. We intend that the Auditor General will have full access to the WDA's books, including its investments in companies. That will be achieved by order under clauses 136 and 138, and we submit that clause 99 is not the proper place to deal with this matter.

In inviting the hon. Member for North Essex to withdraw the amendments in the light of my explanation, I stress that, in the past 10 to 15 years in Wales, there has been much questioning of quangos and subsidiaries of quangos, and of the arrangements privately entered into under their aegis. It is absolutely vital that there is full

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transparency and accountability in future, and the Auditor General's powers in this respect, as provided for in the clause, give effect that objective.

Mr. Jenkin: I am grateful for the way in which the Minister has responded to the amendments. I reiterate the need to clarify the question of what is an interest. He asserted that 1,000 shares in a quoted company would not constitute an interest in the accepted sense of the word, and I accept his admonition that defining what is a controlling interest can be extremely complicated. To give an example, one might have 10 per cent. of the ordinary share capital—10 per cent. of the votes—but, when the company goes into default in respect of an agreement, one might find that other, non-voting shares become voting shares and one suddenly has a controlling interest; or the nature of the shareholders' agreement might suggest that one has a controlling interest, even though one does not have a majority of the votes.

I can understand the difficulty, but I am grateful to the Minister for accepting that there is an issue to be addressed. There is a danger that the assembly may find itself restricted in terms of what it can invest in for the benefit of Wales by having this potentially draconian influence—the Auditor General for Wales—behind it with the ability to interfere in the relationship between the assembly and its non-subsidiaries. I am grateful to the Minister for agreeing to look at the issue again. In the meantime, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 99 ordered to stand part of the Bill.

Clause 100

EXAMINATIONS INTO ASSEMBLY'S USE OF RESOURCES

Mr. Ancram: I beg to move amendment No. 344, in page 49, line 34, leave out 'may' and insert 'shall'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 345, in page 49, leave out lines 37 and 38.

No. 346, in page 49, line 43, leave out 'may' and insert 'shall'.

No. 347, in page 49, line 43, after 'before', insert 'the House of Commons and'.

No. 348, in clause 102, page 50, line 28, leave out 'may' and insert 'shall'.

No. 349, in page 50, line 34, leave out 'may' and insert 'shall'.

Mr. Ancram: The clause allows the Auditor General for Wales to investigate

"the economy, efficiency and effectiveness with which the Assembly has used its resources in discharging its functions."

It goes on to allow him lay his report before the assembly. We believe that that permissive attitude is insufficient in this instance, where it is important that Auditor General should work in a disciplined and structured way.

Amendment No. 344 would require him to make such investigations and amendment No. 346 would require him to lay the report before the assembly, rather than leaving it to his discretion. Amendment No. 347 would require the report to be laid before the House of Commons as well. The reason for that is that the resources in question will have been voted by the House of Commons and, where there is a report into the economy, efficiency and effectiveness with which they have been spent, it is right that the House should have sight of it.

Amendment No. 345 is slightly different. As it stands, the Bill does not permit the Auditor General for Wales to question the merits or otherwise of the assembly's policies. I concede that there may be reasons for that, but it is an unnecessary restriction which could make it less easy for the Auditor General to carry out the permitted examination into the economy, efficiency and effectiveness with which the assembly has used resources to discharge its functions. It could be germane to such an examination to question the merits of the policy objectives in order to assess whether the resources used in pursuit of those objectives have been used in an economic, efficient and effective way. The clause as it stands, therefore, places an unnecessary hurdle in the way of the Auditor General.

Mr. Öpik: Is the right hon. Gentleman not concerned that, by that provision, there is a danger of introducing a clear political tension and a tendency to make political judgments into the Auditor General's activities?

Mr. Ancram: The Auditor General, who was spoken of earlier in glowing terms as an independent and responsible man, is not likely to do that, and to refuse to allow him to take such considerations into account is to restrict him overmuch.

Amendment No. 349 is the last in the group. The Audit Commission may lay before the assembly a statement on any report by the Auditor General for Wales, and it may also take evidence on behalf of and report to the Public Accounts Committee of the House of Commons. There should be a requirement on the Audit Commission to lay such a report and to act on instructions from the Public Accounts Committee. The PAC, of which I was once a member, is the House's watchdog over the way in which resources voted by the House are spent and it should have that responsibility and power in respect of the Auditor General for Wales. I hope that the Government will give serious consideration, if not to these particular amendments, to the thought that lies behind them.

Mr. Hain: The Public Accounts Committee will have the right to look into any aspect of the assembly's finances and no amendment is required to enable it to do that, because it acts on behalf of this sovereign House.

The drafting of clauses 100 and 102 reflects, as closely as possible, the present arrangements involving the Comptroller and Auditor General and the Public Accounts Committee under the National Audit Act 1983. The 1983 Act gives the Comptroller and Auditor General the power to carry out examinations into the economy, efficiency and effectiveness with which resources are used, but does not oblige him to do so.

Amendment No. 344 would remove any discretion from the Auditor General for Wales, and I am not sure whether that was the effect intended. Under the 1983 Act, the Comptroller and Auditor General has no power to question the merits of the policy objectives of the

Government or public bodies. Amendment No. 345 would allow the Auditor General to do that with respect to the assembly. We believe that that would be a significant change.

Amendment No. 346 would require the Auditor General to lay before the assembly the report of any examination carried out by him. The Comptroller and Auditor General is under no such obligation under the 1983 Act, and it is not uncommon for reports to be prepared for action by management only, without being published or laid before the PAC.

Amendment No. 348 would oblige the assembly's audit committee to consider and report on every set of accounts or reports laid before it by the Auditor General for Wales or his auditor. While I imagine that the PAC considers a large proportion of accounts and reports that are laid before the House, I doubt very much that it is required to consider and make a report on them all.

The amendments would leave the assembly—

It being Eight o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [2 February], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 100 to ordered to stand part of the Bill.

Clauses 101 to 104 ordered to stand part of the Bill.

Schedule 5 agreed to.

Clause 105

OBSERVING COMMUNITY LAW AND HUMAN RIGHTS

Mr. Oliver Letwin (West Dorset): I beg to move amendment No. 373, in page 51, line 43, leave out

'or any of the Convention rights'.

I move the amendment with some slight trepidation, as I am speaking from a Front-Bench position to which I have no right.

The amendment relates to clause 105 which, as Labour Members are aware, prevents the assembly from legislating in contravention of Community law and in contravention of the European convention on human rights, which are stipulated in the current Human Rights Bill. Our amendment would remove the reference to convention rights. That may seem an odd thing to do, but I hope that I shall be able to explain to the satisfaction of the Committee and that of the Minister why we seek that aim, and perhaps make him pause and reconsider.

Perhaps I may be forgiven for first explaining why we do not seek to remove the reference to adherence to Community law. There is a slightly elaborate, but important, reason that shows why we seek to remove references to convention rights.

Under the European Communities Act 1972, Community law is superior to our own once an adjudication has been produced by the European Court of Justice or, in the absence of such an adjudication or any contest, simply by virtue of its existence. If every Community law had a direct effect—if it applied automatically to the citizenry and to the Government—that would be an end to the matter. There would be no need for the part of clause 105 that relates to Community law because any legislation—in this case subordinate legislation produced by the assembly—which was in contravention of Community law would automatically face a conflict of law and be overruled and overwhelmed by the directly effective Community law in question under the 1972 Act. In addition, as the Secretary of State and his colleagues have repeatedly stressed, because the assembly is a legislature being set up under primary legislation and has subordinate legislative powers only, where there is an Act of Parliament, it will supervene on the assembly.

There are parts of Community law that, at least arguably, do not have a direct effect. That is particularly true of the framework decisions that are envisaged in the Amsterdam treaty, such as the third pillar on justice and home affairs. In those cases, there is a real reason for the part of the clause that relates to the assembly not contravening Community law. Were there not such a clause, if the assembly happened to be the body to which it fell to implement a framework decision, it would be theoretically possible for it, in contravention of the United Kingdom's treaty obligations, but not in contravention of an Act of this Parliament, to legislate in a vein contrary to the intended spirit of that framework decision.

It would then fall to the European Court to adjudicate. In the case where there was no direct effect, it is uncertain how that adjudication would fall. A situation could have been created in which the United Kingdom was in contravention of treaty obligations by virtue of an action of the assembly. For that reason, we do not seek to remove the reference to Community law in the clause.

The situation is altogether different when we come to the European convention on human rights because the ECHR has no superiority to United Kingdom law. There is no Act of Parliament, existent or intended, that would give it such superiority. On the contrary, the way in which the Human Rights Bill has been drafted enacts some, but not all aspects of the ECHR into English law. It defines convention rights as those things that happen to have been enacted by that Bill.

No circumstance could arise, therefore, under which there could be the possibility of the assembly legislating—legally under United Kingdom law—in contravention of those convention rights. By so legislating, it would automatically be in default of an Act of Parliament; as the Secretary of State and his colleagues have repeatedly stressed, the assembly cannot act in that way.

There are only two possible explanations for the inclusion of the reference to convention rights. One is that, alas, we face another example of the Bill having been rather poorly drafted to include an otiose item. The other is a more sinister explanation—that there is the thought at the back of the draftsmen's minds, and hence at the back of some ministerial minds, that there might, at some later date, be a change in the Human Rights Bill, or in some other legislation passed in the House, which would allow the assembly to have a direct relationship with the ECHR.

That would permit a situation to arise whereby something was defined as a convention right by an Act of this Parliament that had not been enacted into English law. Under those circumstances, the assembly would begin to take on a quite different character, because, in relation to a body external to the United Kingdom, it

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would have a special relationship—one different from that of the United Kingdom Parliament and not sanctioned by it. Were that the intention, we would wish to resist it.

The structure of the argument is straightforward. There is a reason for the reference to Community law in clause 105, but there is either no reason for the convention rights reference because it is unnecessary or there is one and it is malign—to create the possibility of the establishment of a separate relationship. I happen to believe that it is probably error rather than intention that is at work. If that is so, I hope that, after due consideration, the Minister will offer the Committee the grand gesture of removing the offending phrase, perhaps by rephrasing the amendment, in order not to appear to accept our feeble wording.

Ms Julie Morgan (Cardiff, North): I oppose the amendment. I am surprised by the reference of the hon. Member for West Dorset (Mr. Letwin) to sinister motives among others. The amendment reveals the official Opposition's fear of change of any kind. Not only do the Conservatives oppose constitutional change by opposing devolution, which is bringing power closer to the people, but they appear to be using the mechanism for scrutinising the Bill to express their opposition to the incorporation of the European convention on human rights into United Kingdom law by the Human Rights Bill. That appears to be the motive behind what their spokesperson said today.

It is absolutely right and proper that the National Assembly for Wales should comply with the European convention on human rights, and that the Bill should say so. The assembly will have responsibility for all the functions of the Welsh Office, many of which are obviously fundamentally concerned with the rights covered by the European convention on human rights and its protocols, such as the right to life, liberty and security; respect for private family life, home and correspondence; prohibition of discrimination; freedom of peaceful assembly; the right to join a trade union; and the right to education. The national assembly needs to comply with all those rights, and the Bill should say so.

I believe that the Human Rights Bill will receive its Third Reading in the House of Lords on Thursday 5 February 1998. The UK was the first country to ratify the convention, nearly 50 years ago, and 30 years ago the UK accepted its jurisdiction. I believe that we would all welcome the incorporation of the convention into UK law.

I believe that the motive of the official Opposition in tabling amendment No. 373 is to express concern about those rights applying in UK law, and that they are using these Committee proceedings to express their concern. I believe that the European convention on human rights should be mentioned in the Bill, and that it is essential that the national assembly abides by the duties of the convention.

Mr. Öpik: Amendment No. 373 would remove the stipulation that assembly legislation must be compatible with European Community law. However, the Liberal Democrats think that the stipulation is a good one, and on that basis we oppose the amendment.

Dr. Marek: I agree with the contents of clause 105. I only wish that Ministers would write a few other things into the Bill, given that we had an interesting debate about whether some sort of needs formula would be better than the Barnett formula. If there is a bit of inconsistency, I hope that Ministers will think about the word consistency. It is important.

Mr. Win Griffiths: The debate has been brief but illuminating. I congratulate the hon. Member for West Dorset (Mr. Letwin) on his contribution from the Dispatch Box. He had obviously thought a great deal about what he wanted to say. However—as you would expect, Sir Alan—I could not agree with all he said.

In our opinion, clause 105 makes it clear that the assembly has no power to do anything that is incompatible with European Community law or any of the convention rights. An argument could be made—to a certain extent, the hon. Member for West Dorset did so—about whether it was necessary to mention convention rights, and whether reference to Community law would be necessary only in certain accepted instances.

However, we felt that, in the case of both Community law and the convention, it would be appropriate to ensure that the Bill made the obligations of the assembly absolutely clear. The hon. Member for West Dorset is of course aware of the fact that, as my hon. Friend the Member for Cardiff, North (Ms Morgan) said, the Human Rights Bill, which deals with the issue of the convention, is passing through another place. My hon. Friend made a spirited and convincing argument for our proposal to include the convention in clause 105.

I am pleased that the hon. Member for Montgomeryshire (Mr. Öpik) endorsed the clause from the Liberal Democrat Benches and that, once again, I had strong support from my hon. Friend the Member for Wrexham (Dr. Marek).

Mr. Ieuan Wyn Jones: In order to ensure that the spirit of inclusiveness pervades the whole Chamber, would the Minister accept that Plaid Cymru Members also welcome the inclusion of a reference to the convention in the clause?

Mr. Griffiths: I am very happy indeed to take on board what the hon. Member for Ynys Môn (Mr. Jones) has to say on behalf of Plaid Cymru.

Anyway, the Government decided that although, as the hon. Member for West Dorset said, the Human Rights Bill will apply to the assembly in any event, it should be made clear in the Bill that a failure by the assembly to observe the convention rights should be a devolution issue—that is, within the terms of part I of schedule 6.

I was very pleased that the argument made by the hon. Member for West Dorset was in no sense an effort to allow the assembly to dodge its human rights responsibilities.

We felt that the convention should be mentioned in the Bill because the assembly, in matters such as health, education and social services, will have the ability, directly or indirectly, to touch upon convention rights. It may be a belt and braces question in this case, but we felt that it would be better to do it that way—to make it clear that, although the Human Rights Bill, when enacted, will place a duty on the assembly, we consider this to be a devolution issue in terms of the assembly's responsibilities.

I hope that, having heard those few words of explanation, the hon. Member for West Dorset will be prepared to ask leave of the Committee to withdraw the amendment.

8.15 pm

Mr. Rhodri Morgan: On a point of order, Sir Alan. About half an hour ago, during the debate on clause 90, I indirectly made a reference to the powers under which the director general of the Office of the National Lottery could be caused to resign. I am given to understand that he has since resigned—probably not because I made that reference in the debate on clause 90 of the Bill. Have you received any notice from the Secretary of State for Culture, Media and Sport, indicating that he wishes to make a statement, tonight or tomorrow, confirming either that he has caused Mr. Davis to resign or that Mr. Davis has resigned anyway?

The Chairman: That is not strictly a point of order for me, as the hon. Member knows. I have received no such request, and the hon. Member was rather lucky that I allowed him to make his earlier remarks within order, in the context of the debate that we were having.

Mr. Letwin: I am grateful to the Minister, who entirely understood the brunt of my remarks, unlike the hon. Members who spoke in the debate, who seemed to think that I was suggesting that the assembly should not be forced to obey the European convention on human rights.

Mr. Morgan: But the amendment says that.

Mr. Letwin: No, it does not, because the proposition is that the assembly will in any case be so forced by an Act of Parliament, which is where we believe that the burden should lie.

I shall try to persuade the Minister to think slightly more about whether this belt and braces is only belt and braces or whether it may have unintended consequences. My reason for doing so comes straight from the Minister's speech, because he said that he wanted to ensure that, in the event of a conflict between the subordinate legislation of the assembly and the European convention or the Human Rights Bill, which is to become an Act, that would be a devolution issue. There is some real force in that argument. However, if there is force in that argument, it would also apply to many of the things that have been asserted by Conservative Members during previous sessions of the Committee.

Yesterday, we discussed regulatory appraisals. I asked whether it would be the assembly that decided whether it was, or was not, in a specific case, appropriate for there to be regulatory appraisal, and the Minister assured me and the House that that was not a problem because, under the primary legislation governing particular orders which had been transferred by the transfer order to the assembly, a regulatory appraisal was already assured.

That is a case in which, for the purpose of clarity, it would be advantageous for the matter to be written into the Bill, and it would be advantageous for it to be a devolution issue. Now the Minister and his colleagues have set their face against that in the case that I raised, and in 10 or 20 other such cases in Committee. They have established a tissue of precedents through the rest of the Bill suggesting that there should not be belt and braces, but rather a great economy of drafting.

Wherever there is an underlying Act of Parliament that achieves a certain effect, the Government eschew putting that into the Bill. A lawyer will be able to make the argument with some force that in this particular case there must have been an intention stronger than merely to put it into the Act and make it a devolution issue. I wonder whether the Minister wants to achieve that, and whether it might not rebound on all of us—who knows who might then be in government? Although we are prepared to withdraw the amendment, I wonder whether the Minister might wish to reconsider.

Mr. Win Griffiths: The argument that the hon. Gentleman is developing is essentially speculative. Although I would be prepared to look in detail at some of his arguments, the force of our feeling about the clause and the need for it is unlikely to be changed. I will write to him on the other issue he raises, and I hope that he will withdraw the amendment.

Mr. Letwin: That is a gallant response from the Minister. If, by any chance, this should prod him into the obverse reaction of putting into the Bill more of what we suggested in earlier sittings of the Committee to remedy the imbalance, that would be a greater gain even than the removal of this clause. In that spirit, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 105 ordered to stand part of the Bill.

Clause 106 ordered to stand part of the Bill.

Clause 107

POWER TO PREVENT INCOMPATIBLE ACTION ETC.

Mr. Jenkin: I beg to move amendment No. 441, in page 52, line 6, after 'international', insert 'treaty'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 442, in page 52, line 11, after 'international', insert 'treaty'.

No. 443, in page 52, line 15, after 'international', insert 'treaty'.

No. 444, in page 52, line 27, after first 'international', insert 'treaty'.

No. 445, in page 52, line 27, after second 'international', insert 'treaty'.

No. 446, in page 52, leave out lines 29 to 31 and insert 'obligations under Community law.'.

Mr. Jenkin: The clause is similar to clauses 105 and 106, except that clause 107 refers specifically to other international obligations. Our amendments are intended to make it clear that international obligations comprise treaty obligations.

I have some questions for the Minister. When is an international obligation an international obligation, if it is not a treaty obligation? Could he give an example of an international obligation that is not a treaty obligation? Under what circumstances do the Government envisage

[Mr. Jenkin]

that they would impose a non-treaty international obligation on the assembly? That is what the clause gives them the power to do.

To some extent amendment No. 446 revisits the issue already addressed by my hon. Friend, so I will not address it again.

Mr. Win Griffiths: That was a succinct introduction to the amendments. I am grateful for the clarity with which the hon. Gentleman made his points, especially as I have an answer to them.

Clause 107 ensures that my right hon. Friend the Secretary of State has the power to prevent the assembly from carrying out acts that are incompatible with the international obligations of the United Kingdom, other than Community law obligations and obligations not to do with acts incompatible with any of the convention rights that we have just discussed.

However, the United Kingdom has other international obligations that have not all been incorporated in domestic legislation. Hence the need for the reserve power in clause 107 to allow my right hon. Friend to intervene if the assembly is considering undertaking an incompatible action or has already undertaken it.

Given the interrogative nature of the hon. Gentleman's remarks, I assume that this is a probing amendment to find out what we have in mind. Not all the international obligations of the United Kingdom are in the form of a treaty. Some take the form of conventions, protocols or heads of agreement—for example, those that his own Government negotiated, the Rio declaration on the environment and development; Agenda 21, a programme of action for sustainable development also agreed at the Rio summit; and the more recent convention for the protection of the marine environment for the north-east Atlantic. None of those is a Treaty.

Amendments Nos. 441 to 445 would leave the United Kingdom Government without the power to deliver certain obligations to which they had committed themselves, to the extent that those obligations fall to the assembly's remit. That is why we have used the word "obligations" in preference to "treaties". Not all the commitments made by the United Kingdom are enshrined in treaties at an international level. By using the word "obligation", we are able to ensure that matters arising out of the Rio summit, for example, can be taken on board and acted on by the assembly.

Mr. Rhodri Morgan: I shall ask my hon. Friend a few further questions arising from my reading of the impact of the Opposition amendments on clause 107. It is an important clause, especially because of the expanding field of environmental obligations, many of which we refer to loosely as treaties, but which are not in fact treaties.

People talk about the Rio treaty—which, as my hon. Friend noted, is not a treaty—and the two subsidiary agreements, the bio-diversity agreement and the global warming convention. I am not sure whether I have used the right terms, but the agreements are frequently referred to as parts of a treaty, perhaps because of the importance of the people who attended the Rio summit and signed the agreement, including the President of the USA and the Prime Minister of the United Kingdom.

The Conservative amendments, if I read them correctly, would confine the then Prime Minister—no longer such a figure of importance—who signed the agreement on behalf of the United Kingdom Government. If the amendments were accepted, they would remove from the Welsh assembly any obligation to act pursuant to the Rio summit, because the agreements are not treaties.

That is probably not what Conservative Front-Bench Members want. If their Prime Minister signed the Rio summit documents bringing into being a British obligation to comply with them, presumably they consider them important, but their amendments would render the agreements useless in the context of the Welsh assembly. The amendments would exclude any agreement that was not formally a treaty from the obligations that the Welsh assembly would have to follow and which, as a reserve power, the Secretary of State could instruct the assembly to carry out.

That raises an interesting issue that has not yet been touched on. What if the Secretary of State himself were in breach of those treaty—or let us say convention or protocol—obligations? The outstanding example is exactly pursuant to the Rio summit, when there was the bizarre situation of a difference in interpretation of the obligations of the UK Government for Wales and for England by the then Secretary of State for the Environment and the then Secretary of State for Wales, the right hon. Member for Wokingham (Mr. Redwood).

The then Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), interpreted the Prime Minister's signature to the global warming convention as requiring him to issue a new series of planning policy guidance notes, one of which said that henceforth there would be no more out-of-town shopping centre developments in England, as they would lead to an increase in car exhaust emissions and thus contravene the global warming policy.

8.30 pm

However, the then Secretary of State for Wales, who was part of the same unitary state—as we often say in this debate—and a member of the Cabinet led by the Prime Minister who had signed the Rio summit agreement, took an entirely different view and said, "In Wales, we shop till we drop." He welcomed those frustrated property developers—who were no longer able to build out-of-town shopping centres in England—to Wales with open arms, and refused to issue a parallel planning policy guidance note. As a result, there was total confusion among property developers, lawyers and planning consultants. Although it was the same country under one Prime Minister who had signed the agreement, there were two opposite interpretations of what constituted acceding to the obligations.

Looking forward 50 years—when we might see the return of a Conservative Prime Minister and therefore a Conservative Secretary of State for Wales—what will happen if that Secretary of State were in breach of any kind of reasonable understanding of the obligations? In other words, what if—it is the sort of scenario that we present when we are trying to send the children quietly to bed—the right hon. Member for Wokingham were to return as Secretary of State for Wales? What if he places a bizarre and completely off-the-wall interpretation on our protocol or convention obligations, particularly regarding environmental law?

I must press the Minister on that issue. How will we guard against the completely off-the-wall interpretations of future Conservative Secretaries of State for Wales—in the unlikely event, possibly after I have departed this mortal coil, that the Conservatives are returned to power? Such a person would not be a suitable judge of whether the assembly were abiding by international environmental obligations. He could hardly ensure that the assembly complied with those obligations if he did not comply with them also. In that case, we would look to the assembly to ensure that the Secretary of State abided by international environmental obligations. It is not only a matter, as the clause implies, of the Secretary of State acting as a policeman and trying to ensure that the assembly complies with international environmental obligations.

If the Minister can answer that point clearly, succinctly and convincingly, I promise not to ask him any questions about the Cardiff bay barrage.

Mr. Win Griffiths: I thank my hon. Friend the Member for Cardiff, West (Mr. Morgan) for that contribution, and for his piercing question regarding the actions of a previous Secretary of State for Wales. I thought initially that he intended to raise the subject that he has said he will not mention.

As to the question of out-of-town shopping centres in Wales, we have made it clear that a test must be applied in order to determine whether such planning applications may go ahead. Our inspectorate has examined several such applications.

It is a fairly simple and straightforward process. If the assembly considered a future Secretary of State for Wales to be in breach of a convention, such as the Rio biodiversity agreement, it could request a judicial review—as could anyone with an interest in such matters. In other words, if the Secretary of State believed that the assembly was acting within the terms of an international obligation but the Friends of the Earth or the Royal Society for the Protection of Birds thought that it was not, there would be an opportunity for a judicial review. In the end, that is the backstop position regarding any Government action that is deemed to contravene our international obligations.

Mr. Rhodri Morgan: Whether the Secretary of State for the Environment in England or the Welsh assembly is in compliance with environmental protocols or conventions is frequently a unilateral matter for them to decide. It is difficult to envisage a judicial review challenge succeeding, because it is for the Government to decide whether they have complied with the obligations of the global warming convention or the biodiversity agreement, for example. For instance, the Government may decide to introduce the grizzly bear to Snowdonia saying, "We have done this in pursuance of what we believe to be our obligations under the biodiversity agreement." That is the difficulty.

Mr. Griffiths: That is a matter of judgment. Anyone who thought that the Secretary of State or the National Assembly for Wales was breaking an international obligation could seek a judicial review. It would then be for the judge to decide whether the Government or the assembly had acted unreasonably and ignored its obligations under some international agreement.

Mr. Jenkin: I am grateful to the Minister for his explanation, which I think the Committee found illuminating. It is certainly not the policy of Her Majesty's Opposition to create a situation whereby we are in breach of any international obligations—least of all those with such noble aims as Agenda 21 and other international environmental agreements.

The hon. Member for Cardiff, West (Mr. Morgan) once again demonstrated his talent for extending our deliberations. I have a button on my computer that allows one to precis a text. I wonder how short the hon. Gentleman's speech would have been if I had entered it into my computer and then pressed that button—but I digress.

I must raise a serious point about the nature of clause 105 and other similar clauses in the Bill. We enter into international obligations under the royal prerogative. The House finds it difficult to regulate that process, as we interfere with the exercise of the international prerogative upon the initiative of the House rather than by way of the Government seeking leave of Parliament to exercise the prerogative. Treaties and international obligations are laid on the table under the Ponsonby rule.

The effect of entering into international obligations—be they treaty obligations as suggested by our amendment or other obligations—is to strip the Welsh assembly of its powers. Every new international obligation effectively creates a new reserved area, which is a no-go zone for the Welsh assembly. The Secretary of State may, by order, direct the assembly to take a certain action or to abstain. We should bear that in mind.

Mr. Griffiths: If I have understood his comments correctly, the hon. Gentleman implies that the Secretary of State would be the prime mover in such matters. Clause 107 gives the Secretary of State the power to intervene if the assembly does not fulfil the international obligations for which it has some responsibility under the Bill. It is not for the Secretary of State to take these powers to himself, but to keep a watchful eye on the assembly to ensure that it is using its powers appropriately.

Mr. Jenkin: I understand the thrust of the Minister's comments. I am postulating a slightly more advanced scenario, which is that the Government will be entering into international obligations purposefully to enable the Government to take powers over the assembly. That may seem far-fetched, but let us consider it in the context of the example given by the hon. Member for Cardiff, West, which involved a planning issue. Let us suppose that the assembly had plans to enter into a certain type of development which the Government regarded as unethical or contrary to the environmental purposes of their policies. They could enter into an international agreement to oblige them to exercise by order a prohibition on the assembly. It is a constitutional conundrum that new international obligations could be entered into by the prerogative of the Crown without the usual scrutiny of Parliament, thus giving the Secretary of State power by order to circumscribe the powers of the assembly.

Mr. Griffiths: I felt quite happy with the way in which the hon. Gentleman was presenting his argument in the early and middle stages of the debate. At the end, however, he spoiled his argument by taking it to absurd lengths. It is perhaps an example of what has happened on other occasions when there has been a triumph of form over substance. I ask the hon. Gentleman to think twice

[Mr. Griffiths]

about the idea that, to deal with a planning matter, the United Kingdom Government would scurry around the world looking for an international obligation that they could enter into to stop the assembly carrying out an act that came within planning law. That is absurd.

Setting that aside, the arguments that the hon. Gentleman advanced on other matters were well made. I hope that I have been able to explain to him the intentions that lie behind the clause and why it is important to keep the clause in its substance.

Mr. Jenkin: I am embarrassed that I have upset the Minister. I thought that we were developing a good relationship. Before it goes any further awry, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 107 ordered to stand part of the Bill.

Clause 108 ordered to stand part of the Bill.

Schedule 6

DEVOLUTION ISSUES

Mr. Ancram: I beg to move amendment No. 447, in page 79, line 13, leave out from first 'the' to end of line 14 and insert

'"Appellate Committee" means the Appellate Committee of the House of Lords.'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 448, in page 80, line 5, leave out 'Judicial' and insert 'Appellate'.

No. 449, in page 80, line 8, leave out 'Judicial' and insert 'Appellate'.

No. 450, in page 80, line 9, leave out 'Judicial' and insert 'Appellate'.

No. 451, in page 80, line 11, leave out 'Judicial' and insert 'Appellate'.

No. 452, in page 80, line 14, leave out 'Judicial' and insert 'Appellate'.

No. 453, in page 81, line 1, leave out 'Judicial' and insert 'Appellate'.

No. 454, in page 81, line 4, leave out 'Judicial' and insert 'Appellate'.

No. 455, in page 81, line 5, leave out from '19.' to end of line 7 and insert—

'Nothing in this Act shall give the House of Lords jurisdiction to determine a devolution issue arising from or incidental to a criminal prosecution in Scotland.'.

No. 456, in page 81, line 8, leave out 'Judicial' and insert 'Appellate'.

No. 457, in page 81, line 10, leave out 'Judicial & and insert 'Appellate'.

No. 458, in page 81, leave out lines 12 to 18.

No. 459, in page 82, line 1, leave out 'Judicial & and insert 'Appellate'.

No. 460, in page 82, line 4, leave out 'Judicial & and insert 'Appellate'.

No. 461, in page 82, line 5, leave out 'Judicial & and insert 'Appellate'.

No. 462, in page 82, line 8, leave out 'Judicial & and insert 'Appellate'.

No. 463, in page 82, line 10, leave out 'Judicial' and insert 'Appellate'.

No. 464, in page 82, line 18, leave out 'Judicial' and insert 'Appellate'.

No. 465, in page 82, leave out lines 13 to 17.

No. 466, in page 82, line 20, leave out 'Judicial' and insert 'Appellate'.

No. 467, in page 82, line 28, leave out 'Judicial' and insert 'Appellate'.

No. 468, in page 82, leave out from beginning of line 37 to end of line 22 on page 83.

Mr. Ancram: This group of amendments is not as daunting as it may seem because all the amendments seek to achieve the same purpose. We are, however, seeking to address a significant point, and to question why the Judicial Committee of the Privy Council, rather than the House of Lords, has been chosen as the arbiter on devolution issues. That is a serious question. I accept that the Privy Council was mentioned in paragraph 3.43 of the White Paper, but it was a minor mention and gave no justification for the selection of the Privy Council—except to say that the body would produce "a speedy decision". As a lawyer, I doubt whether that will necessarily be true of any court. If that was the only reason for selecting the Privy Council, perhaps it was not the best; perhaps the Privy Council should not have been chosen as the body to which such matters should be submitted.

We are seeking to replace the Privy Council with the House of Lords, the senior appellate court within our system. I say that even as a Scottish lawyer because, although the House of Lords does not have appellate jurisdiction in criminal matters in Scotland, it does in civil law.

8.45 pm

We wonder why a court for which there is a great deal of respect and which cannot be challenged as political in any way, or regarded as tarnished as being part of the House of Lords, where reform will be taking place, is being sidestepped. The House of Lords is a court of the United Kingdom; it is composed of judges from the United Kingdom; and the issues of which we are speaking will be United Kingdom issues. They will arise between parts of the United Kingdom, and it is right that, within the United Kingdom, they should be decided by a court of the United Kingdom.

The Judicial Committee is not a court of the United Kingdom in the same way; it goes far wider. I have taken the precaution of reading the latest list applying to the Judicial Committee: judges of the United Kingdom naturally appear on it, including the Lord Chancellor, the Lord President, Lords of Appeal in Ordinary and such other members of the Privy Council as shall from time to time hold, or have held, high judicial office. But the list contains other members, most of whom, interestingly

enough—I am sure that the reason is the quality of the country's law—come from New Zealand. There are other members from Australia, Barbados, the Eastern Caribbean supreme court, the Bahamas and Jamaica. The Judicial Committee cannot be regarded as a court which has jurisdiction solely within the United Kingdom or as a court of the United Kingdom.

I look forward to hearing whether the cosy relationship that has existed between members of Plaid Cymru and the occupants of the Treasury Bench during the past few debates will persist. I have read over the past few days that the Scottish National party is seriously concerned about the use of the Judicial Committee. It takes the view that such matters should not be put before members who, however eminent they may be in jurisprudential terms, may not be fully aware of all the implications of the issues within these islands.

We are seeking to provide an appellate body in which all parts of the United Kingdom can have confidence, whose judges are known to Members of the House of Commons and to the various parts of the United Kingdom. I fear that the Judicial Committee proposal will give rise to uncertainty about the expertise that may be brought to bear.

The Opposition have a further concern, which is important in the context of the arguments that we were advancing earlier about the integrity of the Union. We are considering disputes that will arise between members of the United Kingdom and from powers that have been delegated from the House of Commons. I shall not return to the supremacy argument, but there may be doubts about the vires. To take these issues out of the United Kingdom context and place them in an international arena will give them a nature that will be entirely inconsistent with devolution within the United Kingdom. For that reason, too, I hope that the amendments will be given serious consideration by the Government.

Mr. Denzil Davies: I have some sympathy with the arguments advanced by the right hon. Member for Devizes (Mr. Ancram). I suggested earlier—and not very seriously—that the Judicial Committee of the Privy Council was perhaps being used because Scotland and Wales would be dependent territories.

The right hon. Member Gentleman has made a serious point. It is surprising that all devolution issues are to go to the Privy Council. Perhaps the same judges would sit in the Privy Council and the House of Lords. Perhaps the Minister will say that Mr. Justice Cooke, the President of the New Zealand Court of Appeal, or the President of the East Caribbean Court of Appeal, will not be chosen to hear such cases.

Why has the Privy Council, which is an excellent court but a bywater in many respects in terms of United Kingdom law, been elevated to such a position? I would think that the House of Lords could do the job perfectly well.

I was surprised to hear that the Scottish nationalists objected to the use of the Privy Council. I thought that they might object to the House of Lords being the court of final jurisdiction. No doubt the Minister, when he replies, will explain it all.

Mr. Ancram: To be fair, I should make it clear that what I read was that the Scottish National party did not like the Judicial Committee of the Privy Council. I am not aware of the SNP's views on the House of Lords.

Mr. Davies: I am still slightly confused. I should have thought that the SNP would have wished it not to be the House of Lords, which might be seen to be an English court, whereas the Judicial Committee has a different pedigree.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I had no intention of chipping into the debate but have been goaded into doing so by the right hon. Member for Devizes (Mr. Ancram).

I do not speak for the Scottish National party, which has its own view, but I have every confidence in the Privy Council and can see no reason why it should not be selected. That may, of course, further the cosy relationship with the Treasury Bench. I was not aware of it as such, but if it means having to adhere to that cosy relationship, in this instance I do so.

Dr. Marek: I also had no intention of speaking in the debate. The right hon. Member for Devizes (Mr. Ancram) made a serious point. Let me see whether I can put the other argument.

If it were to be the House of Lords, there might well be many more English—I use that word advisedly—rather than Scottish or Welsh judges, and there might then be arguments within the Principality on whether a decision was fair, unbiased and so on. The Judicial Committee, with judges from the Commonwealth, will provide a breath of fresh air, a bit of independence and a disinterested view. I am not accusing judges of being anything other than disinterested, but they should also be seen to be disinterested. That is the nub of my argument. If it were the Judicial Committee, with judges from the Commonwealth and so on, it would be easier to get a quorum of judges to sit on a particular case, and the public's perception that those judges were disinterested would be much clearer.

Mr. Öpik: The right hon. Member for Devizes (Mr. Ancram) referred to a list of countries from which we may select our Privy Councillors as wide-ranging as the countries from which we seem to import our beef these days.

Mr. Jenkin: What about Estonia?

Mr. Öpik: The right hon. Gentleman excluded Estonia. I do not know of any Privy Councillors living in Estonia at this stage, but time will tell if that changes.

Mr. Nigel Evans (Ribble Valley): Yes, but you are working on it.

Mr. Öpik: I assure the hon. Gentleman that I am most certainly not working on our sharing Privy Councillors from Estonia. It seems extremely unlikely that some world tour will be conducted to obtain Privy Councillors to sit on a committee to judge matters that relate to Wales, so that is a slightly spurious concern.

[Mr. Öpik]

The second, serious, reason why the Liberal Democrats oppose the proposal is that the House of Lords might not even exist in five or 10 years' time. Privy Councillors are likely still to be in place, so, in the spirit of expectation of significant reform of the upper House, let us tie ourselves to a body that will exist, albeit it all over the world, long after the House of Lords has been massively reformed.

Mr. Letwin: I wish to speak for one minute, to point out that this is an extraordinary debate, because we are debating which of the two bodies is appropriate. That either should have been nominated to perform the task is remarkable—the more so if it is to be, as it were, exported to the Privy Council—because what we are doing is to ask an English court to adjudicate about the supremacy of Parliament. That is the most extreme example of departure from constitutional convention contained in the Bill. The notion of devolution itself is a most radical measure. It is extraordinary that it should not be allied to the greatest possible conservatism in the choice of court. That seems to me the strongest argument in favour of the argument of my right hon. Friend the Member for Devizes (Mr. Ancram).

Mr. Win Griffiths: This has been another interesting debate, with quite curious trains of thought in relation to what we are trying to do with the Judicial Committee of the Privy Council.

As the right hon. Member for Devizes (Mr. Ancram) said when moving his amendment, we made it clear in the White Paper—however brief the reference might have been, it was quite explicit—that the Judicial Committee of the Privy Council is the judicial mechanism that the Government have selected to resolve disputes about the assembly's use of its powers. Therefore, the point made by the hon. Member for West Dorset (Mr. Letwin) about Parliament is not strictly necessary, because it relates to whether the functions set out for the assembly are being carried out appropriately, just as the Law Lords can consider issues in relation to the House if it is felt that a Minister is not carrying out his or her duties appropriately.

The arrangements that we have made in the Bill are similar to those in the Scotland Bill, although, of course, in that case there is the issue of the primary legislative powers of the Scottish Parliament. We believe that it is highly desirable that the same court should be able to deal with cases that could arise from the new constitutional arrangements for Wales and Scotland that the Government are putting in place. The provision has been included just in case there is a problem. We want to say not that there will be problems, but that there should be a mechanism.

The Judicial Committee acts now as the final constitutional court of appeal for various Commonwealth dependencies and colonies, which were mentioned earlier by my right hon. Friend the Member for Llanelli (Mr. Davies). As it already has that role, we thought it appropriate to use its experience of handling cases that raise constitutional issues.

We also believe it important that a flexible mechanism should be in place to allow the assembly's powers to be resolved promptly. The amendments would add to the work load of the Appellate Committee of the House of Lords. I am not sure that they would lead to prompt decisions on cases, bearing in mind the provisions in the schedule for cases to be referred on appeal. In that context—this deals with the point raised by the right hon. Member for Devizes and my right hon. Friend for Member for Llanelli—paragraph 33 of schedule 6 gives greater flexibility about the membership of the Judicial Committee of the Privy Council than exists for the membership of the Appellate Committee of the House of Lords.

The Judicial Committee can draw its members from any of those who hold or have held the office of a Lord of Appeal in Ordinary, or certain high judicial offices. That includes Lord Chancellors and judges of the High Court and of the Court of Appeal in England and Wales or Northern Ireland, or of the Court of Session in Scotland. However—this is the crucial point—schedule 6(33)(b) excludes judges from the colonies or the Commonwealth, because it refers to

"ignoring for this purpose section 5 of the Appellate Jurisdiction Act 1887".

I hope that, in the spirit in which I have given my information, the right hon. Member for Devizes will feel able to withdraw his amendment.

Dr. Marek: It is clear that that provision will remain in the Bill, but I think that that is a great pity. It would have introduced a breath of fresh air, and a bit if disinterestedness, if some of the judges who have been excluded had been able to make decisions.

Mr. Griffiths: That is obviously my hon. Friend's view, but we feel that it is appropriate for such matters to be settled in the context of, so to speak, the member states of the United Kingdom.

Mr. Ancram: I listened carefully to what the Minister said, but I am not entirely convinced by his arguments. He seems to be riding two horses in opposite directions. First he says that the Judicial Committee will be able to deal with cases swiftly because—he hopes—there will be very few, if any; then he tells us that to give them to the House of Lords would overload the House of Lords. He must decide whether there will be many cases or very few.

It being Nine o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [2 February], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Schedule 6 agreed to.

Clause 109 ordered to stand part of the Bill.

Clause 110

RELATIONS WITH LOCAL GOVERNMENT

Mr. Llwyd: I beg to move amendment No. 469, in page 53, line 14, at end insert—

'(1A) The Assembly shall have regard to the published plans and strategies of local authorities in Wales in making decisions which specifically affect the communities of those local authorities.'.

Let me begin by saying—at the risk of drawing fire from the Conservative Front Bench—that clause 110 is welcomed by anyone who respects local government and the need to develop and nurture the relationship between it and the national assembly.

The clause requires the assembly to provide a scheme

"to sustain and promote local government"

and requires it to form a partnership council with representatives of local government. I firmly believe that the effective governance of Wales will require a working partnership between local government, the voluntary sector and the national assembly. The clause creates a framework within which local government and the national assembly can share understanding, objectives and a programme of agreed action. The framework will not avoid all differences—nor should it—but it will allow the potential for resolution through dialogue.

The clause also allows a partnership between local government collectively and the assembly. It does not refer to the need for the assembly and its agencies to consider the objectives of individual local authorities. Elsewhere, the Government recognise the role of each local authority in providing community leadership, working with local communities to identify needs and priorities and developing local plans and strategies that can lead and assist all organisations seeking to work in those communities.

The briefing issued by the Welsh Local Government Association states:

"The Association believes that it is in the development of community leadership that local authorities can most enhance their contribution. However, it is not enough for local authorities to provide leadership, there needs to be an incentive for other parts of government to consider the leadership that is provided."

No doubt the assembly will have executive roles that will directly affect specific local communities. For instance, it will take over Tai Cymru's role in financing social housing development. At present, Tai Cymru is required by the Secretary of State to have regard to the housing strategies of local authorities. It is suggested, therefore, that the assembly, in this and all other executive actions, should be required to have regard to the plans and strategies of local authorities in specific decisions that affect local communities.

The amendment is straightforward, clear and easy to understand. It would not affect the development of national policies by the national assembly, but it would require it, in specific decisions following on from those policies, to have regard to the plans and strategies of local authorities in Wales. That would not give local authorities any right of instruction or veto, but give them some assurance that, when they invest in the development of local strategies, those strategies will have some influence and will not be ignored in, as it were, the painting of the larger picture.

In essence, the system would be little different from that whereby central Government need to have regard to local structure plans in determining planning issues, for example. Indeed, planning appeals could not be held without proper and due regard to local structure plans that are considered to be of extreme importance.

To put it another way, the amendment is the essence of subsidiarity in statutory form. Furthermore, it adds clarity to the statement, welcome though it is, that the national assembly is bound to sustain and to promote local government. I suspect that, at some point, the word "otiose" will be mentioned by someone over yonder—who has left the Chamber, so we are spared its use for the time being—but I would appreciate a detailed response from the Minister.

Dr. Marek: I have general sympathy with what the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) proposes, but I cannot support it. The principal reason is that we are legislating for a national assembly; we should give it status and authority and assume that it will carry out its functions properly—and not try to tie it down in primary legislation. I have made that point before.

I have every confidence that the national assembly will want to work in partnership with local councils. From that point of view, it is better for that to be done through the assembly's Standing Orders, procedures and traditions as they develop, rather than through legislation passed through this Chamber that tries to tie the assembly down to something that it should be doing itself. I hope that, as a result of that general point, or perhaps as a result of what my hon. Friend the Minister says, the hon. Member for Meirionnydd Nant Conwy will feel able to withdraw his amendment.

There are other problems with the amendment. At present, structure plans have to be accepted by the Secretary of State, possibly with an examination in public. Structure plans will, however, be the creature of the national assembly, so it is highly unlikely that the assembly will, in a cavalier manner, dismiss a structure plan for a particular unitary authority and try to impose something else. If it does that, it may have a particular reason, but that is by the way because the amendment says that the assembly has to "have regard to" and, of course, it can have regard to something and then nevertheless decide something contrary.

Unitary authority decisions can be cavalier in the extreme. Eight or 10 years ago, a Welsh Affairs Committee investigation found that three authorities—Anglesey, Cardiganshire, or Ceredigion, and Delyn—had policies on housing in the countryside, but disregarded them. There were departures from the local plan to such an extent that they prompted comment and an investigation by the Select Committee.

I have confidence in local authorities, which I support. The National Assembly for Wales must have oversight, and it should be able to take a view without having to face a judicial review. It should not be constrained too much by a local authority's strategic policies that do not make good sense or to which it does not abide, or because the policies that the authority is implementing are not in writing. The issue is complicated. I have no wish to offend anybody, but I have to say that there are good and bad councillors, as I guess there are good Members and bad ones.

The assembly must have respect and status and it must have the final say. I do not wish to have its powers trammelled by the amendment. I sympathise with some of

[Dr. Marek]

the aims behind the amendment, but I am convinced that the assembly's Standing Orders will contain precisely the amendment's principle.

Mr. Llwyd: The hon. Gentleman draws attention to the words "due regard" in the amendment. They mean that the amendment would not bind the assembly in any way. It is an attempt to ensure a healthy and developing partnership between local government and the assembly. That is my aim, and I do not wish to fetter the assembly in any way. The wording of the amendment supports my argument rather than that of the hon. Gentleman.

Dr. Marek: We could argue about that, but time is short. We are close to the fulcrum of the argument. I prefer the route that I have suggested, but the hon. Gentleman would go the other way. Let us hear what the Minister has to say.

Mr. Öpik: The Liberal Democrats fully support the amendment because local government often feels frustrated and unable to vent its feelings to higher authority. The amendment creates a direct, formal requirement for the assembly to listen to local government throughout Wales. The benefit of such networking cannot be underestimated. Local government officers and councillors often have to implement decisions made higher up, but there is every reason to suppose that they can add value to assembly debates as national Welsh policy is formed.

The hon. Member for Wrexham (Dr. Marek) spoke about good and bad councillors. We should set our sights on having good councillors in Wales and good Members of the Assembly. We must assume that the public know what they are doing when they vote and that the people they elect are capable of adding the sort of value that I have described. The hon. Gentleman also said that the amendment would tie the assembly's hands. I disagree: a visionary and self-confident assembly would recognise the merit of hearing views from outside the assembly—from those who often have to bear the brunt of public dissatisfaction about bad decisions. If the assembly believes in itself, it should also believe in the ability of local government to improve decision making. Come on Minister, give us confidence that you have faith in local government by accepting the amendment.

Mr. Win Griffiths: As the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) said when he ably moved and spoke to his amendment, its purpose is to place a statutory duty on the assembly to have regard to the published plans and strategies of Welsh local authorities when taking decisions that will affect particular communities. It is to be expected that the assembly will always attempt to ensure that its actions and decisions are sensitive to local needs and aspirations.

The hon. Gentleman mentioned the abolition of Tai Cymru and the assignment of its housing function, ultimately, to the Welsh assembly. As he said, Tai Cymru provides finance after engaging in a process in which it pays due regard to local authorities' housing strategies. It also provides a good example of how a partnership can work without specific statutory goals or requirements. Furthermore, such a partnership exists also in the planning sphere.

9.15 pm

The amendment is unnecessary, particularly because the Bill provides for a Partnership Council. The hon. Members for Meirionnydd Nant Conwy and for Montgomeryshire (Mr. Öpik) and my hon. Friend the Member for Wrexham (Dr. Marek) raised important issues that should be examined in the context of the Partnership Council, which will call for the assembly to work closely with local authorities in a spirit of partnership, with mutual respect for each other's role. Discussions at the council are likely to cover the key strategic issues that face the assembly and the major quangos in Wales, which provide an important interface for local authorities.

We have to look ahead a little further. The Government have separate proposals for strengthening local government that, this summer, will be the subject of a White Paper for Wales. I cannot reveal the contents of the White Paper—[Hon. Members: "Oh, go on."] As I am in Committee and not at a press conference, perhaps I can say one or two things.

The White Paper is likely to propose a duty on local authorities to improve the economic, social and environmental well-being of local communities. Ultimately, that proposal will enable individual local authorities to influence more effectively the local plans and priorities of a wide range of public bodies. We believe that the proposal, combined with the Partnership Council, will adequately address the issues raised by amendment No. 469, which would take a step too far the already innovative and ambitious project of a partnership between central and local government. The Government have already introduced that partnership, and my right hon. Friend the Secretary of State has already signed an agreement on how it will work between local government and the Welsh Office.

In an intervention on my hon. Friend the Member for Wrexham, the hon. Member for Meirionnydd Nant Conwy said that part of the purpose of his amendment is to achieve a healthy and developing partnership between central and local government. Because of the actions of my right hon. Friend, the Bill's proposal to establish a Partnership Council and proposals in the White Paper—which will be published early in the summer—to strengthen the role of local authorities, we believe that the amendment is a step too far.

I hope that the hon. Member for Meirionnydd Nant Conwy will accept that the Government have a very positive agenda and that his amendment—although we are sympathetic to its desired aim—is not strictly necessary.

Mr. Llwyd: We have had a short but interesting debate, and the Minister's response has been quite encouraging. It is also getting late. If I had know about the imminent White Paper I might not have tabled the amendment. In the new spirit of inclusiveness, we get to hear things a bit earlier nowadays. Perhaps it will be earlier still in future. Bearing that in mind and the fact that we have had a useful debate and a positive response from the Minister, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Evans: I beg to move amendment No. 355, in page 53, leave out lines 15 to 42.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: Government amendment No. 376.

No. 359, in schedule 7, page 84, leave out from beginning of line 3 to end of line 31 on page 85.

Government amendments Nos. 377 and 378.

No. 470, in page 84, line 21, at end insert—

'(1A) The members appointed under sub paragraph (1) shall include one member nominated by each county council and county borough council in Wales.'.

Government amendments Nos. 379 and 380.

No. 358, in page 84, line 35, at end insert—

'(6) Members of the Partnership Council shall not be paid remuneration or expenses by the Assembly, any local authority or otherwise out of public funds in respect of any of their activities as members.'.

Government amendments Nos. 381 to 385.

No. 471, in page 85, line 15, leave out 'once' and insert 'three times'.

Government amendment No. 386.

Mr. Evans: We have many amendments to consider in a relatively short debate, but I am delighted to speak to amendments Nos. 355, 359 and 358 in the names of my hon. Friends and myself. We have spoken at some length about local government this evening, and it is important for devolution to ensure a vital role for local authorities.

I understand the importance of local authorities as I was a county councillor for six years, first for Sketty and then for Ty Coch, knocking on doors and representing the grass-roots feelings of the people in those areas on West Glamorgan county council. I recall two particular issues on which I sought meetings with the Welsh Office. One concerned the 24-hour opening of the accident and emergency unit at Singleton hospital.

Mr. Ron Davies: When was that?

Mr. Evans: It was between 1985 and 1991—in those halcyon days.

Mr. Davies: That was a long meeting.

Mr. Evans: It was, but we got we wanted in the end. The other meeting concerned some land in the Ty Coch area that we were seeking to prevent from being sold and retain for the use of Sketty school. We were certainly successful in that bid. It is important to have an open-door policy so that local representatives can go to the Welsh Office, as I did in regard to the land in Ty Coch. I saw the then Secretary of State for Wales, David Hunt, who was very receptive to what I, other local councillors and parents at the school had to say.

I assume that in future there will continue to be delegations to the Secretary of State. Some local councillors will lobby the Secretary of State for Wales in regard to his lobbying the Treasury for the biggest possible settlement for Wales. There will also be local authority delegations to the leader of the assembly to ensure that there is no top-slicing and that each area gets as much money as possible.

Clause 110 is disappointing in the extreme, especially in the light of the high goals for the relationship between the two tiers of government that were set out in the White Paper. On page 9, it refers to

"specific grants to local government"

in order to

"promote new initiatives . . . by providing funding which is not linked to specific services"

resulting in greater flexibility and discretion for local authorities. It also states that the assembly

"will gain the trust of the Welsh people only if it conducts its affairs openly and properly."

On page 10, it

"has regard to the interests of local authorities, business, unions and the voluntary sector, and works in partnership with them to promote the economic, social and environmental well-being of Wales."

On page 15 it says:

"The Assembly will promote and foster local government in Wales."

It promises that both tiers of government will work together to serve the people of Wales. The Government promise to

"ensure that the Assembly regularly reviews with local government how effectively this commitment"—

to fostering local government—

"is being observed."

We have heard how local government in Wales has been overlooked. That, we are promised, will be replaced by mutual respect from the two bodies for their legitimate roles. After such a build-up, we were disappointed by the Bill. We want a more constructive approach to giving local authorities a proper role and establishing their relationship with the assembly.

Some cynics—not me, obviously—might suggest that the Partnership Council was PC by name and PC by nature. It gives the appearance of fulfilling the White Paper contract, but on closer inspection it fails by a mile to deliver the goods. Clause 111 on voluntary organisations is less prescriptive, allowing the assembly to set up a scheme with complete flexibility, consulting the appropriate bodies.

Clause 110 is more prescriptive. We do not want to delete subsection (1). We agree that a scheme needs to be put in place, but it must be real, not just lip service to creating something. There must be more substance.

What do we see behind the ideal of an inclusive assembly and its balanced relationship with the local authorities in the clause and schedule 7? The assembly will make the Standing Orders. The assembly will set up the Partnership Council. The assembly will decide on the size of the Partnership Council. This is one area in which size counts. There are 22 county councils and county borough councils, as well as other bodies, such as national parks, the police and the fire services, that could be included.

Mr. Llwyd: Will the hon. Gentleman confirm that he will support my amendment, which would provide for one member from each unitary authority in Wales to be on the Partnership Council?

Mr. Evans: No, because our amendments go wider than the nationalist amendments. I would have a

[Mr. Evans]

troublesome night if I went along with them. However, the hon. Gentleman has made an important point. We do not know the size of the Partnership Council. We know only that there will be equal representation between Members of the Assembly and representatives of other bodies. If the council had 40 members, there would be 20 from each. That would mean that not every local authority could send a representative. The council could be smaller than that—

Mr. Ron Davies: How about 44?

Mr. Evans: Or it could be larger, but even if there were 44 members, there would still be the police, the fire authorities, the national parks and other bodies to be considered.

To give due regard to the regional nature of the Partnership Council, it would be useful if the Bill were more prescriptive. We would like an assurance for people from the regions that they will have representatives on it. The council is an advisory body, so there is nothing to fear. Local government is important throughout Wales, not just in certain parts. All the regions should be represented.

Schedule 7 says:

"The Partnership Council must meet at least once a year."

It is a vital body that will do so much for Wales, bringing the democratic system closer to the people, but the Bill says only that it should meet at least once a year. That is quite pathetic. If we are to set up such a body, I hope that it would meet a little more than once a year.

Mr. Llwyd: Will the hon. Gentleman therefore support amendment No. 471, which I tabled, which suggests that the Partnership Council meets three times a year at least?

Mr. Evans: If size is important, frequency is, too. Whereas three times a year would be three times better than the minimum proposed, the hon. Gentleman's amendment still does not go far enough for me. I react to the hon. Gentleman's question in the same way as somebody standing up in a law and order debate at a Conservative conference who says that he wishes to oppose the amendment because it does not go far enough.

9.30 pm

Mr. Swayne: Would it not be preferable if, as the Opposition amendments state, the Partnership Council did not meet at all?

Hon. Members: Ah.

Mr. Evans: Well—*[Interruption.]* This is an important issue. As the Bill stands, it may be preferable for the Partnership Council not to meet at all. As far as I can see, there are no guarantees of how large the body will be or whether it will be all-inclusive and representative. The only thing proposed for it is in schedule 7: that it should meet at least once a year. That is not good enough. If we are setting up the body, we would hope to give it certain powers.

Mr. Ron Davies: Ah: "we".

Mr. Evans: I speak as one in this Parliament. We are certainly not opposing the advisory Partnership Council; we are saying that it should be improved. It is wonderful to have the Secretary of State in the Chamber for our proceedings. I am grateful that he is present for my speech. If he waits a moment and I am able to elaborate, he might even agree with me. I cannot recall his experience of local government. I am sure that it is longer than mine. I am sure that he also values the role of local authorities in Wales and will want to ensure that, if we are going to the trouble of including the proposal in the Bill, the organisation is meaningful.

We have tabled our amendments in good faith so that the Minister may look at the issue again. Brilliant as our idea may be, he may wish to take it away, fine-tune it, bring it back and claim it as an idea of his own.

Mr. Öpik: This may seem a very trivial detail, but my understanding of the Opposition amendments is that they remove the Partnership Council entirely.

Mr. Evans: We are saying that, given the current drafting of the Bill, it would be better, as my hon. Friend the Member for New Forest, West (Mr. Swayne) said, if the body did not meet at all. We have tabled the amendments so that the Minister can consider something that will be constructive for local authority representatives, and so that a meaningful body can be established which represents people throughout Wales. If we are to give birth to the organisation, let us ensure that it is something of which the parents will be proud. Let us take the opportunity.

A cynical view might be that, given the Bill, the assembly might not be seen by the Partnership Council as a body akin to heaven, which is how it has been described over the past few days and was described during the referendum campaign. We were led to believe that once the assembly was set up, the sun would always shine in Wales and there would be very few problems. Since the Partnership Council has been given the opportunity to advise the assembly and local government, as an offspring, it may at times be critical. Stipulating that it meets only once a year does not give it much authority.

Mr. Llwyd: How many times would it meet?

Mr. Evans: I hear what the hon. Gentleman says. If he waits just one moment, I shall refer to that point in my speech.

I ask the Minister to look again at the matter and give the body a raison d'être. The new Partnership Council should contain a broad spectrum of local interests. The Secretary of State seems to be reacting to the phrase "raison d'être". It is French. I am talking about giving the assembly a real reason for existing. We have heard much about bilingual translation—I can do it myself.

The Partnership Council should meet regularly. If it is to have a real opportunity to take on board the views of the local authorities—including the national parks, the police, the fire brigade and any other body that is deemed important enough under subsection (7)—it should meet at least once a month. It is especially important to Members

of the Assembly who do not have local authority experience that there should be a fair exchange of views, particularly in the early years of the assembly.

Ms Julie Morgan: Does not the hon. Gentleman realise that if the Partnership Council met once a month, it would meet more often than the full councils of some of the local authorities involved?

Mr. Evans: Not all local authorities have the same cycle.

I suggested that the Partnership Council meet once a month, but there may be periods, such as in the summer or over Christmas, when it does not meet, so there might be as few as eight or 10 meetings a year. It is important that it meet more regularly than the rather fleeting suggestion in the Bill of at least once a year.

Mr. Swayne: Does my hon. Friend accept that the council's role is to establish and promote the relationship between the assembly and local government? That is a critical function; the council is not merely a liaison committee that may or may not meet once a month.

Mr. Evans: I find the attitude of Labour Members puzzling. All we have heard in Committee is the importance of the assembly to democracy. The White Paper, which was so influential during the referendum campaign, said that close links would be established between the assembly and local authorities, yet the Bill makes only fleeting reference to the Partnership Council and says that it should meet once a year.

Many Labour Members have experience of local authorities, so I would expect them to want to ensure that the Partnership Council meets regularly to discuss common problems, so that there can be a better understanding of what the assembly and representatives of local authorities—in the wider context laid out in the Bill—want.

If one of the objectives of creating this new tier of government is to bring democracy closer to the people, let us do just that and stop the window-dressing nonsense, which is nothing more than a sop to the Welsh people and an insult to local democracy.

Ms Jackie Lawrence (Preseli Pembrokeshire): I oppose the amendment and amendment No. 470. Unlike some hon. Members who have spoken this evening, I shall be brief.

The amendment goes even further than amendment No. 469, in that it denies the very possibility of an equal partnership between the assembly and local government. The hon. Member for Ribble Valley (Mr. Evans) referred to democracy, which is fundamental to the Bill, but the amendment runs totally counter to it.

Mr. Hayes: The nature of partnership surely requires some definition of the expectations of the partners. My hon. Friend the Member for Ribble Valley (Mr. Evans) pointed out that it will be difficult to form a useful partnership when the size, nature and frequency of meetings of the body are ill defined.

Ms Lawrence: Partnership is a coming together of equal partners, but amendment No. 355 would deny the possibility of bringing the partners together. Amendment No. 470 would extend membership and would make the Partnership Council unmanageable, thereby threatening its democratic role.

I should like the Minister to address questions about national park representation, especially on planning matters, funding and environmental issues. Pembrokeshire has the highest density of population in a national park area, and specific concerns. Amendments Nos. 355 and 470 would affect the partnership of equals and the size of the body, and should therefore be rejected.

Mr. Edward Leigh (Gainsborough): At first sight, the Partnership Council appears to be a harmless proposal, but it is a talking shop for Members of the Assembly and local councillors. One might ask where the harm is in that. Well, after all the build-up in the White Paper, we might have hoped for more. The proposal is symptomatic of a gaping hole at the heart of the Bill and the proposals for a so-called National Assembly for Wales. We have heard so much recently about a constitutional revolution in our country, after various charter movements. That is not true for Wales, because the Bill is largely an administrative device: the proposal for a Partnership Council reveals that.

Neither the Bill nor the Partnership Council will make any difference to the lives of the people in Wales. The Partnership Council proposal shows the true interests of those who are framing the legislation and those who will take part in the assembly. They love creating bureaucratic, interlocking mechanisms between local authorities, officers and councils. At best, those mechanisms are forums; at worst, they are more sinister, as we have seen in other parts of the country.

As a glorified county council, the national assembly is perfect for such people. When politicians are desperate to create something but have no inspiration, they create a Partnership Council. Just as Maastricht created a forum of the regions—[HON. MEMBERS: "Ah!"] That is a pointless talking shop, and the Partnership Council will be another.

Clause 110(4)(a) provides that the Partnership Council would

"give advice to the Assembly".

Why do we need yet another council to give advice to yet another assembly? How often will the council meet? The council will also

"make representations to the Assembly".

Why cannot councillors make representations directly to the assembly? That has been done adequately in England, Wales and Scotland for many years. Why will Members of the Assembly be elected if not to make representations directly to local authorities and the general public?

Mr. Öpik: Since the hon. Gentleman evidently disagrees with the hon. Member for Ribble Valley (Mr. Evans), who said that the proposals could be a useful part of the Bill with a few small changes—

Mr. Evans: A few major changes.

Mr. Öpik: I am sorry. What advice would the hon. Member for Gainsborough (Mr. Leigh) give his colleague about amending the Conservatives' position?

Mr. Leigh: The hon. Gentleman has not been long in the House if he thinks that I always agree with my hon. Friends on the Front Bench—I do occasionally have an independent point of view.

Mr. Hayes: My hon. Friend's point requires amplification. He is actually saying that local authorities

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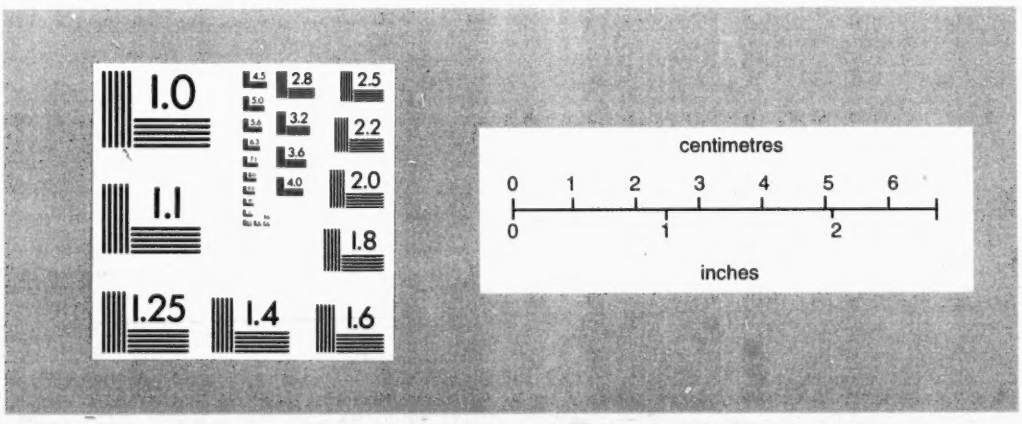

[Mr. Hayes]

that are represented on the Partnership Council may have access to the assembly to give advice or to offer comment, but, as my hon. Friend the Member for Ribble Valley (Mr. Evans) said, local authorities and the parts of Wales that are not represented will not have the ability to give that sort of advice. That is the inequality that the Partnership Council engenders.

9.45 pm

Mr. Leigh: My hon. Friend makes a fair point, which was also made by my hon. Friend the Member for Ribble Valley (Mr. Evans), with whom I normally agree on everything. The trouble with bureaucratic mechanisms is that either one makes the thing so loose as to be meaningless in an attempt to include everybody, or one starts to exclude people.

Clause 110(4)(c) states that the council can "give advice" to local authorities. Why should local authorities want to be lectured by yet another council? Are they incapable of running their own affairs?

Of course, "partners" is a politically correct word. We no longer have spouses, husbands or wives with lifetime commitments—we have partners and sometimes rather odd ones. We have European partners and now we are to have a Partnership Council in Wales. Perhaps we should have Partnership Councils in England—but, on second thoughts, no thank you.

At first, the whole concept of the Partnership Council seems entirely harmless, but it is bogus and symptomatic of the real problems within the Bill. Let us assume, for the sake of argument, that the Partnership Council actually means something—that it is a serious attempt to create powerful regional bulldozers in an unstoppable drive to establish real local and regional power. Let us assume that that is the case. We know it is not, because it is a sham, but if it was the case, it would be a serious step down the road to the break-up of the United Kingdom. The Partnership Council is, at best, a sham, a talking shop and a waste of time. The clause has been badly drafted, and the Committee should reject it.

Mr. Livsey: We believe that it is absolutely right to have a Partnership Council. The hon. Member for Ribble Valley (Mr. Evans), in his own endearing and unique way, appears to be not only a Unionist, but an empire builder. The clause states that assembly must

"sustain and promote local Government in Wales"

which is very important.

I, like the hon. Member for Preseli Pembrokeshire (Ms Lawrence), am concerned about representation of the national parks, and I hope that, because of national parks' functions in planning and other matters, they will be drawn into the Partnership Council. The other bodies listed—police and fire authorities—are also important. Amendment No. 470, which specifies that there should be one representative from each county, is extremely important and we would wish to support that amendment.

Mr. Win Griffiths: The debate has been important, if only because it shows that the Conservative party is totally divided on this point—in fact, the hon. Member for Ribble Valley (Mr. Evans) appears to be totally divided within himself. At first, I thought his speech was constructed in a dream, but I then realised that it must have been a nightmare. He started by claiming that his concern in tabling an amendment to destroy the Partnership Council was to promote the interests of local government. Before he put his contribution together—if that is what actually happened—did he actually speak to any local government leader or councillor in Wales?

Mr. Evans: I was one.

Mr. Griffiths: Did the hon. Gentleman speak to any present members of local authorities in Wales? I wonder whether he spoke to any of them, because they have backed the proposal. They are extremely happy about the establishment of the Partnership Council, which they want.

Mr. Evans: It is a sop.

Mr. Griffiths: The purpose of the clause is to establish the Partnership Council which, in conjunction with the assembly and local government, will have the duty to sustain and promote local government in Wales. If that is a sop, it is a funny sort of one. The very idea that the hon. Gentleman could think that explains the tone of his speech. If he was so concerned about creating an alternative to that Partnership Council, why on earth did he not table any amendments to that effect? All we heard from him was a rant about how the Partnership Council was not strong enough, and did not provide a large enough role for local government, but that it should meet at least eight times a year. That is his opinion, yet he tabled no amendments to that effect. He missed out on a glorious opportunity to do so.

Mr. Evans: The real nightmare is listening to the Minister's response to any of our constructive suggestions. We know that Ministers could consider our amendments, turn them around, slightly tweak them and then suggest that they were their own. If the Minister wants to establish a Partnership Council that is responsive to the needs of local authorities throughout all parts of Wales, he should look carefully at our suggestions and give that council a true purpose. It should not just be a sop to meet the aims contained in the White Paper, which are sadly missing from the Bill.

Mr. Griffiths: The tone of the hon. Gentleman's remarks tonight were destructive. He did not offer one positive proposal apart from suggesting that the Partnership Council should meet eight times a year, even though he was proposing its destruction—that is the main thrust of his amendments.

The proposed Partnership Council has been widely welcomed by all the Welsh local authorities. Which authority representatives to whom the hon. Gentleman spoke provided any evidence for his rant? The answer is none of them.

The establishment of the Partnership Council is a positive step towards restoring the trust between central and local Government, which was sadly destroyed by the Conservative Government—the hon. Member for Ribble Valley was a member of it. It was lost because of their actions. Since the election, we have already developed a

new, strong working relationship with the Welsh Local Government Association. All the Welsh local authorities, apart from two, are also involved with the Central Local Partnership Wales Forum, whatever their political complexion. Of course none of those authorities is Tory, because even if we put all the Tories on one council, they would still not make a majority.

Mr. Llwyd: On that happy note, may I ask the Minister whether he has any idea how many people from the unitary authorities will be invited to take part in the process? Can he give us any idea of the number of times a year when the Partnership Council will sit?

Mr. Griffiths: We would want all of Wales to be represented. The hon. Member for Ribble Valley asked about proper regional representation and we would anticipate relevant proposals from the Welsh Local Government Association to achieve that aim. It is obvious that not just local authorities, but the fire service, the police authorities, the national parks and the Welsh community councils should be represented on that council. County and borough councils will also be represented. We will discuss the relevant numbers with representatives of Welsh local government to ensure that they are happy with their representation.

Mr. Hayes: Those are the points that have been brought out by Conservative Members during the debate. Will the Minister now confirm in slightly more specific terms—or at least speculate with some authority on—the size of the council, the frequency of its meetings and the nature of the relationship between the council and the assembly, which is not defined in the Bill? It is no use the hon. Gentleman drooling about the enthusiasm of Welsh local authorities to be involved in the council if he has not given those details even to us, let alone to Welsh local authorities.

Mr. Griffiths: To which local authorities in Wales has the hon. Gentleman spoken about this proposal? I have already emphasised that they are all totally behind it. *[Interruption.]* As there are only 22 of them, it would not be too difficult. The hon. Gentleman has not spoken to one.

We have provided a minimum from which Welsh local government, other partners and the assembly can build up. We have said that the council should meet at least once a year, but if it wants to meet twice—or 10 times—that will be up to it. If it decides that adequate representation for the Welsh counties and county boroughs would be about eight, drawn from all parts of Wales, we can build on that. However, it will be a debate with them, to ensure that they feel that they are properly represented. That is the commitment that I make.

Amendment No. 358 was tabled to try to destroy the possibility of anyone receiving any payment for participating in the council—another wrecking amendment. We say, let us go ahead with the Partnership Council, because we know that that is what Welsh local government wants. We hope that amendment No. 471, which says that the council should meet a minimum of three times a year, and amendment No. 470, which says that there should be at least one member from each local authority, will be withdrawn, because we are confident that, on both subjects, we can get the agreement of local government as to what is appropriate.

During the debate, we had a beacon of common sense and thoughtfulness in the contribution of my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence). It was refreshing in the light of the rant that we heard from the hon. Member for Gainsborough (Mr. Leigh), which was directly contradictory to the views being expressed by Conservative Front-Bench Members, who, although they were seeking to destroy the Partnership Council, tried to claim that they were building a new relationship but had no idea what they would want except that the Partnership Council should meet at least eight times a year and be represented regionally.

Our Government amendments are essentially technical in nature. In amendments Nos. 376 to 386, we use the word "authorities" to tie in with the use of local authorities elsewhere. We want to ensure that the assembly can use common sense in seeking nomination so that if, for example, a local government vacancy were created, someone from local government would fill that vacancy, making a trawl throughout Wales unnecessary.

We hope that all hon. Members will feel, having inspected these amendments closely, that they add clarity to the Bill, to ensure that the Partnership Council works properly. Given that it would appear that hon. Members are happy with the proposal that these amendments technically improve the Bill, I hope that the hon. Member for Ribble Valley will be prepared to withdraw amendment No. 355 and not press the other amendments to a vote, because they are simply wrecking amendments and not designed to promote and strengthen the role of local government with the new National Assembly for Wales.

Mr. Evans: I listened carefully to the Minister. I am not sure whether he was trying to win me over when he referred to my excellent speech as a rant. The fact that he may not agree with what I say—and because I say what I say and say it passionately—does not make it a rant.

We were suggesting a real partnership between local authorities and the assembly Members in Wales to ensure that the body would mean something. What the Government have suggested is a sop. They put the measures in the White Paper to try to win the support of the people in Wales, and that has not worked. We are not persuaded by what the Minister said, and we shall press the amendment to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 118, Noes 331.

Division No. 147] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael

Cran, James
Curry, Rt Hon David
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jenkin, Bernard
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Loughton, Tim
Luff, Peter
MacGregor, Rt Hon John
MacKay, Andrew
McLoughlin, Patrick
Madel, Sir David
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spring, Richard
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Mr. John Whittingdale.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Gorrie, Donald
Grant, Bernie
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harris, Dr Evan
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
Mahon, Mrs Alice
Mallaber, Judy

Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill (Sheff'ld Heeley)
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. John McFall and
Mr. David Jamieson.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [2 February], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Amendment made: No. 376, in page 53, line 39, leave out 'bodies' and insert 'authorities'.—*[Mr. Jon Owen Jones.]*

Clause 110, as amended, ordered to stand part of the Bill.

Schedule 7

RELATIONS WITH LOCAL GOVERNMENT: SUPPLEMENTARY

Amendments made: No. 377, in page 84, leave out lines 9 to 11.

No. 378, in page 84, line 12, after 'time', insert 'make an appointment to'.

No. 379, in page 84, line 26, leave out 'or body'.

No. 380, in page 84, leave out lines 31 to 35.

No. 381, in page 84, line 47, leave out 'and bodies'.

No. 382, in page 84, line 49, leave out 'or body'.

No. 383, in page 85, line 5, leave out

'Assembly shall make appointments under paragraph 2(1)(b)'

and insert 'appointments shall be made'.

No. 384, in page 85, leave out lines 9 to 13 and insert—

'(4A) Where a casual vacancy arises among the members of the Partnership Council appointed under paragraph 2(1)(b), the Assembly shall invite—

(a) such local authorities in Wales, and

(b) such associations of local authorities in Wales,

as the Assembly considers appropriate to make, within a period specified by the Assembly, nominations of persons for appointment under paragraph 2(1)(b) to fill the vacancy.

(4B) The appointment to fill the vacancy shall be made from among those nominated in accordance with the invitation unless no–one is so nominated.

(4C) Where, pursuant to sub–paragraph (4) or (4B), the Assembly appoints as a member of the Partnership Council under paragraph 2(1)(b) a person nominated by an authority or association, the Assembly shall notify the authority or association of the appointment.

No. 385, in page 85, line 13, at end insert—

3A.—(1) Subject to the following provisions of this paragraph, a person appointed as a member of the Partnership Council shall remain a member until the end of the day before the ordinary election following his appointment.

(2) A person appointed as a member of the Partnership Council may resign at any time.

(3) A person appointed as a member of the Partnership Council under paragraph (a) of sub–paragraph (1) of paragraph 2 shall cease to be a member if—

(a) he ceases to be an Assembly member, or

(b) he is removed from membership of the Partnership Council by the Assembly.

(4) A person appointed as a member of the Partnership Council under paragraph (b) of that sub–paragraph shall cease to be a member if he ceases to be eligible for appointment under that paragraph.

(5) Where the appointment of a person as a member of the Partnership Council under that paragraph was notified under paragraph 3(4C) to an authority or association—

(a) the authority or association may require the Assembly to remove him from membership, and

(b) he shall cease to be a member on being removed from membership by the Assembly in compliance with that requirement.

(6) A person—

(a) whose appointment as a member of the Partnership Council was notified under paragraph 3(4C) to an authority within paragraph (b), (c), (d) or (e) of subsection (7) of section 110, and

(b) who was, on appointment, a member of the authority.

shall cease to be a member of the Partnership Council if he ceases to be a member of the authority (even though he remains a member of an authority within paragraph (a) of that subsection).

(7) The Assembly may not delegate the function of removing a person from membership of the Partnership Council under sub-paragraph (3)(b) or (5)(b) to—

(a) a committee of the Assembly, or

(b) a member of the Assembly's staff.'.

No. 386, in page 85, line 26, leave out from beginning to 'that' in line 28 and insert

'The standing orders of the Partnership Council may provide for the Partnership Council to establish committees.

( ) The members of any committee established by the Partnership Council shall be elected by the Partnership Council from among its members so as to secure'.—*[Mr. Jon Owen Jones.]*

Schedule 7, as amended, agreed to.

Clause 111

RELATIONS WITH VOLUNTARY ORGANISATIONS

Amendment made: No. 287, in page 54, line 23, at end insert—

'( ) The Assembly may not delegate the function of making, or remaking or revising, the scheme to—

(a) a committee of the Assembly, or

(b) a member of the Assembly's staff.'.—*[Mr. Jon Owen Jones.]*

Clause 111, as amended, ordered to stand part of the Bill.

Clauses 112 to 117 ordered to stand part of the Bill.

Schedule 8 agreed to.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—[*Mr. Jon Owen Jones.*]

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Road Traffic (New Drivers) (Northern Ireland) Order 1997, which was laid before this House on 11th December, be approved.—[*Mr. Jon Owen Jones.*]

The House divided: Ayes 285, Noes 0.

Division No. 148] **[10.16 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Mrs Jackie
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt.Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Mrs Anne *(C'bridge)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coffey, Ms Ann
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Gorrie, Donald
Grant, Bernie
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harris, Dr Evan
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Llwyd, Elfyn
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McLeish, Henry
McNulty, Tony
MacShane, Denis

Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooney, Terry
Rowlands, Ted
Roy, Frank
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. John McFall.

NOES

Tellers for the Noes:
Mr. Eric Forth and
Mr. Keith Simpson.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Family Homes and Domestic Violence (Northern Ireland) Order 1997, which was laid before this House on 11th December, be approved.—*[Mr. Betts.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 5th February, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Community documents), the Speaker shall put the Questions on any Motions in the name of Mr. Secretary Prescott relating to Local Government Finance not later than Ten o'clock.—*[Mr. Betts.]*

SELECT COMMITTEE ON EUROPEAN LEGISLATION

Ordered,

That Mrs. Anne McGuire and Ms Hazel Blears be discharged from the Select Committee on European Legislation and Mr. Jim Dobbin and Mrs. Rosemary McKenna be added to the Committee.—*[Mr. Betts.]*

SELECT COMMITTEE ON MODERNISATION OF THE HOUSE OF COMMONS

Ordered,

That Mr. Huw Edwards be discharged from the Select Committee on Modernisation of the House of Commons and Mr. David Drew be added to the Committee.—*[Mr. Betts.]*

SELECT COMMITTEE ON PUBLIC ADMINISTRATION

Ordered,

That Fiona Mactaggart be discharged from the Select Committee on Public Administration and Helen Jones be added to the Committee.—*[Mr. Betts.]*

Breast Cancer Screening

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Betts.]*

10.29 pm

Mr. Paul Stinchcombe (Wellingborough)*rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. I ask hon. Members who are leaving the Chamber to do so quickly and quietly.

Mr. Stinchcombe: Thank you, Mr. Deputy Speaker. I am glad to have this opportunity to raise the important subject of breast cancer screening, especially because this is Age Concern's week against age discrimination. Breast screening is one area of health policy in which discrimination against older patients is currently systemic, as I shall shortly demonstrate.

The Government have committed themselves to placing the diagnosis and treatment of breast cancer high on their list of health care priorities. That commitment was amply demonstrated by the £10 million that was allocated in September to improve the symptomatic breast cancer service. The commitment will deliver the real improvement in health care that we seek only if we act on the best available evidence. I sought this debate to bring that evidence before the House and to raise with the Minister two important areas in which much can and should be done to improve breast screening. Those areas are two-view mammography, otherwise known as two-view screening, and the upper age limit for automatic invitations to the breast screening programme.

I make it clear that those two areas are not the only ones that should concern us as we seek to improve breast screening services. There are other related, important areas that must be addressed. They include worrying regional variations in the screening programme and the equally worrying take-up of screening opportunities by those in lower income and ethnic minority groups. There is also the acknowledged shortage of radiologists, oncologists and breast surgeons. Those are all areas for potential reform. However, for two reasons, I have decided to focus on the areas that I have specified.

First, the time is apt, in this week of all weeks, to highlight any area of health care policy that discriminates against the elderly. Secondly, my research leads me to believe that changes to screening policy in those two areas would have the most significant effect on reducing breast cancer mortality, which is currently 14,000 a year—among the highest rates in the world.

Before I deal in detail with the two principal areas upon which I wish to focus, it will help to set the factual context. About 80 per cent. of breast cancers in this country are discovered by women themselves. Approximately 35,000 breast cancers are diagnosed each year but only 6,000 to 7,000 are picked up by the screening programme. Three conclusions can be drawn from that startling fact. The first is that the health education programme in this area has been extremely successful, and that is a cause for some congratulation. Secondly, we should not be complacent. The programme must be extended and improved, especially for older women who, as I shall shortly show, are often oblivious to the fact that they are in the highest risk age category. Thirdly and most importantly, the facts show that the existing screening programme is not being used to its full potential.

Of course funding for research into new and better drugs is essential, and the £10 million that has been allocated to symptomatic breast cancer services is warmly welcomed, but ultimately, the success of those measures will be limited if more small cancers are not detected. Successful treatment of cancers depends upon successfully detecting them in the early stage. We must ask ourselves a simple question: "Can we save more lives by altering existing policies and practice to detect more small cancers?" The answer is yes, we can bring about improvements and detect more small cancers and save more lives. We can do that by expanding two-view screening and abolishing the current upper age limit for automatic invitation to the screening programme.

In 1995, a directive was sent to health authorities requiring two-view mammography to be used for all first-round screens. Why? Because two-view screening detected more small cancers—the very cancers that must be detected if lives are to be saved. However, the improved detection of two-view screening is true not only of first-round screens but of each round of screening. That fact requires no more research or pilot study for it to be established, because the evidence already exists. The evidence shows us not only that two-view mammography detects 45 per cent. more cancers at the first-round screens, but also that it detects at least 25 per cent. more small cancers at incident rounds. Those figures cannot be ignored. They have to be acted upon, especially when one reviews the record of breast cancer screening across the country.

Our target is a standardised detection ratio of one. If we reach that, we will achieve the mortality rate reduction that we seek. If the SDR is under one, we will be under-performing. Whereas the SDR for first-round screens exceeds one, the ratio for incident rounds is lower—between 0.75 and 0.85. That difference can best be explained by the fact that we have two-view screening for first-round screens but not for incident-round screens.

So it is that, under current policy, only one in 10 health regions are meeting the national expected standards for incident-round detection ratios; so it is that many breast units fail even to meet minimum standards; and so it is that, each year, an estimated 450 women with small detectable cancers are given false reassurance, because single-view screens in incident rounds have failed to detect existing cancers. Those figures are deeply unimpressive, especially when the professionals already know how to improve them—by expanding two-view screening into incident rounds.

We know that there will be financial implications, but we must consider two points. First, research shows that, despite the higher overall costs of two-view screening compared to one view, the average cost of screening per cancer detected is similar, so that two-view screening is as cost-effective as one view. Secondly, there is every indication that we will not meet our targets if we do not expand two-view screening.

It follows that, if the targets are to serve any useful role, my hon. Friend the Minister must be able to answer some questions. Has research been done to confirm the number of additional small cancers that would be detected, and lives saved, by introducing that change into

screening policy? Do the Government have plans for their own cost-effectiveness study of compulsory two-view screening at all rounds of breast screening? Are the Government in a position properly to assess the relative costs and benefits of the earlier detection and treatment of small cancers that will be achieved by two-view screening at all screening rounds? To what extent, and on what basis, will the Government provide the resources and establish new national guidelines to meet the targets that have been set?

Only when my hon. Friend the Minister can answer those questions will we have a solid basis on which policy on the matter can develop consistently and coherently—not incrementally or in a piecemeal manner—so that we develop a truly national breast-screening programme built on a fair distribution of resources, working to identical standards everywhere and using best shared practice: which means two-view screening at all screening rounds.

The second matter that I should like to deal with is the current age limit for automatic invitations to screening. The target set in "The Health of the Nation" for breast cancer was to reduce by the year 2000 the rate of breast cancer deaths among women invited for screening by at least 25 per cent. That is a tough and a commendable goal. However, as a principle, as a guiding policy, it is both inadequate and discriminatory, because it excludes those women over 65 who are not invited to the screening programme. It excludes those women although in 1992, 63 per cent. of breast cancer deaths were in women over 65. It excludes them when half all new incidences of breast cancer each year are among women aged 65 and over. Not only are we failing to do all we can to detect small cancers in those whom we invite into the screening programme, we do not even automatically issue invitations to older women who are most at risk.

The failure to issue invitations to older women has obvious consequences. Only about 3 per cent. of older women are screened on request during the three-year programme. Something must be done about that. Too often it has been claimed that no decision can be reached until the British pilot studies are completed, but the studies were designed to assess only the practical and logistical implications of extending the screening programme to older women and not the effect on mortality rates of doing so.

We already have evidence on mortality rates. The Two Counties study from Sweden demonstrates that the overall reduction in breast cancer mortality for the 50 to 74 age group was 40 per cent. That is the very study upon which our standardised detection ratios are based. So we know that delay will cost lives.

Too often also it has been claimed that invitations should not go out to older women because there might be a low response rate. The Swedish study refutes that. It finds an uptake of around 80 per cent. in the first round of screening for women aged up to 74.

More importantly, however, what are the ethical implications of that argument? There is evidence to suggest that women from ethnic minorities in the 50 to 64 age group also have a low response rate to invitations. A study has shown the same to be true for women in inner north London. No one would argue that women from ethnic minorities or from inner-city areas should be denied invitations to participate in the screening programme.

Ms Julia Drown (South Swindon): I thank my hon. Friend for giving way and for raising these concerns. Is he aware that Swedish research shows that if younger women aged 39 to 49 are invited for screening, the death rate in that age group can also be reduced? Does he agree that when the new institute for clinical effectiveness is launched, it should be asked to find out whether we should use that Swedish research and invite younger women for screening? I should like that to happen so that my constituents know that they can have the most effective assessment and treatment.

Mr. Stinchcombe: I thank my hon. Friend for that helpful intervention. Yet again, she reveals her expertise in these matters. I am aware of the Swedish research and I understand that it found a 13 per cent. reduction in mortality rates in the 40 to 49 age group and that further research will be carried out. The research suggests that invitations to women in that age group will bring benefits, so we should promote that.

We should not discriminate against older women or younger women. Invitations are a vital means of informing women of the risks and of their rights. Invitations should not be channelled just to parts of the population, but made available to all women for whom screening has been shown to be effective.

There is, however, a special reason to send invitations to older women. Not only are they the group most susceptibie to breast cancer, but they appear to be the least knowledgeable of the risks they face and the screening to which they are entitled.

A recent Age Concern survey of 1,000 women aged 65 and over revealed that 28 per cent. of respondents believed that there was no risk of their getting breast cancer, when in fact they were in the highest-risk category. Only 30 per cent. thought that their age group was eligible for screening on request. The low take-up of older women for screening confirms that research.

The figures make absolutely no case for denying older women screening invitations that could and would save lives, but they make a compelling case for taking steps better to inform them of the risks of breast cancer and their right to be screened to meet that risk.

We should abolish the existing upper age limit for invitations and launch a targeted programme to educate older women, and similar programmes targeted at ethnic minority groups and lower income groups. The programmes should form part of a coherent strategy that involves GPs, social services and voluntary organisations and that is neither ad hoc nor partial, but carefully devised and implemented on a universal basis, albeit flexibly. It will have to be flexible, because there will be difficulties to address as to how to make the screening programme more accessible to older women without undermining its efficiency. The on-going pilot studies will help to guide us through those difficulties.

However, we cannot wait for those studies before we signal our intentions and act on them. How can we wait when the current system sanctions and reinforces inequality in health care? How can we wait when it discriminates against older women—some of the most

[Mr. Stinchcombe]

vulnerable of our citizens? How can we wait when waiting costs lives—some estimate as many as 2,000 every year? There could be up to 6,000 preventable deaths while the practical implications of the pilot studies are being assessed.

In the light of those figures, serious ethical questions would be raised by any decision not to change the existing discriminatory policy. Some may say that we cannot afford the change. With 6,000 lives at stake, I hope that the Minister agrees that we cannot afford to wait.

10.45 pm

The Minister for Public Health (Ms Tessa Jowell): I am grateful to my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) for raising this important subject, which he has pursued several times through parliamentary questions and other means. He has given me the chance to stress once again the Government's commitment to improving cancer services. I should like to underline in particular our determination to ensure improvements in the screening programmes for breast and cervical cancer.

We set out that commitment in our most recent White Paper, "The New NHS". One of the three milestones symbolising our new approach to the national health service was the pledge:

"we will improve prompt access to specialist services so that everyone with suspected cancer will be able to see a specialist within two weeks of their GP deciding they need to be seen urgently, and requesting an appointment. The Government will guarantee the maximum two week waiting period for everyone with suspected breast cancer by April 1999 and for all other cases of suspected cancer by 2000."

Breast cancer is the most common cancer in women. Early detection plays a vital role in maximising the chances of successful treatment. That is why the Government's pledge to ensure high-quality, speedy treatment will bring comfort to millions of women.

The breast screening programme is saving women's lives. Last year, more than 1 million women had a mammogram. More than 6,500 cancers were detected. Since the breast screening programme was introduced in 1988, mortality from breast cancer has been falling faster than the European average.

We are well aware that we must not be complacent. We are undertaking a range of initiatives to bring about further improvements in breast cancer services. We are exploring ways in which the breast screening programme might be extended so that women can be offered an even better service. In addition, within a few weeks of taking office we made available an extra £10 million for breast cancer treatment to help to speed up access to diagnosis and to reduce waiting times for treatment by a specialist breast cancer team. That will maximise the benefits of early detection through screening.

The United Kingdom was the first country in the European Community—and one of the first in the world—to introduce a nationwide breast screening programme based on computerised call and recall. As my hon. Friend has made clear, all women between 50 and 64 are invited to be screened by mammography every three years, with screening for older women available three-yearly on request.

Evidence available when the breast screening programme was set up suggested that older women would not accept screening invitations. That is why they were not included in the routine call and recall programme. However, screening every three years is available on request to women over the age of 64. Indeed, the availability and importance of screening for older women is widely publicised.

In the light of the references of my hon. Friend the Member for Wellingborough to Age Concern, I am glad to underline that the NHS breast screening programme is working with Age Concern to encourage older women to request screening and to be breast aware. It has produced a leaflet, "65 or over: You are still entitled to breast screening", which is widely available. I was very pleased to hear that the number of women aged over 64 requesting an NHS mammogram has risen from 39,000 two years ago to more than 57,000 last year. It is clearly important that we get the message out to older women to encourage them to make use of this important service.

I turn to the important challenge issued by my hon. Friend the Member for Wellingborough to open automatic recall screening to women over the age of 65. The Government are funding pilot schemes in Brighton, Nottingham and Leeds to evaluate the effectiveness of extending routine screening to women aged between 65 and 69. One of those pilot studies will be completed next year, and the others by 2000. The studies should give a clear picture of the likely uptake among older women and, most important, the effectiveness in terms of the number of cancers detected. We will base any changes to policy on the evidence emerging from the studies. I reassure my hon. Friend of the Government's absolute determination to save women's lives, and to save women's lives by making available high-quality treatment based on the very best evidence of what is effective.

In addition to the pilot studies, other research is under way to look at other changes that might be made to the breast screening programme to improve the service offered to women. In the light of clear evidence that taking two mammographic views of the breast detected 24 per cent. more invasive cancers than a single mammogram view at a woman's first screen—a point made by my hon. Friend the Member for Wellingborough—all breast screening units are now required to use two-view mammography at a woman's first screen. A further study is being carried out to assess the benefits of two-view mammography at each screening round. My hon. Friend asked whether there were plans to look at the cost-effectiveness of two-view mammography at all screens, and if so, how many more cancers we could expect to be picked up. The study under way should provide the answers to those questions.

Research has also been carried out into the effectiveness of reducing the interval between screens. In response to the question of my hon. Friend the Member for South Swindon (Ms Drown) about screening for younger women, I should say that our research extends to an assessment of the effectiveness of screening women under the age of 50.

Mr. Paul Flynn (Newport, West): The Minister knows, as do we all, of our atrocious record compared with many other developed countries. The chance of survival is

20 per cent. less than in similar countries. Must women wait until 2000 before our own pilot scheme proves what has already been proven elsewhere?

Ms Jowell: As I made clear, our intention is to assess very carefully in the light of the evidence the improved effectiveness of automatic recall for older women.

It is completely consistent with our priority of improving cancer treatment and saving lives through early intervention and high-quality treatment that we should examine the results of the pilots. If it appears that women's lives will be saved, that will inform our policy.

My hon. Friend the Member for Wellingborough briefly mentioned the acceptance of screening invitations by women from ethnic minorities. Ensuring the proper take-up of screening by women from ethnic minorities is of considerable concern to the Government, because it is through extending access to and use of those services that we will meet one of our key health objectives: to tackle health inequalities.

We are keen to encourage more women from ethnic minorities to be screened. Purposeful action is needed to ensure that that happens. A great deal of action is being taken. We need to work with ethnic communities, through the preparation of information material, such as multilingual leaflets, videos and audio cassettes, and through community-based initiatives. Only through such purposeful action can we increase uptake.

The incidents at Exeter had a devastating impact on the confidence of women who relied on the service. We have taken action to put right what went wrong and to ensure that, as far as is humanly possible, similar mistakes cannot occur elsewhere.

The report into the breast screening programme at Exeter, published last November, concluded that there had been a failure to diagnose a number of cancers and to refer women for appropriate treatment. Major factors identified included the lack of a proper accountability framework and of proper responsibility for quality assurance.

The Government acted quickly to rectify the shortcomings. In November, we announced an overhaul of breast screening to strengthen quality assurance; to eliminate weaknesses in the organisation and management of screening; and to restore public confidence. The measures to make the quality assurance system more robust are especially important, because, if they go wrong, the consequences for women can be catastrophic.

Mr. Stinchcombe: I am glad to hear that we responded rapidly after the events at Exeter, but we do not need to wait for further pilot studies on two-view mammography or on the upper age limit, because we know what will happen: lives will be lost. Why do we not anticipate events, rather than reacting to them?

Ms Jowell: Research is already under way to establish the effectiveness of those measures, especially in relation to recall and the opportunity for older women to be screened. We are working with Age Concern to encourage that. When the NHS White Paper was published, we made it clear that improving quality and national consistency would be the hallmark of building a modern, dependable national health service. Those principles apply equally to breast screening services and to treatment services that women may need subsequently.

The Government signalled their intention to improve cancer services and, since coming to power, made available as a first step £10 million for improvements in breast cancer services. That money is being used to support more than 300 initiatives to improve the diagnosis and treatment of breast cancer throughout the country, building on the vital work of the breast screening programme, which is so important for the serenity and peace of mind of women and their families.

Those are the steps that we are taking. I assure my hon. Friend and the House that we will continue our work to provide breast cancer services of the very highest quality. We are determined to ensure that we save more lives by applying the evidence of what works in practice.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at one minute to Eleven o'clock.

House of Commons

Wednesday 4 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Rural Poverty

Motion made, and Question proposed, That this House do now adjourn.—*[Janet Anderson.]*

9.34 am

Mrs. Diana Organ (Forest of Dean): Thank you, Madam Speaker, for allowing me the opportunity to have this debate this morning. I raised the debate at the suggestion of my hon. Friend the Member for Stroud (Mr. Drew), who, like many others in the House, share an interest in this issue.

Poverty is not just concerned with money—or, rather, the lack of it—but that remains central to the issue. The most relevant definition of poverty that I could find was provided by Action with Communities in Rural Areas, which said:

"Poverty is going short materially, socially and emotionally. It means coping with the stress of managing on very little money. Above all, poverty takes away the tools to create the building blocks for the future. It stops people being able to take control of their own lives."

It is about being unable to participate fully in society, about being isolated and excluded.

Poverty, urban or rural, is undoubtedly debilitating. It limits people in every aspect of their lives. Urban poverty is blatant. We all see it, in high-rise flats, rough sleepers in cardboard boxes, dereliction, graffiti and litter. It is acknowledged by decision makers, and is politically recognised.

However, rural poverty is hidden. It is masked in its isolation. It is scattered in small pockets of deprivation that often sit cheek by jowl with great wealth. It is obscured by the landscape. It sits uncomfortably with our national perception of the rural idyll. We visit, or even live in, the countryside, yet we do not see it. However glorious the scenery, it does not deliver employment, housing or education. However beautiful the Peak district, the Yorkshire dales or the Wye valley, one cannot eat the scenery.

The problem has gone unrecognised for many years. The previous Administration overwhelmingly ignored national research presented by organisations and academics that highlighted the true plight of the poor in this country. The Breadline report, by Mack and Lansey, in 1985, showed that 22 per cent. of the British population were in poverty or were on the margins of it.

The previous Administration ignored the evidence that Britain was becoming a two-nation state: the rich and the poor. That was exemplified in rural areas of England, where earnings were known to be below the national average. The earnings gap between rural counties and the English mean widened between 1980 and 1995. Indeed, Cloke et al identified in their study of 12 rural areas that 44 per cent. of households in rural counties received a gross annual salary of less than £8,000.

The indicators used for identifying areas of deprivation have an unfair bias towards urban areas. The census enumeration districts, used for collecting the data, are too large. They obscure the small pockets of rural deprivation that are hidden among the swathes of more wealthy rural residents.

The aggregation of the earning statistics only conceals isolated poverty by raising incomes to above the average, especially in villages and market towns. The ownership of a car, for instance, is taken as an affluence indicator, while in rural areas it is a necessity, because there is no integrated public transport. Seventy-five per cent. of all English parishes do not have a daily bus service. Many people in rural areas sacrifice much to keep the car on the road.

Children living in high-rise flats are a good indicator of poverty, but not in the country. Detached houses are seen as a sign of wealth, which, more often than not, is true in a town or city, but in the country, isolated detached cottages can hide behind their doors elderly couples struggling on meagre incomes.

There are other ways of mapping an area. The indicators used are not the only ones available. Other statistical information throws up a different picture of the areas of deprivation. In 1997, Oxford university mapped four rural counties—Wiltshire, Dorset, Shropshire and Oxfordshire—using local authority information on housing benefit claimants and council tax rebates. The map exposed rural deprivation that had previously been hidden.

In Gloucestershire, a bid to the single regeneration challenge fund, led by the county council in partnership with other agencies, especially Gloucestershire rural community council, proposed a project to regenerate the most deprived market towns in the county. A matrix of criteria was used to identify them, including unemployment, absence of car ownership, children in low-income households, overcrowding and general lack of amenities.

Seven market towns in the county were shown to have areas of real poverty not previously revealed by other surveys. The project showed high unemployment, lack of job opportunities, drug and alcohol abuse problems among the young, and people distanced by isolation, poor access and, most notably, inadequate transport services.

Data are only as good as the information that they examine. There should be a review of indicators. They should be able to locate small, scattered, isolated areas of poverty and sensitive to the needs of all areas, urban and rural. Hon. Members who represent rural constituencies face the problems of rural poverty in our surgeries. However, it is vital not only that we are personally aware of deprivation but that it is recognised politically and in the Government statistics that are collected and acknowledged by decision makers.

Rural communities are often tightly knit. It can be like living in a goldfish bowl. That has its advantages, but it can often lead to people hiding their poverty from their neighbours. Pride and self-esteem prevent people from revealing their desperate plight. In towns and cities where large communities face similar problems, less stigma

[Mrs. Diana Organ]

attaches to declaring disadvantage. That is not true of villages and hamlets. The elderly in particular see shame in not being able to cope, and do not seek help. At present, we have no method of identifying such people.

There are self-help groups in urban areas, such as the Matson neighbourhood community project. It is an innovative scheme on a large council estate in Gloucester that has created a network of self-help activities ranging from advice centres to training opportunities, activities for the young and programmes to combat crime and vandalism. It is a wonderful example of a community taking control and trying to raise standards of living for everyone on the estate. That model would be difficult to replicate in a rural environment. The deprived communities in rural areas are small and scattered. It is difficult to give such communities self-help programmes. A new approach needs to be considered.

One is doubly disadvantaged when one is poor and lives in the countryside, because of the lack of good public transport. No transport means that one lives in a no-go area: no-go to advice centres, doctors, jobs or interviews.

Last week, a group of students from the Royal Forest of Dean college visited me in the House of Commons. I had invited them because they had completed a survey of transport issues concerning young people in the area. Ironically, they arrived back at Gloucester railway station only to discover that the last bus had departed and that there were no rail connections that night stopping at Lydney, the only railway station in my constituency. One lad had to beg a lift. Was it 11 pm or midnight? No, it was 6.50 pm—hardly late.

The deregulation of bus services in 1985 led to the demise of rural bus services and has given rise to absolute rural isolation. I welcome the Government's commitment to an integrated transport system and investment in public transport with the recent announcement allowing local authorities to use a hypothecated tax to help establish better public transport systems.

There are, however, other options that can be developed and extended to improve rural transport, such as dial-a-ride schemes that offer a bus service to the elderly. They are liberating for such people in remote areas but could be extended to parents at home with children, who are often unable even to get to the shops. Cornwall has piloted a scheme whereby post office vans run regular routes and are adapted to carry passengers and provide an extra service in remote areas. We must re-think and take initiatives to implement innovative options to increase the mobility of all in rural areas.

For many people, isolation means real deprivation. However, access is about not only mobility but information and services. If people cannot access information, how can they know what is available, or that they are receiving the services and benefits to which they are entitled? The move taken by many local authorities to open one-stop shops offering a range of advice on local authority issues has been successful, but they are often absent in rural areas. Advice centres spring up ad hoc from the voluntary sector but they can be disjointed and their services inconsistent if they cover large areas. They often lack a co-ordinated focus.

Rural areas must have equality of provision of services with urban areas. They should not be discriminated against just because such provision is more difficult or expensive. We must ensure that resources from central Government recognise the cost of providing rural services.

In 1996-97 in shire counties, local authorities were expected to spend £417 on social service provision for each elderly person. The national average was £485. The amount spent in inner-city London boroughs was double: £878. Such disparity must not be sustained. It is recognised that virtually all rural services inevitably cost more because of the dispersed population and lack of economies of scale. The money provided by central Government has not reflected that. Rural communities are asking not for special treatment but for equity of provision.

To solve the problems of rural poverty, we must have what the rural community councils call the three-legged stool approach, which tackles all aspects of rural poverty. The three legs are economic, social and environmental regeneration. This Government have been the first not only to acknowledge social exclusion nationally but to tackle it. They have set up a social exclusion unit. To be truly successful nationally, it must have a rural dimension.

The Labour Government have put in place new policies that will help to lift people out of poverty. The welfare-to-work programme, with the minimum wage, will start to address the regeneration of rural areas and provide real job opportunities at a decent wage. Too often, rural employment is seasonal and low wage. The decision that there will be regional deviations from the minimum wage will help, but the welfare-to-work programme must recognise the added cost of providing for a scattered, isolated clientele and the difficulties of travelling to work and to training venues. Many training programmes will have to be individually delivered, so economies of scale will not come into play.

Imaginative schemes already exist to help to overcome such difficulties. The jump start programme has been successfully piloted in the Cotswolds. It employs a transport broker to co-ordinate information and encourage car sharing but also manages a fleet of mopeds available at minimum cost to young people so that they can attend interviews and training. Forty per cent. of new deal applicants needed help with transport in rural areas such as the Cotswolds. The scheme should be duplicated as good practice in all rural new deal initiatives.

The Government are putting into place regional development agencies that will have a strategic regional remit to ensure economic regeneration across the whole of regions. They must have the three-legged stool approach. Sustainable economic regeneration is possible only if social and community regeneration goes hand in hand with economic development. The previous Administration created a cycle of decline in rural communities. Their relaxation of planning led to great influxes of commuters invading small villages, which radically altered the make-up of communities.

Wealthy commuters often looked for their services elsewhere. They shopped and worked in the towns, and used urban post offices close to where they worked. The viability of local village shops was undermined. Post offices were closed. Services such as garages and other shops vital to a living, breathing community diminished.

That is devastating for the less well-off in the community. The shops that remained open often had prices up to 15 per cent. higher to cope with increased overheads and take advantage of the tourist trade.

The lack of services is shown by the fact that 42 per cent. of parishes have no permanent shop; 43 per cent. have no post office; 49 per cent. have no school; and 83 per cent. have no general practitioner based in the parish. I welcome the dial-a-nurse initiative in the health White Paper; it will be useful for rural areas to have some contact with such nurses.

There is much debate about projected housing provision in rural areas. Rural villages and market towns need to grow to continue to be sustainable, so that services such as garages, schools and post offices can be maintained.

We must not preserve an Arcadia in aspic. We must have thriving rural communities that grow and change according to the needs of all their inhabitants. Small communities should be allowed to assess their own housing needs, so that affordable, sensitive, social and private-sector developments can be well incorporated in those communities.

Ms Tess Kingham (Gloucester): I am grateful to my hon. Friend for the praise that she has heaped on the neighbourhood community project at Matson in my constituency. Does she agree that the problem of affordable housing pushes young people in particular from rural into urban areas to find homes and work? That is a drain on the resources of urban areas such as Gloucester, because young people have to be provided with night shelters.

Gloucester has been allocated money as one of the 16 local authority areas under the rough sleepers initiative. Many people come to Gloucester from my hon. Friend's constituency and from other parts of the Cotswolds to find work and homes. Does she agree that it is in the interests of urban as well as rural areas to ensure that people have affordable housing and jobs, so that they can stay in their own rural communities?

Mrs. Organ: I thank my hon. Friend for her comments. Homelessness exists in rural as well as in urban areas. Young people often leave their villages and end up homeless on the streets of our towns and cities. There is not enough social housing in our villages to keep our young people in their communities, so villages lose the next generation and cease to grow organically.

Mr. Lembit Öpik (Montgomeryshire): Is the hon. Lady aware that statistics show that homelessness in the countryside is now increasing at a higher rate than in the city?

Mrs. Organ: It is true that homelessness in rural areas is increasing, but many local authorities in rural areas do not even carry out an audit of homelessness in their area. Two thirds of local authorities in rural areas did not bother to submit statistics on homelessness: they do not realise the extent of the problem.

We should adopt the Belgian model, whereby each village carries out a voluntary assessment of its need for social and public housing. That is then incorporated into the statutory system, and is part of the planning process at district and regional level. Locally, we have gone a long way towards that with our village appraisals, but those voluntary assessments should be fed into the statutory process.

Once the independent Food Safety Agency has been established, it may be possible to reform the Ministry of Agriculture. I want a Department of rural affairs, so that there would be a rural advocate at the heart of Government. That would, for the first time, give rural communities a powerful voice at the centre of decision making, and would ensure that sustainable policies were developed for the countryside.

Not only must we deal with the problems that we have inherited from the previous Administration, who chose to ignore rural poverty: we face a time of change, with the reform of the common agricultural policy and the adoption of Agenda 2000. All parties agree that the common agricultural policy should be transformed into an integrated rural policy. National and European resources should be provided for rural regeneration.

On 1 May 1997, 170 new Labour Members were returned to the House from rural and semi-rural constituencies, because the previous Administration failed to address the problems in rural areas, and because they had created a two-nation state in our countryside. The Labour Government will stop the decay, and will create a new cycle of renewal for the forgotten and unrecognised poor.

Mr. Cynog Dafis (Ceredigion): I agree entirely with the hon. Lady about the need to reform the common agricultural policy. It would be wrong for her to end her speech without referring to the present crisis in the countryside that threatens to undermine any future efforts to establish a new rural viability.

I have a letter from a trader in my constituency, who is trying to build up his business so that his son can be included. He tells me that the basis of rural life is in question because of the agricultural crisis. He begs me to bring his letter to the attention of the House and the Government, and to make the point that the problem must be treated as the grave crisis it is. Does she agree with that, and will she press her colleagues on the Government Front Bench to take action in the near future?

Mrs. Organ: It is true that some farmers face a crisis. Not all farmers are poor, and we must discriminate between those who have a substantial income and are doing very well and those who are poor. Farming underpins the rural economy up and down the chain. Farmers need help, which is why we need to reform the common agricultural policy and to put the resources into a wider, integrated rural policy.

Mr. John Burnett (Torridge and West Devon): What is unique about the present agricultural crisis is that it has an impact on all sectors: sheep, milk, cattle, corn—the lot. That is what makes it so severe. I echo the words of the hon. Member for Ceredigion: I hope that the hon. Lady will bring this matter to the attention of her Front-Bench colleagues, because it is so important.

Mrs. Organ: Farmers, particularly in less-favoured areas, are having an extremely difficult time; that is why, on 22 December, the Government provided an extra £82 million-worth of aid for those farmers. We have recognised their plight, and we are tackling the problem.

[Mrs. Organ]

The Labour Government will provide new opportunities for rural areas to help poor farmers and the many other rural poor, who have been ignored until now.

9.57 am

Mr. Alan Clark (Kensington and Chelsea): I congratulate the hon. Member for Forest of Dean (Mrs. Organ) on bringing this topic to the fore in our debates. I was interested in her extended, philosophical definition of poverty. I do not wish to criticise the way in which she presented her case, but, if I may say so, it was a little short on detailed, constructive proposals. The two most interesting suggestions were drawn out after interventions.

The hon. Member for Ceredigion (Mr. Dafis) raised the issue of the neglect of the agricultural scene. An enormous cash flow of taxpayers' money right across the Community is being misapplied. It is a most interesting concept. Were the common agricultural policy to be properly reformed, some of the money could be devoted to an agricultural revival.

Surely it should be diverted into—Conservative Members are perhaps no longer allowed to use the word "subsidy", but I am not frightened of it—subsidising the revival of organic farming. If true organic farming were re-implanted in the countryside, there would be an enormous increase in employment opportunities in all rural areas. That is surely better than building up mountains of unwanted produce, or repetitiously funding sectors that have already been greatly enriched by that process.

In relating rural poverty to the abuses of the common agricultural policy, the hon. Lady has blazed a trail in our debates that will flavour many of our questions in the weeks to come.

I referred to the hon. Member for Ceredigion, and I was glad to see a member of his party in the Chamber. I am a little disappointed that so few of my hon. Friends have attended.

Mr. Anthony Steen (Totnes): There is one present.

Mr. Clark: My hon. Friend the Member for Faversham and Mid–Kent (Mr. Rowe) is an exception.

I am particularly surprised that no one from the Scottish National party has attended. There is a good case to be made for the way in which the problem of rural poverty is handled in Scotland. The community atmosphere, to which the hon. Lady rightly drew attention, is much more vital and alive in the highlands of Scotland than it is in the south. I can give examples of the many detailed provisions.

The post bus sometimes picks up children from their homes and takes them to school. My son lives in the very far north, and was supplied with baby food by the gritting lorries that were clearing the roads, because nothing else could get through. Mutual dependence of that kind within a community is one of the key solutions to poverty—not just poverty in the financial sense, which the hon. Lady rightly described as only one component of poverty in general. I am talking about the feeling of belonging, and the ability of people to help one another when the need arises.

Let me return to the subject of Scotland, and to a point related to the intervention of the hon. Member for Gloucester (Ms Kingham). The impact of the council tax in Scotland has led to a scandalous practice: landlords and proprietors are removing the roofs from their crofts and cottages, or at any rate allowing them to deteriorate to such an extent that they are no longer liable for the tax.

If the properties were refurbished—which would cost much less than building new dwelling units—they would be of very little value, and there would be scope for fulfilling many of the requirements for affordable housing. The same thing was happening in the 19th century. It is amazing to see the Scottish countryside returning to a condition that was prevalent in the early part of this century.

The hon. Member for Forest of Dean gave statistics relating to parishes, but did not mention the Church. In Scotland, priests and ministers play a marked and welcome role. The churches are all open, and the part they play in the community is very different from the part that, alas, they seem to play in parts of the south. Churches in the south are often locked, and priests and curates sometimes have a rather idiosyncratic view of their role in the community—but I do not wish to criticise them.

The hon. Member for Forest of Dean spoke interestingly and discursively, and the House's time has been well spent.

10.2 am

Mr. Alan Hurst (Braintree): I congratulate my hon. Friend the Member for Forest of Dean (Mrs. Organ) on raising such an important matter. She dealt ably with the depressing statistics relating to life in the countryside, and rightly pointed out that those of us with rural constituencies hear such stories every day.

The loss of services in country districts has a disproportionate effect in comparison with the loss of services in towns. It is a particular problem for the less well-off. The better-off can drive to the nearest town or city to take advantage of services, but a third of country householders do not have cars, and those who have them but are not well off will find it very difficult to maintain them. If their cars break down, it is not a simple question of telephoning the AA or the RAC. The cars may be off the road for several weeks.

Mr. Alan Clark: I thank the hon. Gentleman for allowing me to intervene so early in the speech. I hope that he and his hon. Friends who represent rural constituencies will exert pressure on their right hon. Friend the Chancellor of the Exchequer, who is rumoured to be considering raising the price of petrol by as much as 20p a gallon—or is it 20p a litre? In any event, he is apparently going to raise it by a draconian amount, and that will have a tremendous impact on people in rural areas. As the hon. Member for Forest of Dean rightly said, in rural areas a car is not a status symbol or a sign of wealth and privilege; it is an essential accessory.

Mr. Hurst: Like other rural Members, I am aware that the price of petrol is an integral ingredient of the domestic budget in many households.

A notable aspect of rural deprivation is the closure of country schools, which has continued apace for several decades. Parents are increasingly having to travel to

different towns and villages to take their children to primary and secondary schools. That has had a number of consequences, for parents and for society as a whole. County councils are increasingly strapped for cash, and are examining their budgets minutely to see what savings can be made. In my county of Essex, the council has been trying to save money on home-to-school transport, which is an essential service for people living in villages and country areas.

The principle of home-to-school transport, which was laid down as long ago as the mid-1940s, is that a child who lives two and a half miles or more from a primary school, or three miles from a secondary school, is entitled to free transport. That is a geographer's delight. Those in county hall can examine maps, measure distances and devise alternative routes in an attempt to save money.

Let me give an example from my constituency in north Essex. The village of Silver End is some miles from the town of Witham, and for many years the children have travelled on a bus provided by the county. An astute official at county hall ascertained that it was possible to travel from Silver End to Witham by a back route, the distance being fractionally less than three miles. It involved negotiating a dark footpath between high hedges, and open fields, overhanging woods and deep ditches.

I am not exaggerating. The county sub-committee inspected the new route, which was intended to save costs. Its members managed to cross the ploughed field, which, fortunately, was dry at that time of year; but, as they approached the six-foot ditch, two of the older members decided that they had seen enough, and concluded that free school transport should continue—although one of the more economically minded members said, "When I was a boy, we took delight in jumping ditches." Parents living in villages greatly fear the loss of free school transport.

Mr. Anthony Steen (Totnes): Liberal-controlled Devon county council is now thinking of getting rid of free transport to many schools, particularly denominational schools. Catholic schools in my constituency have been told that the children cannot have free transport. Does the hon. Gentleman applaud or deplore that?

Mr. Hurst: I must confess that I am not aware of the intricacies of Devon affairs. Others may be able to answer the hon. Gentleman's question more fully than I. I would prefer to steer the debate as far away as possible from party politics.

Mr. David Drew (Stroud): One of the problems is that, in rural areas particularly, the age of the coaches puts children at risk. In my constituency, a number of vehicles have been tested and have then had to be taken off the road immediately. I am pleased to hear that the Government intend to improve seat belt safety. Vehicles need to be checked repeatedly to ensure that children are not put at risk.

Mr. Hurst: I thank my hon. Friend for that information. Rural school transport is threatened as a result of local government economies, but the problem is wider than that. The principles of free school transport were devised in, I believe, 1944—

Mr. Burnett: Will the hon. Gentleman give way?

Mr. Hurst: I do not wish to be ungracious, but I have been generous in giving way, and I now want to finish my speech.

That world was different from the one in which we now live. At that time, most children lived in households with probably two parents. One would almost certainly have worked locally, and the mother would probably have been at home and able to take the children to school. The lanes along which they walked were almost free from traffic, crime was much lower, and fear of crime was a notion that had not been devised. When the measurements were set, conditions were a world away from what they are now.

I am concerned about the burdens being placed on poor families by the withdrawal of free school transport. A parent who takes a child to and from secondary school four times a day has a round trip of almost 12 miles. That is about 60 miles a week. The whole day is dominated by taking the child to and from school in dangerous circumstances. Part of the journey will be undertaken in the dark, and the mother—it is usually the mother—will return home alone or with a young child during dangerous times of the day.

Country roads are not the peaceful havens that they once were. They are frequently used as rat runs by people on the way to work, and the hazards are especially great at the time of day between darkness and light when a pedestrian caught between oncoming cars can be dazzled by their headlights. Parents will have to face such hazards if free school transport is withdrawn.

On Friday, I attended the House for a debate on a Bill introduced by the hon. Member for Ceredigion (Mr. Dafis) about a reduction in road usage. That aim will hardly be helped if we force parents to use their cars to take children to and from school as a consequence of saving small sums by denying them school transport.

I have concentrated on one aspect of rural life, but it is an important aspect. My hon. Friend the Member for Forest of Dean presented a broad view of the many problems that face people in rural areas. Some relate to the closure of community hospitals, the pressures on rural library service, the failure to build affordable houses in villages, and the decimation of jobs in agriculture. I am grateful to the right hon. Member for Kensington and Chelsea (Mr. Clark) for mentioning schemes that may stimulate employment in agriculture.

This is an important debate, and it is disappointing that more hon. Members are not here. I hope that we can make progress, with all-party support, to assist those in country areas, so that they become part of living, working communities.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next speaker, I remind the House that this debate, although important, is short. Many hon. Members wish to speak, and I appeal for brief contributions.

10.13 am

Mr. Andrew George (St. Ives): I congratulate the hon. Member for Forest of Dean (Mrs. Organ) on securing this important debate, and on her speech, which I endorse. I also congratulate the right hon. Member for Kensington and Chelsea (Mr. Clark) on his speech. I agree with his comments about organic agriculture.

The debate has more than just a hint of deja vu, because, before I was elected to the House last year, I was in rural community development work for 15 years in England and Cornwall. I worked to promote rural social housing, community transport, credit unions, community facilities, village surveys and economic development. I was born and brought up in deepest rural Cornwall as one of a large family. Although I did not appreciate it at the time, I experienced rural poverty.

Why do we need to emphasise rural poverty rather than urban poverty? Are they the same? They are not, although for some people poverty is the important matter. However, opportunities in rural areas are restricted, and are often accompanied by a lack of confidence within rural populations. A sense of being grateful and not demanding is part of the rural demeanour. We keep coming back to the subject. Why do we have to repeat that, behind the chocolate box images and the picture postcards, lie the manifold problems of low wages, unemployment, lack of affordable housing, poor services, poor access to facilities that suburban and urban communities often take for granted?

People in rural areas rightly feel that they must constantly ask others to look behind the scenes, because the deprivation is almost invisible. The same does not apply in urban areas. In some ways, it would be an achievement for rural areas if urban communities felt that they needed to redress the balance by mounting a campaign to draw attention to urban poverty.

Some rural areas are currently competing with some of the most deprived urban areas to be the poorest in the land. The Conservative party seeks to wear the superficial disguise of self-appointed guardians of the countryside and rural areas. Not only are Conservative Members largely absent for the debate, but their party had a remarkable record in government of presiding over a period of rapidly increasing rural poverty. Not surprisingly, one area which experienced that is Cornwall. It easily occupies bottom place in the GB earnings table, and in recent years the gap has tended to widen.

Male earnings in Cornwall were 16 per cent. below the GB average in 1981, but 23 per cent. below that average by last year. Not only are earnings low, but there are fewer incomes because of high unemployment and inactivity. Unemployment, especially in west Cornwall, is generally at least double the rate in the south-west, of which Cornwall is supposed to be a part.

Mr. Paul Keetch (Hereford): I apologise for not being here for the start of the debate, although I watched it on television and listened to the excellent speech by the hon. Member for Forest of Dean (Mrs. Organ).

My hon. Friend is speaking about Cornwall. Is he aware that it is a pilot area for the Government's new deal project? Are the people of Cornwall worried about the compulsion element of the new deal, which means that people are told to take up training or education or lose benefit? In deeply rural areas such as Cornwall and my constituency, there are no such options, and people will be penalised by losing benefit.

Mr. George: As my hon. Friend says, Cornwall is a pilot area, and we shall give the scheme a fair wind. I share his concern about compulsion.

Although per capita GDP in Cornwall is 71 per cent. of the UK average, it is lower than the level anywhere in England except for the Isle of Wight. It was never protected by the Conservative Government from rampant and inappropriate housing developments throughout the 1980s and into the 1990s. Under the Conservatives, Cornwall was one of the fastest growing areas in the UK, although that merely contributed to its economic problems. In terms of a comparison with urban poverty, both Cornwall and the Isle of Wight have GDPs per head that are significantly lower than traditionally deprived areas such as Merseyside, with which Cornwall is often compared.

Cornwall's GDP is among the lowest in Europe, and is on a par with the poorest parts of Greece and Spain. However, that is not always how Cornwall is perceived. Many such rural areas have to overcome assumptions that have been generated by the images about the place. The Cornish people become quaint appendages to the landscape, and people talk about discovering the place almost as if it had never existed until their arrival. In reality, the Cornish live in ghettos and what are often described as windswept council house reservations, not in pretty cottages in the cove.

We shall always have to return to these matters, not only because of poverty among rural people but because of a poverty of understanding of what it is like to be poor and living in a rural area. Behind those images there are even deeper problems, such as the high cost of living in rural areas. Cornwall has the highest water and electricity charges in the country, and the biggest mismatch between earnings and house prices. Hundreds of Cornish council homes have been sold off and not replaced, but some better properties have been bought as second and holiday homes, and lost to the local community.

As if Cornwall had not experienced enough, it also lost a further 1,500 jobs in 1997, including the largest factory in my constituency. Most of Cornwall's farm holdings now fail to generate enough income to support even one person, and the bovine spongiform encephalopathy and bovine tuberculosis crises are affecting Cornwall more severely than most other agricultural regions. As the hon. Member for Falmouth and Camborne (Ms Atherton) knows, Cornwall is bracing itself for the possible closure of Europe's last remaining tin mine after 2,000 years of proud history.

Mr. Öpik: Does my hon. Friend agree that the closure of factories—indeed a factory in my constituency, Machynlleth Design in Machynlleth, is in the same position—has a far more devastating effect in the countryside, where the geographical mobility of the work force is impaired due simply to their circumstances?

Mr. George: My hon. Friend is absolutely right. The problems of grabbing new work opportunities are extremely restricted by the fact that one has ties to the local community, and the opportunities for further employment are simply not there in many rural areas.

What have the so-called new guardians of the countryside on the Conservative Benches done to help over the past 18 years? They have sold off council houses, and given second homes a 50 per cent. council tax rebate. They have given Cornwall the highest water and electricity bills and privatised aspects of our health service, including the dental service and sight tests. They have reduced funding for essential local authority services and failed to heed the case, not for special treatment, but for a fair deal for places such as Cornwall and many other rural areas. They have given our livestock farmers the BSE problem, and they have placed Cornwall in perpetual recession. I have to concede, however, that they did give us the cones hotline.

If the Conservatives were behaving as the guardians of rural areas and the countryside, I do not know whose countryside they were guarding. It certainly was not the countryside of the poor. It was therefore no wonder that, in the Celtic regions and countries of Scotland, Wales and Cornwall, the Conservatives were completely wiped out.

In all those years, at least the Tories did not abolish the great invention of the last Liberal in this House by the name of George, Lloyd George: the creation of the Development Commission, now the Rural Development Commission, which is widely accepted as one outstanding Government agency that has worked. It has been widely acclaimed for its contribution to the understanding of rural poverty and to actions to reduce it.

That is why there is strong opposition to the Government's decision to draw their resources largely into what will be urban-biased regional development agencies. RDAs, by the way, will be about not unifying communities of interest in the English regions, but replacing the bland uniformity of a centralised state with the bland uniformity of regions, which I believe do not exist. RDAs will be based on administrative convenience.

As defined from above, RDAs will contain, in regions such as the so-called south-west, more internal conflict than shared agendas and will therefore hold the seeds of their own destruction. As they will be about focusing on bringing up the average for the region as a whole, RDAs will prove largely irrelevant for remoter rural areas.

Ms Candy Atherton (Falmouth and Camborne): Does the hon. Gentleman agree that what Cornwall needs is a devastating voice in Europe to make our case on rural poverty and to attack the problems? If we have a strong development agency that is well staffed, equipped and supported by Government, are we not going to be in a stronger position than we would be with an agency purely for Cornwall?

Mr. George: The hon. Lady raises an important point, with which I strongly disagree, because Cornwall's voice will be lost in this so-called regional development agency.

The political reality that the Government must face up to is that rural poverty has now been proven to be a serious problem which, away from the prosperous suburbs, is set to get worse. Action needs to be taken. I and my colleagues strongly recommend that rural poverty should receive proper recognition in Government policies and programmes; that the proposed social exclusion unit should have a clear rural dimension; that official indicators of poverty must show a greater account of rural circumstances; that the problems of providing services in scattered rural areas are properly recognised in a rural sparsity factor in all local government departments; and that the extra cost of meeting rural housing needs is acknowledged by the Government and the Housing Corporation.

I also support the proposal of the hon. Member for Forest of Dean for a department of rural affairs. The problems that are being experienced by our farmers, especially livestock farmers, should be recognised as a crisis, and not part of long-term restructuring problems in agriculture.

10.25 am

Mr. Colin Pickthall (West Lancashire): I congratulate my hon. Friend the Member for Forest of Dean (Mrs. Organ) not only on securing the debate, but on covering it so thoroughly in her opening speech—so thoroughly, in fact, that I can throw away about two thirds of what I intended to say.

For about six years, I have represented a rural part of Lancashire. I am aware that, in this part of the world, there is a mind fix that Lancashire is full of cotton mills, with docks at one end and Blackpool tower at the other. In fact, it is largely a rural shire. On a small map, my constituency appears to be sandwiched between Greater Manchester, Merseyside and Preston, but if people live in it—as I have done for 30 years—they realise that it is a huge area of tiny hamlets, larger villages and lousy transport systems.

I want to talk about the problems faced by people who live in that area, and who depend on other people to get about. In particular, I want to concentrate on the plight of many elderly people. A main factor in rural poverty—not just financial, but psychological poverty—is isolation.

When the Conservative Government deregulated bus services in Britain, they dealt many people in the rural population a severe blow. Before deregulation, bus services were skeletal, but they did exist, making it just about possible for people on low incomes to commute to shops, schools, hospitals, leisure facilities or, perhaps most important, work.

After deregulation, many, if not most, of those rural bus services vanished completely, and those that remained became much more expensive. The burden of keeping any of those arteries open was put on local authorities: in my case, Lancashire county council, which struggled valiantly—I was on the relevant committee during that period—to keep some subsidised bus routes running. However, precisely as it was trying to do that, the Conservative Government were busy squeezing the council's budgets harder and harder and making it more and more impossible for it to keep the routes running.

As my hon. Friend the Member for Braintree (Mr. Hurst) has said, people became totally dependent on private cars, making multiple journeys every day, and on taxis—rural taxis are something else—which the poorest people in the community cannot afford. They do not have cars, and they cannot afford taxis.

Kali Mountford (Colne Valley): Does my hon. Friend agree that the diversion from public to private transport is

[Kali Mountford]

exacerbating rural poverty? People who most need to get to their perhaps poorly paid jobs are having to depend on cars, which they can ill afford.

Mr. Pickthall: That is true. Elderly people in particular, who are unable to walk easily, cannot get even to what facilities there are in rural communities. It is an important point, which the Government have to address.

My local council, under both Tory and Labour control, has a wonderful record of building sheltered accommodation in small rural communities, so that elderly people, when they retire, can stay in the communities where they have lived and worked all their life, but the collapse of the rural transport system has effectively isolated many of those people, many of them retired farm workers on pitiful pensions, who cannot afford to run cars. I know more than a few who, as a result, have moved from the communities and tiny villages where they have lived all their lives to market towns such as Ormskirk, simply to escape the isolation of those rural communities. They then find themselves isolated in an urban community, but at least the clinic and their general practitioner are around the corner.

Dan Norris (Wansdyke): Does my hon. Friend agree that, although some people cannot afford cars, they often have to run one because it is essential to do so, even though it can be to the detriment of other aspects of their lives because they then have less to spend on clothing or food? In some ways, the tax system is also prejudiced against those people. They can afford to tax their cars for only six months at a time, but that method costs £15 more a year than taxing it for the full 12 months in one go. Perhaps the Chancellor of the Exchequer could consider that matter, as life for some people in rural communities would be difficult, if not impossible, without a car.

Mr. Pickthall: My hon. Friend makes a good point. When one sees some of the cars that are miraculously kept on the road in rural areas, one has to wonder about their safety. However, it is true that many people make incredible sacrifices simply to keep themselves mobile.

As village shops, sub-post offices and even rural pubs began to close in my area, it became clear that people who live in rural areas and who are poor pay more for everything, from groceries to furnishings, than those who are not poor. They pay more because they cannot get to the supermarket in the town. Just as important, their choice is cruelly circumscribed when compared to that available to people on the same income who happen to live in even a modest-sized town.

My constituency is served, and used to be well served, by two cross-country rail lines with 10 rural stations. One might think that that was a good network but, during the Tory years, it was steadily run down. The services became less frequent—dramatically so in some cases. It was decided that many of the services would omit every other station or miss out two stations, thus making them less useful. The unreliability of the rail service has come to have serious consequences for workers. People who have jobs in Wigan, Southport, Preston or Liverpool find that their service is late perhaps three times a week, and they are sacked. That happens regularly.

Two stations in my constituency are wholly inaccessible to anyone who is not fully fit. Burscough Bridge station, for example, has a platform so low that an elderly person could not get onto the train.

Mr. Drew: When the jobseeker's allowance was introduced by the previous Administration, it highlighted the problem caused by the lack of public transport. People in Gloucestershire who had to sign on in person found it very difficult to do so, because they had trouble getting to a particular place at a particular time. The county council's public transport unit had some heart-rending calls from people who had to sign on at 10 am on Wednesday but who were told that the first bus was on Thursday. How were they supposed to sign on? That is the sort of problem facing people in rural areas.

Mr. Pickthall: That is absolutely true. To add insult to injury, the person going to sign on could be paying £3 out of his dole just to get to the office to be able to sign on. Virtually everything that the previous Government did in the past few years hit the rural poor harder than it hit anyone else. I would like to think that they did not quite understand what they were doing. In my view, it was a serious social crime for an effective, if sparse, public transport system to have been sabotaged by the previous Government in recent decades. Fundamentally, the Government did not believe in or understand public transport.

In my area, it is two Labour authorities—Lancashire county council and West Lancashire district council—which have struggled to patch up the mess, with an expanding system of dial-a-ride and community car schemes and some subsidised bus services. Although I admire those services and the work that goes into them, and they are useful, it is a hotch-potch of a system. It certainly cannot cover the area satisfactorily, and does not replace the full public transport system that we had.

I do not want to talk only about the problems facing the elderly in rural communities. The lack of public transport is also a problem for schoolchildren. My hon. Friend the Member for Forest of Dean has already dealt with that point, so I will not go over it again.

Teenagers who do not come from well-to-do families and who do not have the money to hire taxis or own cars have difficulty getting into town for even basic leisure facilities. This is leading, certainly in my area, to the problems that we usually associate with teenagers on urban estates. In one case, a community that comprises only 40 people has still managed to manufacture its own little gang.

Mr. Peter Bradley (The Wrekin): Does my hon. Friend agree that one of the first victims of the shortage of local government finance is all too often the youth service? Does he further agree that, in many county areas, we desperately need a proper comprehensive review of the standard spending assessment system, so that we can deliver essential services to people in rural communities, not least to the young people on whom we depend for our future?

Mr. Pickthall: We do indeed need a comprehensive review of the SSA system with that in mind. As my hon. Friend the Member for Forest of Dean said, all the

indicators of poverty need revision, and I am sure that the Under–Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Wallasey (Angela Eagle), will have something to say about that.

We said at the time that the right-to-buy housing policy introduced by the Conservatives would have a catastrophic effect in rural areas, and it did. By the time that the former Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), woke up to that fact, it was too late—the council properties in rural areas had all gone. Most of them were attractive properties; some were extended, and were then sold on to second owners.

The integration of the transport system, which the Government are proposing and on which they are consulting, is absolutely crucial, but we must not forget that we are talking about two countrysides. The first is populated by affluent people, often off-comers and people who escaped, in my case from Merseyside. Sometimes, these people managed to dodge the planning system and build a nice house, or had the money to buy one.

Mr. Stephen Day (Cheadle): Does the hon. Gentleman think that an integrated transport policy should include an increase of 20p on a gallon of petrol?

Mr. Pickthall: Personally, I think that the tax on petrol is probably where it should be. I should prefer the car tax to be removed and put on petrol, but a lot of thought is going into how we can protect people in rural areas who need cars from an increase in the price of petrol. So far, every suggested solution, such as special registration, is too easy to dodge and fiddle. I do not know what the answer is.

As I was saying, there is the countryside of the affluent but, alongside that, as my hon. Friend the Member for Forest of Dean said, there is the countryside where people are living in the direst poverty. The contrast between the two is just as stark as it is in the cities.

I always compare poverty in rural areas with the gulag archipelago—poverty is scattered throughout the communities, and, because hundreds of people are not clustered together, it is not noticed. However, when one canvasses in rural areas, as we do all the time, it is noticeable. Every 10th or 15th house suffers poverty as dire as one might find on estates in Manchester or anywhere else.

I disagree with my hon. Friend the Member for Forest of Dean on one point. She said that we must ensure equity of provision of services for the countryside. I do not think that that is ever going to be possible. We could never provide for the rural areas all the facilities that are available to people in large concentrations in the urban areas. People in reasonably well-off households swap that inconvenience for the great benefits of clean air, quiet, a pleasant landscape and so on. They do a deal.

My concern is that the poor households often enjoy neither the benefits of rural life, because they are cramped by isolation and poverty, nor any of the conveniences of urban life which, at least from time to time, make the urban poor's life worth living. Rural poverty is a serious problem, to which there are no easy answers—its solution requires a holistic approach across every Government Department.

10.39 am

Mr. Anthony Steen (Totnes): As the hon. Member for West Lancashire (Mr. Pickthall) spoke for 15 minutes and time is short, I hope that hon. Members will understand if I do not give way or comment on the speeches that have been made—or even the excellent choice of debate of the hon. Member for Forest of Dean (Mrs. Organ).

As a social worker and former youth leader, and during the nine years that I represented Liverpool, Wavertree, I dealt with grinding poverty and widespread social deprivation. Those problems—represented by decaying tower blocks, graffiti and boarded-up shops—are often viewed as belonging exclusively to the inner city. However, there are many similar problems in the constituency that I now represent, which is 301 miles away in rural south Devon. Certainly there are no tower blocks in the area's idyllic setting, but single mothers, the handicapped and those unable to find work face the same problems as their counterparts in the city.

The principal difference between poverty in the inner cities and in the rural communities is a matter not so much of intensity as of concentration. In many inner-city streets, the majority of people have no job, poor housing and are dependent on benefits. In rural areas, poverty may not be so concentrated, and the beauty of the landscape may mask the problems, but the problems exist none the less.

In cities, a variety of employers offer a diversity of opportunities for people with different skills, whereas, in the countryside, employment is principally agriculture-related. There are many threats to the rural way of life and standard of living, but none is more acute than the crisis in British farming. The proposed enlargement of the European Union to include the agriculturally dependent economies of central Europe will inevitably reduce EU support to British farmers, and the UK will probably be flooded with cheap imported food, which will put further pressures on British agriculture.

The Government's attitude to the rural economy seems at best unsympathetic, and at worst indifferent. That view is illustrated by the recent rate support grant settlements, in which rural England is disadvantaged in comparison with urban areas.

Mr. Burnett: Will the hon. Gentleman give way?

Mr. Steen: I shall not give way.

The Government's attitude can perhaps be explained by the fact that the majority of their support comes from predominantly urban areas. *[Interruption.]* Their support also comes from a few rural areas.

Mr. Peter Bradley: Where are the Conservatives?

Mr. Steen: I accept that a few Conservative Members are missing today.

Farmers are at the epicentre of everything that happens in the countryside; they are the custodians of the landscape, the major employers, contractors and customers for rural businesses. Without agriculture, the countryside does not work. We must consider the Government's policy on agriculture against that background, and the wider goal of reducing poverty in rural England.

Although the Government have offered farmers £85 million compensation from European funds, they have taken away £129 million in cuts to the much-needed

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over-30-months scheme, in extra charges for cattle passports and in payments for the Meat Hygiene Service. They have refused to use the underspend on sheep premium and set-aside to aid the lowland beef producer, the dairy farmer or the hill farmer, who are all being squeezed by the strength of the pound.

Those policies are having a detrimental effect on agriculture, which is why so many farmers have been driven to protest outside Parliament and elsewhere—I have joined them on the docks and ports. Farmers do not ask for Government or European handouts; they want the proverbial level playing field and adequate Government support to enable British agriculture to overcome its current difficulties.

The effect of the Government's lack of interest is serious enough in relation to agriculture, but it goes much wider than that. If a farmer goes bankrupt, the effect on the rural community will be dramatic. It is important that clearing banks are mindful of the difficulties that farmers from all sectors face, and that they provide them with sufficient support to weather the current situation.

Dozens of farmers in my constituency have been forced to lay off temporary milkers or cancel contracts with local builders. The builders are then forced to lay off staff, who in turn spend less on fuel and at the village shop.

In south Devon, tourism plays a major role in the local economy. Indeed, many farmers can make both ends meet only by offering bed and breakfast—if they did not, they would not survive. Farming is not about bed and breakfast, however. If the farming community can no longer afford to look after the fields, the hedgerows and the trees, there will be no bed and breakfast, as there will be much less to attract tourists. Without farmers, tourism could go into serious decline, and another major source of rural employment would dry up.

Many people think that poverty is an inner-city phenomenon; they do not believe that it can exist among green fields and countryside. If people are prisoners in their council houses because they cannot afford private transport and public transport is infrequent and expensive, they are locked into a situation every bit as bad as that facing people in the inner city. It makes little difference whether one is in Toxteth or Lee Moor when one is suffering from loneliness, depression and poor housing.

Throughout the world, when people cannot find work—or when available employment does not pay—they flock to the towns from the countryside. In many developing countries, that has resulted in massive overpopulation in the cities and a neglect of the land. Global institutions are constantly trying to persuade people to move back to the countryside, to repopulate rural areas and work in agriculture. In Europe, the migration to the cities mainly stopped after the war. In Britain, farmers have traditionally preserved the countryside, where they have created employment and sustained and improved the rural way of life.

People living in the countryside are now at a watershed. It is up to the Government to prevent a new underclass of the rural poor drifting into the cities and causing untold problems for the authorities, in housing and employment; they must prevent the rapid decline of the countryside through lack of investment and people. A modest commitment now will ensure the survival of British agriculture and the vitality of the rural economy.

10.46 am

Mr. Stephen Day (Cheadle): I am grateful to my hon. Friend the Member for Totnes (Mr. Steen) for his contribution. I shall attempt to keep my comments as brief as possible, as there was an agreement on the duration of speeches. I congratulate the hon. Member for Forest of Dean (Mrs. Organ) on choosing this important subject for debate, which is of great concern to many people, especially in the countryside.

Conservative Members recognise the importance of what the hon. Member for Forest of Dean said, but, like other Labour Members, she should look not just to the past, but to the future. She should try to find solutions and consider whether the Government's proposals for the countryside would improve the situation that she so eloquently described.

The previous Conservative Government introduced a number of measures to help the countryside—unfortunately, I do not have time to list them now.

Mr. Burnett: Will the hon. Gentleman give way?

Mr. Day: I really cannot, with all due respect.

The most important measure introduced by the Conservative Government was the introduction of discretionary rate relief for rural shops and businesses, including pubs, which are still very much at the heart of village life. Other measures included the Agricultural Tenancies Act 1995, which simplified the legal framework for rented land.

In the couple of minutes left to me, I want to stress our concern about the Government's proposal to create regional development agencies. Obviously, Labour Members whole-heartedly support the proposal, but the Opposition fundamentally disagree with it—we especially deplore the abolition of the Rural Development Commission, to which the hon. Member for St. Ives (Mr. George) referred. The fact that the commission's chairman resigned solely because he believed that the abolition of that body and the establishment of RDAs was a threat to the countryside says everything about the Government's proposal.

If Labour Members are not concerned about the abolition of the Rural Development Commission, they ought to consider the solutions that the Government are proposing for the countryside. The Government have said that the social exclusion unit should have a rural strand to its work, but, at the moment, the unit is concentrating almost exclusively on urban areas. They have said that official indicators of deprivation and resource allocation systems such as the index of local conditions should be improved to take more account of rural conditions. I could list many such points that favour the countryside—but they will all go when the commission is abolished. Regional development agencies cannot provide the same functions.

Cornwall and Devon have been mentioned in the debate. We talk about the south-west as a region. One would think that the south-west was an identifiable region more than most, yet there is immense rivalry between Devon and Cornwall, and perceived distinct and definite needs. A single regional development agency for both counties will not be able to provide for their needs. It will lead to conflict between one urban area and another, and between urban areas and the countryside. That is not the answer for the countryside.

I wish that I had more time to make more points, but I want to be fair to the Minister.

10.50 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the Member for Forest of Dean (Mrs. Organ) on raising this important issue. The subject should concern us all. I was pleased to hear the range of views expressed, especially by my hon. Friends, who prove that Labour is now the party of the countryside. They bring insight and passion to their advocacy for the countryside, as well as great experience of the particular difficulties suffered by those living in rural poverty.

The Government firmly believe in opportunity, fairness and prosperity for all. That applies equally to all our citizens, whether they live in the city or the country. Rural areas, where many live and work, are a key part of the national economy. Our countryside must be a living one. We are committed to addressing its problems as much as we are those anywhere else. At the same time, we recognise the distinctive needs of all people in rural areas.

Today's debate has been particularly illustrative. We heard three speeches by Conservative Members. The first was by the right hon. Member for Kensington and Chelsea (Mr. Clark), who, sadly, is not in his place. He talked about farming. The second was by the hon. Member for Totnes (Mr. Steen), who also talked about farming, and said that Labour Members mainly come from urban areas. Anyone who had listened to today's debate would know that that is not true. If the hon. Gentleman considers who initiated the debate and who has contributed to it, he will have to admit that my hon. Friends are from rural areas, and do a good job representing them.

I was attracted to the view expressed by the right hon. Member for Kensington and Chelsea about organic farming. The Government are looking very closely at that. I am a particular fan of farmers' markets. We need far more of them. I know that my colleagues in the Ministry of Agriculture are considering what they can do to encourage such markets.

When we consider rural poverty, we must recognise the legacy left by the previous Administration. I am always ready to give them credit where credit is due, as Opposition Members know.

Mr. Day: I must have missed it. When did you do that?

Angela Eagle: Well, occasionally.

The legacy has had a particular impact on rural areas. Hon. Members were right to emphasise transport issues. Poverty was bequeathed to us by the previous Government. We have inherited a situation in which one in four pensioners and one in four children are in families dependent on income support. The percentage of the population with household incomes below half the average more than doubled between 1979 and 1994–5. The number of children living in households with below average income increased from 1 million in 1979 to 2.6 million—before housing costs are taken into account.

Distribution of employment is also important. One in five households with adults of working age are without work. That is a terrible waste of one of our most important resources. We are determined to tackle this legacy by helping young people, lone parents, long-term unemployed people and sick and disabled people—where that is appropriate—back into work, regardless of whether they live in rural or urban areas. We have set up the social exclusion unit specifically to co-ordinate activity in that area across government.

Mr. Drew: Will my hon. Friend give way?

Angela Eagle: I do not want to give way, because I have a very short time in which to respond to the debate.

Inaccessibility and sparsity play a major part in exacerbating problems of the rural poor, such as unemployment and lack of services. Many rural areas are poorly served by major transport routes—a problem in attracting and retaining businesses and services. Many rural settlements are scattered and remote, making the provision of services more difficult and expensive. The scattered nature of rural communities can add to a sense of isolation, especially among the poorest members of society.

As my hon. Friend the Member for Forest of Dean said, it is a sad fact that much of the deprivation in rural areas goes unnoticed. We need to challenge the perception that rural areas are universally prosperous. Relatively wealthy rural areas can mask small pockets of deprivation—in some cases, just one or two families or a few poor elderly people. Problems of unemployment and lack of services in rural areas lead to younger people moving away, resulting in a larger percentage of elderly people in some rural communities compared with non-rural areas. Many such older people are alone and living on the margins of poverty.

In recognition of the hidden nature of rural poverty, work has been commissioned from a team of researchers at the University of Cambridge to review potential indicators of rural disadvantage, which can be helpful in the development of rural policy. One idea that the team has come up with is that key indicators are bundled together to identify specific aspects of rural poverty and deprivation. We shall be considering how its findings can be used when the final report is available. We want to tackle the issue of deprivation indicators so that they reveal more of what is going on in our rural communities.

Many of the initiatives that we are developing are being specifically tailored to meet the needs of rural areas. Welfare to work is an essential element of our integrated approach. Our new deal for young unemployed people emphasises high-quality options, all including education or training designed to reach accredited qualifications. The new deal for 18 to 24-year-olds began in 12 pathfinder areas in Britain on 5 January, and will be introduced nationally in April. The pathfinder areas have been selected to reflect a range of social and economic areas, including rural areas.

We intend to design and deliver the new deal in a way that is sensitive to rural circumstances, the needs of rural businesses and communities and unemployed young people living in rural areas. I thank the Rural Development Commission and local authorities that have made an important contribution to the debate and enhanced our understanding of how we can deliver the new deal in rural areas.

Low pay continues to be a particular problem in rural areas. A central plank of our plans to alleviate poverty is the introduction of the national minimum wage. It will

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aim to make work worth while for people who are stuck on benefits. The United Kingdom is the only modern industrialised country without some form of minimum-wage-fixing machinery. The minimum wage will provide a statutory level below which pay should not fall, and help to remove the worst excesses of low pay and exploitation of those at work. It will be a single national rate, and, as my hon. Friend the Member for Forest of Dean pointed out, will be of particular assistance in some rural areas.

Regional rates raise a number of serious difficulties, such as effects at the boundaries of regions, and where those boundaries are. Regional concerns were taken into account during the independent Low Pay Commission's regional visits. The commission is consulting widely with employers, employees and other interested organisations and individuals, and will make its recommendations to the Government by May 1998.

In the short time left to me, I want to say something about rural transport. As I have said, many of the problems of rural areas are exacerbated by inaccessibility and remoteness. Many people in rural areas are unable to drive, either because they cannot afford to do so or because of age or disability. They are likely to find their access to services and employment opportunities severely limited as a result. Better public transport services are vital, so that people can have real choice over how they travel, and need not be so dependent on the private car.

The rural dimension of transport and accessibility issues is being addressed in our continuing review of transport policy. The Government are considering the action necessary to deliver integrated transport systems to meet the differing needs of all parts of the country.

The Tory legacy has been especially damaging in that respect—the deregulation of buses and the total disappearance of services in many rural areas, as well as the decimation of rail services. We must tackle those issues if we are to tackle rural poverty through its causes, and that will give people access to services and the ability to travel to and from work.

Middle East Peace Process

10.59 am

Mr. Nicholas Soames (Mid–Sussex): I am grateful for the opportunity to debate this important matter—a debate that takes place at a time and against a backdrop about as sombre as it would be possible to imagine. It is clear that Iraq's weapons of mass destruction remain a quantifiable and lethal threat to the stability and security of the region, and it is essential that Saddam Hussein be made to meet the obligations of unconditional and unrestricted access demanded by the United Nations resolutions. Her Majesty's Government are rightly determined, as were their predecessors, to secure his full compliance—it is to be hoped, by diplomatic rather than by military means.

However, it seems to many of us that the virtual stalling of the middle east peace process represents a thoroughly unhappy and potentially dangerous state of affairs, which also has profound consequences for British strategic and other interests.

The Foreign Secretary is leaving today for Kuwait and Saudi Arabia. He, like the American Secretary of State, will find his dialogue with both the Saudis and the Kuwaitis to be courteous and correct, but wholly unenthusiastic. It is a matter for shame and regret that the Foreign Secretary, now eight months into his office, should be so late in visiting our Arab friends. That shows, again, his remarkable lack of judgment about priorities, as Britain's interests in the middle east should, without question, remain at the forefront of any Foreign Secretary's business.

As we approach, in May, the 50th anniversary of the foundation of the state of Israel, I welcome the chance at such an opportune moment—as the middle east approaches what could possibly be a profound climacteric—to re-focus on the outstanding and unresolved questions of Palestinian self-determination and Israeli-occupied Arab land, which are at the heart of the middle east conflict.

I hope that during the debate, we shall remind ourselves of the original principles and aims of the middle east peace process started in Madrid in 1991, and that we shall examine both why so many people in the middle east, both Arabs and Israelis, have lost faith in it, and what must be done to restore confidence and progress.

In this anniversary year of the state of Israel, it is right and proper that we in the British Parliament should remember what the events of 1948 meant to the 700,000 Palestinians who fled, who were forced into permanent exile from their homes in the newly established Jewish state and who, to this day, are unable to return to the places of their birth. The Arabic word for what happened in 1948 is "al-Nakba"—the catastrophe.

The results of that today are that three quarters of the Palestinian population is forced to live outside the country, with no right of return, and the Palestinian people who live in the west bank and Gaza are deprived of many of their most fundamental civil and political rights. They still have not achieved their goal of self-determination, which is enshrined in the United Nations charter of 1945. We should remember that the events of 1948 meant that the Palestinian people became the largest refugee population in the world, with the most horrendous and tragic consequences for them.

I should remind the House of the principles on which the peace process in Madrid in 1991, and then the agreement in Oslo in 1993, were based. In the lengthy and complicated diplomatic negotiations that led to the convening of the Madrid conference, the more reluctant Arab countries were persuaded to participate only when they had received cast-iron assurances from the co-sponsors that the negotiations would be based on Security Council resolutions 242 and 338—that is to say, land for peace.

In the letter of assurance from the United States Administration to the Palestinian deputation in October 1991, it was set down that

"the US continues to believe firmly that a comprehensive peace must be grounded in UN Security Council Resolutions 242 and 338 and the principle of territory for peace. Such an outcome must also provide security and recognition for all states in the region, including Israel, and for the legitimate political rights of the Palestinian people."

The same is true of the Oslo agreement of 1993, which despite widespread concern about the way in which the settlement was to be reached, was broadly accepted in the middle east because it was based on the relevant Security Council resolutions. The preamble to the declaration of principles of September 1993 reads:

"The aim of the Israeli-Palestinian negotiations within the current Middle East peace process is . . . to establish a Palestinian Interim Self-Government Authority . . . Leading to a permanent settlement based on Security Council Resolutions 242 and 338."

In other words, people were willing to be patient in the belief that trust could, incrementally over a period, be built up—so long as the process worked towards the return of occupied Arab land, including southern Lebanon and the Golan heights, an end to military occupation of the west bank and Gaza, and the right to self-determination for the Palestinian people.

The result of that process, and the reality at the beginning of 1998, is very different. Five years on from the 1993 Oslo agreement, Israeli troops have fully redeployed from only 3 to 4 per cent. of the west bank and from 60 per cent. of the Gaza strip. East Jerusalem has been fully encircled by wholly illegal settlements, and movement within the occupied territories is more restricted than it ever was before the peace process began. Palestinian living standards have plummeted, and plans to increase the settler population in the west bank continue to flow from the Israeli Ministry of Housing.

Since the election of the Likud Government and the adoption of anti-Oslo policies, relations with neighbouring states have again soured, to the great detriment of peace and stability in the middle east. War continues in southern Lebanon, and the Israeli Prime Minister shows no interest in pursuing negotiations with Syria—and, if the truth were told, no interest in seriously pursuing the middle east peace process at all.

According to the Oslo timetable, full redeployment of Israeli troops from the occupied territories was supposed to have been completed by mid-1998. Yet in meetings with Netanyahu last week, the Administration seemed unable—indeed, unwilling—to try to persuade the Israeli Prime Minister away from his hard-line refusal even to contemplate a second redeployment plan on a scale that might restore some confidence in the peace process. In truth, the Americans simply bottled out yet again.

When we remember that the Palestine National Authority had envisaged a second redeployment which would leave it with 60 per cent. control of the west bank and Gaza, the 9.5 per cent. offered by Israel is seen, rightly, as derisory. President Clinton seemed to water down the Oslo formula still further by suggesting that a way out of the impasse would be to break down the 9.5 per cent. into three separate phases of redeployment, and even then only after the PNA had taken unspecified security measures as a prerequisite.

Through sheer fecklessness—and, in the case of America, a total lack of will to take on the Zionist lobby—the middle east peace process has been allowed to drift away from its firm moorings in international law and from the principles of the Oslo agreement. That situation is once again being thrown into sharp relief as the Secretary of State rallies support for the implementation of United Nations Security Council resolution 687, on Iraq.

It is not lost on Arab public opinion—our friends in the middle east—that, under the same United States Administration, the Americans have vetoed three of the eight resolutions that have come before the Security Council criticising Israeli breaches of international humanitarian law.

The comparisons that are being drawn between the response of powerful western members of the Security Council to Iraq's flouting of the UN authority and UNSCOM, and to Israel's long-standing occupation of the occupied territories and gross breach of UN resolutions, have, not surprisingly, gravely damaged the credibility of United States and European policy both towards the peace process and in the middle east more generally.

Mr. Mike Gapes (Ilford, South): The hon. Gentleman is implying that there is some equivalence between the Israeli and Iraqi Governments. Can he tell me when Saddam Hussein was last elected?

Mr. Soames: I am drawing no such comparison. The Israeli Government are democratically elected, whereas Saddam Hussein is the 1998 equivalent of Hitler. Nevertheless, it remains a fact that UN Security Council resolutions, passed in good faith, signed up to by world opinion and valid under international law, are treated totally differently in the two countries.

It is clear from Prime Minister Netanyahu's defiant resistance to calls for the fulfilment of commitments made under the Oslo accords that the only strong message coming through is that Israel will not incur any penalties for acting outside the law. This selective application of the standards of international law continues to provoke considerable anti-western feeling in the Arab world, and has done a very great deal to devalue the authority of the UN in the middle east.

One of the most glaring examples in respect of the middle east peace process is Israel's persistent, wilful and illegal defiance of international humanitarian law in respect of settlement building. The basis of the Oslo accord was land for peace yet, in a complete negation of the peace process, the Netanyahu Government continue to steal more Palestinian land. Their behaviour is monstrous and amounts to a high political crime. No other country would have been allowed to behave in such a manner. Israel needs to be far more vigorously and robustly reminded of its legal and, as yet, unfulfilled obligations.

Immediately after his election in 1996, Netanyahu published his Government guidelines, which made it clear that the new Government would continue—and, indeed,

[Mr. Soames]

accelerate—settlement building in all parts of the occupied territories, and particularly east Jerusalem. Despite repeated US calls for a time out on settlement building, it has continued.

In recent weeks, there have been reports that the Israeli Ministry of Housing plans to sell 138,000 housing units to the occupied territories in 1998-99, 11,000 of which are to be built in east Jerusalem. The reports suggest that all the infrastructure work has been completed at the settlement at Har Homa which, it will be remembered, was the project that provoked the crisis that led to the past 12 months of stagnation in the peace negotiations.

There has, in truth, never been a settlement freeze or slow-down. It is to be assumed, not just by local Palestinians, that at some point—in the interests of the peace process—settlement building will have to stop. There is no sign of that happening. That is a catastrophic and wholly unacceptable state of affairs.

Mr. Nigel Jones (Cheltenham): I was one of the official observers of the Palestinian elections two years ago—a period of great hope—and I saw some of the settlements. Does the hon. Gentleman agree not only that they are illegal and provocative, but that they are being built on the tops of hills, destroying some of the most beautiful scenery I have seen in a long time? They are also awful architecturally.

Mr. Soames: The hon. Gentleman is quite right. The settlements represent not only a moral and political crime, but a high aesthetic crime, and are therefore trebly to be condemned.

It seems that the middle east peace process is in grave danger of losing its way. Certainly, those who are working for a genuine and just peace in the region are not being given the support they deserve by the international community. What better time for us to re-evaluate the European role in the middle east peace process than now, when Britain holds the presidency?

In 1980, the Venice declaration settled the basis for a European approach to a settlement in the middle east by recognising the Palestinian right to self-determination, and the right to existence and security of the state of Israel. The Venice declaration based itself on Security Council resolutions 242 and 338, and EU policy on the middle east has remained consistent—but wholly ineffective—on those positions of high principle.

During the years of the middle east peace process, it has been argued that the situation where the United States is seen to represent Israeli interests and the EU is seen to be overly sympathetic to Arab concerns will provide yet another obstacle to the achievement of a peace settlement. I believe that the problem lies elsewhere. In the year since the signing of the Oslo peace accord, the prevailing notion has been that peace must be negotiated between the parties.

Israel, supported by the US, has sought to move any peace formula away from the restrictions of international law. The argument goes that the restraints placed on the negotiating parties by the standards of international law on issues such as the status of the city of Jerusalem would put unacceptable limits on negotiations in the final status talks. It seems, rather, that the factor currently preventing negotiations at all is the relentless Israeli colonisation of east Jerusalem, and the systematic depopulation of the eastern part of the city of its Arab inhabitants. This role of international law in conflict resolution is to apply legitimate restraints on the power of the occupying nation and to protect the rights of the occupied civilian population, pending a full settlement.

In a recent excellent interview with the Arab newspaper *Al Hayat*, the Prime Minister reaffirmed the British and European position on settlement building. He said:

"The continued building of new settlements is illegal, and in direct conflict with the principle of land for peace on which the whole peace process is built. It damages the confidence of ordinary Palestinians in the process and undermines Israel's credibility as a negotiating partner."

He went on to confirm the British belief in the principle of land for peace. He said:

"We support a negotiating process based on the relevant UN Security Council Resolutions and the principles laid down at Madrid and Oslo. We believe this process offers the best chance of delivering a just exchange of land for peace and the secure and prosperous future for which the peoples of the region have waited for so long."

I unreservedly welcome those remarks, and I regard them as extremely helpful at a time when the central concept of land for peace and the respect for the rule of law seem to have become lost in a climate of mutual recrimination and political instability.

I also welcome the Prime Minister's remarks later in the interview, when he drew a distinction between the views of the United States and those of Europe on the middle east. One of the central criticisms levelled against European Governments by Arab commentators, rightly, is that European policies in the middle east seem to be so strongly identified with what are—thoroughly correctly—seen as flawed US objectives. I believe that a much more distinct role for the EU in the peace process is what should concern us today.

In recent years—in line with its new and ambitious policy in the Mediterranean region—Europe has looked again at how it might become more actively involved in the politics of the peace settlement. Since the signing of the Oslo agreement, the EU has been the single largest investor in the peace process, pledging a total of 1.68 billion ecu. Europe has also played a leading role in the regional economic development working group in the multilateral negotiations. Disappointingly and worryingly, however, Europe has, yet again, been unable—through a lack of will and leadership—to find a political role commensurate with the financial investment it is making in the peace process. It is therefore in a losing position.

In a report entitled "The role of the European Union in the peace process and its future assistance to the Middle East"—compiled in mid-January by Commissioner Marin, who is responsible for the Mediterranean region—the Commission set out to review EU policy towards the peace process. It states, for instance, that Israeli policies in the occupied territories are responsible for the serious decline in Palestinian living standards.

Between 1993 and 1996, the west bank and Gaza were under military closures for one fifth of all working days. Clearly, this is an issue of grave concern to European Governments, whose aim of boosting the economy to give the Palestinians some stake in the peace process is being thwarted again by these illegal military closures. During the periods of protracted crisis

that hit the peace process, the PNA turned to the EU to give emergency assistance to alleviate the budgetary deficit caused by the economic stagnation in the west bank and Gaza. That effectively means that Europe has been subsidising Israeli policies that it regards as illegal and which are clearly preventing any economic progress. That is clearly nonsense.

The report concludes:

"if this situation continues, the European Union should still not evade its responsibilities to keep the peace process alive through its political and economic efforts.

"The EU has reaffirmed its readiness to put all its political weight to the service of safeguarding the security of Israel. The security of the State of Israel and of its citizens is a central piece in the solution of the Middle East conflict. This is one of the reasons for the European support to Palestinian economic development. Contrary to claims that Israel's security demands stiff restrictions on the Palestinian economy, Palestinian economic development will be Israel's best security guarantee, both in the short and the long term.

"The Palestinians must be allowed to exercise their right to economic development. Obstacles to trade and economic activity must be removed."

The EU's current aid programme to the peace process is due to end in 1998. That seems to be an appropriate time to consider a more politically active role for Europe in the peace process, and I welcome the comments in the report confirming the EU's responsibility toward the peace process. However, I believe that the report does not go far enough, because there is no reference to the role of international law, or to the protection of human rights that is an essential element of EU policy toward the middle east.

It was reported last week that, just before Prime Minister Netanyahu's departure for Washington, the Israel Cabinet endorsed maps that identified vital Israeli interests in the west bank, ahead of final status negotiations. It was said that those interests amounted to claims to more than 60 per cent. of the land on the west bank. If that is what is being envisaged by Israel as a formula for a permanent settlement, it is clear that there will be nothing left for us to negotiate. Despair, danger and political and military instability will, once again, overwhelm and drown all the vital efforts for peace.

The right of Israel and its citizens to live within secure borders is a principle that is accepted by all who are genuinely working to promote the peace process. However, all the issues that are proving so damaging to the peace process—settlements, military closures, discriminatory policies against Palestinian residents of east Jerusalem, the repeated closures of the west bank and Gaza and the siege of the Palestinian economy—are fundamental issues of human rights, which are protected under international humanitarian law. The highly regrettable instances of political violence, aimed at derailing the peace negotiations, are, in large part, the result of the despair and loss of hope generated by the lack of political progress. The European Union cannot afford to formulate policy toward the peace process that does not include the essential element—the profound and fundamental element—of respect for human rights.

When he replies, the Minister will have an elegant and beautifully written Foreign Office brief, which will tell us that the Government continue to make robust approaches to Israel in respect of settlements and all other matters. They are not robust enough and, in the period when we hold the EU presidency, we look to the Government to try to reinvigorate the middle east peace process by galvanising support in Europe for a more proactive, energetic, realistic and honourable policy. Quite apart from the terrible events that may be about to unfold in Iraq, there will be no peace in the middle east without a proper, decent and honourable resolution to the Arab-Israeli conflict.

The current Government must do what the previous Government should have done but failed to do: they must stop hiding behind the Americans' coat tails and produce a more vigorous and robust European policy. I urge the Government to stop wringing their hands, and to do something about this appalling and wholly unacceptable situation.

11.23 am

Mr. Richard Burden (Birmingham, Northfield): I congratulate the hon. Member for Mid-Sussex (Mr. Soames) on securing this debate. I did not fully recognise his description at the beginning of his speech of the actions of my right hon. Friend the Foreign Secretary in respect of the middle east; but, that said, he made some telling and timely comments about a tragedy that has gone on too long and needs to be dealt with.

This year sees the celebrations of the 50th anniversary of the state of Israel, which was the realisation of a dream held by the Zionist movement since the latter years of the 19th century—indeed, its spiritual significance goes back much further. Set against the appalling suffering during the Nazi holocaust, the quest for a Jewish national home acquired far greater significance, but, although 1948 saw the birth of a state looking to the future, it also witnessed the start of yet another tragedy—the tragedy of the Palestinian people, which was rightly emphasised by the hon. Member for Mid–Sussex. As one people gained a homeland, another people lost one. That tragedy has not been adequately addressed to this day.

In a real sense, those 50th anniversary celebrations could be made far more celebratory if they marked the bringing to an end of the middle east, conflict and the tackling of issues that have been left unattended for so long. It is not long—only two or three years—since that seemed possible. The Oslo framework and the declaration of principles in 1993 were a breakthrough in terms of the political situation in the middle east, and they were founded on the principle of land for peace. Israel was offered the opportunity to have security and to live within secure and recognised borders and the Palestinians were offered recognition, at long last, of their right to nationhood. Both sides were to engage in confidence-building measures that would allow progress towards addressing the more difficult issues, such as Jerusalem.

We could be optimistic in 1993, but we have to be more pessimistic today. As the Prime Minister of Israel constantly reminds us, terrorism has not been removed from the agenda. Israel is right to seek security, but we have to address to it the question it will have to face up to sooner or later: where does security come from? In a speech in Washington on 28 November, the Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) quoted

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words that say far more than any of us in this Chamber can say. The words were spoken by the mother of an Israeli teenager who was killed by a terrorist bomb last July. She said:

"When you put people under a border closure, when you humiliate, starve and suppress them, when you raze their villages and demolish houses, when they grow up in garbage and holding pens, that's what happens."

Those words were spoken not by a politician, but by someone who has experienced the reality of violence and terrorism in the middle east. It is by removing those causes of violence that we will find real peace in the middle east.

Instead, as the hon. Member for Mid-Sussex graphically described, illegal settlement building continues and Palestinians who have lived all their lives in east Jerusalem have to prove, on the most spurious of grounds, their right to remain in the city of their birth. Despite the aid given to the Palestine National Authority—including nearly 2 billion ecu of European aid—the living standards of Palestinians in Gaza have dropped by 30 per cent.

I am glad that the hon. Gentleman mentioned the Marin memorandum, because that memorandum, which was published in January, points out significant ways in which European policy in the middle east can go forward. It also makes telling comments about the limits to what can be achieved by European aid and international aid in general to Palestine and the National Authority unless the crucial questions surrounding the peace process and issues of human rights are tackled.

The hon. Member for Mid–Sussex referred to the effect of closures in the west bank and the Gaza strip. The Marin memorandum has the following to say on the subject:

"Each terrorist attack has automatically been followed by tight and prolonged closures of the West Bank and Gaza Strip which are described by Israel as security measures but perceived as collective punishment by the Palestinian population. For the period 1993–1996, the West Bank and Gaza Strip have been under closure over one fifth (21 per cent.) of the effective working days: 233 effective closure days of the 1,108 potential working days. The situation has caused a severe Palestinian economic decline. So severe that it has far more than invalidated the international donors' efforts."

That puts the point well: we must remove the causes of the problems and break through the impasse in the peace process. International aid cannot be a substitute for the peace process; it can only complement it.

The Marin memorandum illustrates that, while the United States' policy will inevitably remain pivotal in brokering a settlement in the middle east, the European Union can and should play a much more dynamic role than it has in the past. We discussed in the House last year the association agreement between Israel and the EU; that agreement and various other relevant documents contain human rights clauses. We have a right to ask how far they are being monitored and being put into effect.

I welcome the clear statement from my right hon. Friend the Prime Minister that settlement building is illegal. Many statements have been made, both by the Minister of State, my hon. Friend the Member for Leeds, Central and my right hon. Friend the Foreign Secretary, to the effect that the interim agreements need to be implemented. The Oslo framework, although vague in many areas, was not vague on timetables or on the interim talks and interim agreements. Those timetables have not been followed.

It is right that the international community should make it fairly clear to the Netanyahu Government that we expect the interim agreements to be followed, we expect the redeployment of Israeli troops to take place and we expect that redeployment to be meaningful, real and substantial. Talking about the figure of 9 per cent. does nothing to advance the peace process. Those redeployments have to be substantial if they are to contribute to peace.

This is the 50th anniversary of the state of Israel. It is a time when people will inevitably look back, but it is important that when we look back, and when the Israelis and Palestinians look back, it is not in a spirit of blame, but in a spirit of understanding—understanding that can guide us where we go from here. As Israel does that, it should understand the need for Palestinian national rights to be recognised today. It should understand the importance of bringing an end to settlement building and collective punishment.

Israel must understand that, for Palestinians, whether they live in the occupied territories or outside, the memories and realities of Deir Yassin, Tel-al'Zataar, Sabra and Shatilla are as graphic and as strongly felt as Israeli memories of Mahalot, Kiriat Shimona and the Jerusalem bombings. When Israel and the Israeli Government understand that, the inevitable conclusion will be that the Oslo process, which was started so bravely not so many years ago, needs to be given added emphasis. The ball is firmly in the court of the Israeli Government. They could implement the interim agreements, move to final status talks as soon as they can and tackle the problem that has been, and will remain, the cornerstone of the middle east problem until it is sorted out: Palestinian rights.

11.33 am

Mr. James Clappison (Hertsmere): I join in the congratulations of my hon. Friend the Member for Mid-Sussex (Mr. Soames) on securing this timely debate on an important subject. I congratulate him on taking us on an authoritative gallop through the relevant parts of international law and international history.

I know that my hon. Friend, who is a fair-minded person, knows that I could equally well select other aspects of international law or international history. Those aspects could include the hostility of the Arab states to Israel, the acts of terrorism against Israel and the attempts to partition Palestine and divide it between the Palestinians and the Israelis, going back not just to the beginning of the founding of the state of Israel, but to the inter-war period and the Balfour declaration. However, there is not much point in doing that.

Although my hon. Friend's sympathies have a different starting point from mine, I think that we arrive at the same conclusion: the need for firm, robust and unflinching support for the peace process. In today's world, that is the only way forward and the only way that peace will be achieved. I accept that these are difficult times for the peace process, for a number of reasons.

My hon. Friend rightly mentioned Israel's democratic credentials. We would all do well to remember—including the hon. Member for Birmingham, Northfield

(Mr. Burden), when he speaks about the Israeli Government and what they should do—that Israel is a democracy. However controversial its leadership or its policies may be, we must face the fact that its leadership is elected by the people of Israel. We must keep that fact at the forefront of our minds as we consider this subject.

In his opening speech, my hon. Friend dwelt extensively on one aspect of the peace process formula: justice for the Palestinian people. It was entirely fair of him to do so, and that issue must also be kept at the forefront of our minds. It is understandable that my hon. Friend did not touch as much on the other part of the peace formula, which is supported by this Government as it was by the previous Government: security for the people of Israel. We must address that subject.

I am under no illusions: there is huge support for peace in Israel, but there is also an understandable demand for security. When the security considerations have been properly addressed, the prospects for peace will be that much better, but the people of Israel want security. It would be deeply unrealistic of us not to expect Israeli public opinion to be affected by bombs on buses, bombs in crowded shopping centres and incidents such as that at Kiriat Shemona, which the hon. Member for Northfield mentioned. When Israel embarks on a peace process, extends the hand of friendship and shows a willingness to make concessions, it would be deeply unrealistic not to expect Israeli public opinion to be affected when the bombs continue.

I respectfully disagree with my hon. Friend the Member for Mid–Sussex when he says that the political violence, as he described it, was born out of frustration at the lack of progress. I do not think that it was born out of frustration at the lack of progress; I think that the intention was to derail the progress that was being made. The violence was carried out by deluded people with wicked masters and their objective was to derail the peace process. The purpose of our diplomacy and of the European Union and the United States is to seek to overcome the obstacles that those people are putting in the way of the peace process through their violence.

My hon. Friend made certain requests of the Minister of State; I shall make some others. I want the Government to consider the security component of the peace process formula. When the Minister of State speaks to the Palestinians and other Arab leaders—I know that he already has—will he emphasise the need to address the subject of Israel's legitimate security concerns? Will he ensure that a firm and consistent message of support for peace and the right of Israel to exist comes from the Palestinian leadership—Chairman Arafat and the Palestine National Authority?

I know that the Minister of State has been discussing certain articles of the Palestinian national covenant with the Palestinian leadership and has sought clarification about what has been repealed. I know that the Minister has been asking for a list; it would be helpful if he could tell us a bit about it and give us definite information that certain articles have been repealed.

Dr. Phyllis Starkey (Milton Keynes, South-West): Does the hon. Gentleman accept that there are limitations, as the Government have found in Northern Ireland, to any state's ability to stop the determined terrorist? Does he further accept that to some extent the Israeli Government are demanding of the Palestine National Authority that they follow what has been called the Algerian route? The route that the Algerian Government have taken to try to deal with terrorism has proved counter-productive, yet the Israeli Government are suggesting that the Palestine National Authority take precisely such extreme measures, although they have proved ineffective in other places and have simply stoked up a violent situation. The Israeli Government must recognise that security comes from—

Mr. Deputy Speaker (Mr. Michael Lord): Order. This is a very brief debate and that is a very long intervention.

Mr. Clappison: I am not sure that I would recommend anyone to go down the Algerian route, but credit where credit is due—the Palestine National Authority have taken some actions recently that are consistent with taking on the forces of terrorism. I should like them to do far more, and to do it conspicuously, with a background of a consistent message in favour of peace, in favour of the right of Israel to exist and against terrorism. The overall answer to the hon. Lady is that we need to build up the confidence of the Israeli people about their security and the good faith of those with whom they are negotiating.

May I ask the Minister to take up one other small point, which I know he has taken up—to his credit? He knows that Israeli public opinion takes a close interest in the fate of missing Israeli service men. So do many people in this country, including some of my constituents, who have written to me. I was grateful for the reply that the Minister gave to a letter from one of my young constituents from Borehamwood, saying that he had not forgotten the Israeli service men, that he was continuing to take up their case, and that he had recently met the families of Ron Arad and Zachary Baumel. I congratulate the Minister on taking that interest and I hope that he will take it further, as it is another factor that will help to build up the confidence of the Israeli people.

What about the role of Europe, which my hon. Friend mentioned? I disagree with him slightly on that. I think that the role of Europe should complement that of the United States. Any objective observer would have to agree that the United States is making vigorous efforts to procure peace in the middle east, against a difficult background. It should be the role of Europe to support those efforts. I hope, that in our presidency of the EU, we will focus on making the efforts of Europe complement those of the US.

I strongly support European economic assistance to the region, particularly to the Palestinians. My hon. Friend made an entirely fair point about the need to improve the standard of living of the Palestinians and to give them a greater interest in the success of the peace process. That is a legitimate objective, and I am happy with Europe pursuing it. I am slightly less happy with a more advanced foreign policy on the part of Europe, given current European political structures. I have reservations on various grounds about Europe pursuing that role. Notwithstanding those hesitations, I urge the Minister to give consideration to what Europe can do to get the multilateral track of the peace process going. I know that that is a difficult issue.

These are difficult times. We have different sympathies and different interpretations of the history of the region. Everyone present in the Chamber may have a different

[Mr. Clappison]

interpretation of recent middle eastern history, but perhaps we can all join in giving support on a bipartisan basis to the peace process, being realistic about it, not expecting dramatic progress—far from it—but maintaining consistent and unflinching support for that process, however difficult it may be, and trying to understand the problems and concerns of both sides and to build their confidence in the peace process. It is well worth making European support for the peace process at this difficult time one of the main objectives of our EU presidency.

11.43 am

Mr. Mike Gapes: It is a pleasure to follow the hon. Member for Hertsmere (Mr. Clappison). His comments will be warmly welcomed by many people in this country and abroad.

The middle east is, of course, much wider than the focus of our debate. It is important to put the issue in context. There is an Israel-Syria track to the negotiations and there are the unresolved problems of the internal politics of Lebanon. Recent events there could signify the beginnings of a resumption of the tragic civil war that caused so many problems to the people of Lebanon.

Apart from Israel and the Palestine National Authority, no states in the region conduct democratic elections in the sense that they would be understood in western Europe, the United States or many other parts of the world. There are swathes of the middle east where women have virtually no rights, where they are not allowed to drive cars and where they are not allowed to vote.

The hon. Member for Mid-Sussex (Mr. Soames) referred to the baleful influence of the Zionist lobby. Perhaps we should also point out the baleful influence of what might be called an Arab lobby among those who do not comment on those issues and simply dismiss them. If we have universal standards of human rights and support for democracy, they should apply also in Saudi Arabia and throughout the middle east.

Mr. Crispin Blunt (Reigate): Does the hon. Gentleman accept that it is proper for us to expect even higher standards of democracies and particularly for us to expect democracies not to flout international law?

Mr. Gapes: I am grateful for that intervention, as it brings me to my next point. The loudest, most vocal and strongest critics of the Netanyahu Government are Israelis. If one speaks to people in Peace Now, in Meretz and throughout Israeli society, one hears what high hopes they had when Yitzhak Rabin took that brave step to meet Arafat, to engage in discussion and ultimately to sign the Oslo process agreement, culminating in the handshake in Washington. That was incredibly controversial in Israeli society and, tragically, Rabin paid for his bravery with his life, killed by a fellow Israeli.

As has been said, it is the extremists who are determined to destroy the process. There are extremists on both sides: the people responsible for the massacre in the mosque in Hebron—I have been there and seen that place—and the people responsible for the bombings in Tel Aviv. They have an agenda, which is to destroy the efforts of moderates and people with vision to go forward in the peace process. To some extent, they have been successful.

I was with my hon. Friend the Minister in Israel, Gaza, Hebron and Bethlehem in December 1995. My hon. Friend the Member for Dundee, West (Mr. Ross) was also on the trip. It was a joint Labour friends of Israel and Labour middle east council delegation. During our visit, we met Shimon Peres—one month after the assassination of Yitzhak Rabin. We also met Yasser Arafat. At that time there was real hope of progress. The Palestinian election was due to be held in January 1996. There was a genuine possibility that the process would go forward.

Unfortunately, Mr. Peres lost the Israeli election. That is what happens in democracies. Democracies do not always give the solution that those outside want. The Israeli people chose to elect a Government who said that they would give greater emphasis to security. Despite all the difficulties, that Government have said that they remain committed to the Oslo process. They signed agreements for the withdrawal from Hebron and there was an important meeting in January 1997 between Mr. Netanyahu and Mr. Arafat at which they agreed a protocol.

Many criticisms have been made of Israel, but it is important to note for the record that the difficulties do not lie entirely on the Israeli side. The Arafat-Netanyahu document was associated with a note for the record prepared by the United States ambassador in the region, Dennis Ross. The note lists various obligations that the two leaders undertook to fulfil as part of the process. They included: Israeli compliance with the terms of the agreement for the first stage of redeployment from the west bank, the release of Palestinian women prisoners and the resumption of negotiations. Israel may be criticised for some of its actions, but the fact is that Palestinian women prisoners have been released and there has been a limited withdrawal through the Hebron process. The Oslo agreement is still supported formally by the Israeli Government.

The Palestinians also agreed to fulfil several obligations. They included: amending the covenant, taking steps to combat terrorism, reducing the size of the Palestinian police force and—a very controversial issue—agreeing what would happen to the Palestinian institutions that operate outside the Palestinian area of authority. An examination of the progress made by the Palestinians subsequent to that agreement could lead to strong criticisms of that quarter. Mr. Arafat sent letters to President Clinton and to our Prime Minister, but the Palestine National Authority have not yet amended the covenant, which comprises many clauses and phrases that I suspect would be offensive to every hon. Member—and they are certainly regarded as such by Israeli public opinion.

The problems that we face today pose very serious questions about how we can influence events in areas of conflict from outside. We know from our own experience that it is not possible to impose solutions to any conflict from outside a state. Conflict resolution necessitates an internal process—although actors from outside may assist in reaching that resolution.

The European Union already makes large financial contributions to Gaza and for other aspects of development in Palestinian areas in an attempt to facilitate further middle east dialogue. I am sure that the European Union will continue to make those constructive contributions under the British presidency. However, ultimately, Britain and the

other European Union states will not be able to impose any solutions in the middle east—especially in light of the fact that the Israeli Government are elected democratically. Israeli public opinion will determine the outcome of the next Israeli elections, which we hope will lead to an acceleration of the peace process.

The conflict in the middle east has other, wider aspects. There are two synagogues, two mosques and several other places of worship, including gurdwaras and Hindu temples, in my constituency. I am concerned about attempts by extremist groups from either community to bring extremist politics into this country. All communities in the United Kingdom, regardless of religion, must live together in harmony. They must respect our laws, all aspects of which apply equally. I hope that that approach will act as a model for tolerance and understanding throughout the middle east.

11.54 am

Dr. Jenny Tonge (Richmond Park): I, too, congratulate the hon. Member for Mid-Sussex (Mr. Soames) on his fine and instructive speech. I have no Arab or Jewish connections and I have no particular axe to grind, but I have both Arab and Israeli friends who feel very much as I do about the middle east peace process. Therefore, I am delighted to be able to speak in this debate.

My friends and I care so much about this subject that, in 1993, in France, we opened a bottle of champagne and planted an olive tree to celebrate the Oslo accord.

Mr. Denis MacShane (Rotherham): Did the hon. Member for Mid–Sussex provide the champagne?

Dr. Tonge: No, he did not. He was not with me at the time.

The Oslo accord enshrined the principles that should have led to the creation of a Palestinian state. It acknowledged

"the inadmissibility of the acquisition of territory by war"

and recognised that Israel's armed forces must withdraw from occupied territories.

My olive tree survives and thrives, but the Oslo accord fell on stony ground—a product of the international community's turning a blind eye to the plight of the Palestinian peoples and a ringing endorsement of Israel's capacity to mock international law and agreements. How long can we stand by and watch Israel do that? New settlements have been built in east Jerusalem and, more recently, Israel's housing ministry spokesman, Mosh Eilat, announced that a further 30,000 new homes would be built in those settlements by 2020.

Mr. Ivor Caplin (Hove): As the hon. Lady is talking about experiences, will she detail the times that she has travelled to Israel—as I have—and to Palestine to explore the issues at first hand?

Dr. Tonge: I thank the hon. Gentleman for that intervention. I said at the beginning of my speech that I have no particular axe to grind. I am not a member of friends of Israel or friends of Palestine. I have—and will always have—a totally neutral point of view, but I believe that my views are entitled to be heard.

Those initiatives are contrary to the spirit of the Oslo accord.

Mr. Andrew Dismore (Hendon) *rose—*

Dr. Tonge: I shall not give way again.

The initiatives are also contrary to the principle of land for peace. They are, in essence, a reflection of an Israeli Government who are opposed to peace and who are determined to make a Palestinian state a pipe dream. We must ask how long we can allow them to continue.

The Palestinians are not the only ones to see their agreements broken. Israel recently broke its trade agreement with the European Union by exporting orange juice to Europe—it may sound quite amusing—labelled "Product of Israel" that was not an Israeli product. Israel also stands accused of exporting as products of Israel goods that are made in the settlements. Israel has violated an international agreement, the purpose of which was to strengthen economic development in order to underpin the peace process through economic growth and stability.

How long must Palestinians, Europeans, Americans, Israelis and all who are committed to the peace process endure the flagrant violation of international law by this and previous Israeli Governments? I agree with the hon. Member for Ilford, South (Mr. Gapes) who said that we expect more of a democratically elected Government than we do of a dictator such as Saddam Hussein.

The latest United-States-bolstered piecemeal agreement regarding the further redeployment of Israeli troops from the occupied territories is bound to fail because it allows Israel to withdraw troops only once the Palestine National Authority have met all their security demands. That is another open invitation to Israel to place more and more exacting conditions on the PLA and, consequently, what is left of the peace process will continue to flounder. As the hon. Member for Milton Keynes, South-West (Dr. Starkey) said, it is difficult for political organisations to keep control of all their members and terrorists.

Mr. Dismore: Will the hon. Lady give way?

Dr. Tonge: No, I am about to finish, and then the hon. Gentleman can speak.

With the 50th anniversary of the creation of Israel and the United Kingdom's presidency of the European Union, we must ask how much longer we should tolerate Israel's violation of international law and the denial of the right of the Palestinian people to a homeland. Surely Jewish people in Israel, more than any other people in the world, can understand the Palestinian predicament.

12 noon

Mr. Neil Gerrard (Walthamstow): I add my thanks to the hon. Member for Mid–Sussex (Mr. Soames) for the debate. I am sorry that this is not the longer debate that the issue justifies, but I hope that we shall be able to have such a debate before too long.

As the hon. Gentleman said, this year is the 50th anniversary of the establishment of the state of Israel; but for the Palestinian people it has been 50 years without human, political and civil rights, which all agree they should have.

There are huge implications if the peace process fails, not just for the region but for the relationships of the international community with the Arab world. That is true not least because of our historical involvement in the region and because of the role of the international community in relation to the Oslo accords, which were underwritten by the West. They should not be regarded as

[Mr. Neil Gerrard]

the possession of Israel, from which Netanyahu can pick and choose. They were internationally underwritten agreements in the context of UN Security Council resolutions, especially resolutions 242 and 338, but also a long list of previous resolutions which, time and again, have emphasised the need for Israel to withdraw from occupied territories and for the political rights of the Palestinian people.

The hon. Gentleman mentioned the parallels with Iraq. I do not want to compare the Iraqi and Israeli regimes, but it is important to recognise that people do see parallels. Sanctions against Iraq are justified on the ground that it does not comply with Security Council resolutions.

Mr. Caplin: Will my hon. Friend give way on that point?

Mr. Gerrard: No, I only have a little time and I want to use the opportunity to say something.

Sanctions against Iraq are justified on the ground of its possession of weapons of mass destruction. Is it surprising that people draw parallels when Israel has a nuclear weapons programme and when Mordecai Vanunu, who exposed it, is entering his 12th year in solitary confinement in Ashkelon prison, and when Israel continues not to comply with Security Council resolutions?

I do not want to dwell on the question of settlements, about which the hon. Member for Mid-Sussex and others talked at some length, or on what has happened in Jerusalem, whose status was supposed to be part of the final stages of the negotiations. Not only have Palestinians in occupied territories been affected, but the southern part of Lebanon is still occupied, and I cannot remember the last time there was any reference in the House to any sort of progress in negotiations between Israel and Syria. Within Israel, 70,000 Arabs live in 176 unrecognised villages with no basic services, water, sanitation or electricity. They are supposed to be Israeli citizens, yet they are denied basic services, with the clear intention of forcing them from their lands.

Before Netanyahu's recent visit to the United States, he visited an Israeli air force base to take delivery of the first two F15I fighter bombers to arrive. Hours before he left, the US announced a $1.4 billion loan for Israel, and that was before a visit that was billed as the US putting pressure on Israel. The clear message was that President Clinton did not have the stomach for a fight with Netanyahu and his allies in the American Congress.

I perfectly understand the points made by some hon. Members about the other side of the equation and the need for security. However, at a recent meeting, Yasser Arafat gave President Clinton a letter clearly detailing the specific articles of the Palestinian covenant that have been changed. It was read by James Rubin at a press briefing, and stated:

"The Palestinian National Council's resolution . . . in accordance with Article 33 of the Covenant, is a comprehensive amendment of the Covenant. All of the provisions of the Covenant which are inconsistent with the PLO commitment to recognise and live in peace side by side with Israel are no longer in effect . . . These changes will be reflected in any official publication of the charter".

US policy is paralysed in terms of any real influence on Israeli policy, yet it is crystal clear that, without changes in Israeli policy, the peace process will fail.

At the moment, there are some extremely worrying signs. I read in a recent press report of a clash in Bethlehem when Israeli soldiers fired tear gas at Palestinian boys who were throwing stones. When the Palestinian police arrived, they aimed rifles at Israeli troops pursuing the stone throwers. The same thing had happened the day before in the same spot, and the same thing has happened in Gaza. With between 35,000 and 40,000 armed Palestinian police, we must be concerned about what is happening and the consequences of such clashes.

The peace process is clearly in serious trouble. When that process started, everyone emphasised the risks and the need for the inhabitants of the west bank and Gaza to see some change and some economic improvement in their conditions. That is not happening and mass disillusionment is setting in. We need greater pressure and a pro-active policy from the EU. As the hon. Member for Mid-Sussex said, we simply cannot rely on the US having any sort of influence to bring about the changes in policy that are needed. If we do not continue to apply such pressure and to support the legitimate demands of the Palestinian people, we shall be guilty of contributing to the failure of the peace process.

12.8 pm

Mr. Crispin Blunt (Reigate): I do not want to dwell on the points that have been made more than adequately by my hon. Friend the Member for Mid-Sussex (Mr. Soames) and others. I simply want to focus on Britain's historic obligation, which is keenly felt in the Arab world. In a sense, it has remained unchanged since the Balfour declaration in 1917, which included these words:

"it being understood that nothing be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine".

In 1922, the mandate that we accepted from the League of Nations stated:

"The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up permanent residence in Palestine."

The White Paper presented to the House in 1922 contained His Majesty's Government's view that at no time had they contemplated

"as appears to be feared by the Arab Delegation, the disappearance or the subordination of the Arabic population, language or culture in Palestine."

In 1930, Prime Minister Ramsay MacDonald said that nothing should prejudice the civil rights of existing non-Jewish communities in Palestine. That was repeated in 1939 and 1947 by the then Foreign Secretary.

We have had an obligation to both communities. With the injustices that are happening now to the Palestinian community, it is time for the British Government to speak up for the underdogs, the Palestinian community, to ensure that they achieve their aims of statehood and can deal with the Israeli population in equality, and that both communities can have security.

12.10 pm

Mr. David Faber (Westbury): We have had an all too short but interesting and well-informed debate. I, too, congratulate my hon. Friend the Member for Mid-Sussex

(Mr. Soames) on securing it at such an opportune moment, and on the typically robust and eloquent manner in which he introduced it.

As was pointed out by every hon. Member who spoke, we are at a critical moment in the middle east peace process, when, sadly, the wider region faces possible further conflict. Britain has a long and deep involvement in the middle east, as my hon. Friend the Member for Reigate (Mr. Blunt) just said. We are inextricably bound with the region through history, responsibility and a shared interest in trade and, of course, security in the region.

The previous Government always made it clear that our aim was a lasting peace, accepted by all and founded on the principle of respect for international law, peace with security for Israel, and prosperity, justice and self-determination for the Palestinians. Therefore, we on the Conservative Benches warmly welcome the Government's stated continuing commitment to those principles and to the means by which the ultimate goal of a lasting peace can be achieved.

In May 1996, the former Foreign Secretary, Malcolm Rifkind, said:

"Britain has no blueprint for how a durable peace should be established. We are fighting no-one's corner. We are proud to call ourselves friends of all the people of the region."

That realisation and that commitment hold good today just as they did then, but we must be realistic and look at the situation that confronts us. As we heard today from hon. Members on both sides of the House, the process is in crisis and is in desperate need of impetus.

The recent visits to Washington by Prime Minister Netanyahu and Mr. Arafat were at best disappointing and at worst retrograde, given that the Israeli Cabinet chose the eve of the Prime Minister's visit to issue their communiqué listing eight new areas of the west bank whose retention they now consider vital for their national interest.

Subsequently, Mrs. Albright, in her recent visit to the region, was rebuffed in her request for a "certificate of good progress" from the Palestinians—a document which presumably she hoped would provide helpful supporting evidence during her tour of the Gulf seeking support for action against Iraq. My hon. Friend the Member for Mid-Sussex rightly referred to the detrimental effect that the lack of progress in the middle east peace process has had on Arab opinion with regard to action against Iraq.

On 17 December last year, the Minister told me in a written answer:

"Seeking to re-inject momentum into the Middle East peace process will be a high priority during our Presidency."

We welcome that commitment and his recent visit to the region.

I echo my hon. Friend's disappointment that the Foreign Secretary—some nine months after becoming Foreign Secretary—having twice cancelled a visit to the region, has still not managed to get there himself. It would have been better had he visited before the start of the presidency. He would have had an opportunity to see and to hear from people on the ground. We look forward to his anticipated visit in the spring, and to the ministerial meeting that will be held in London in April.

At a time when the United States has failed to inject further momentum into the process, there is clearly a crucial role for Britain to play during our presidency. We must recognise that expectations in the region concerning our own involvement are high. We have a well-earned reputation for even-handedness, and the quality of our contacts in the region are second to none. The period of our presidency is thus an ideal time to throw our weight behind the process, and to encourage the EU to do likewise.

Will the Minister tell us just a little about the so-called Marin memorandum, which we heard about this morning, which clearly calls for a far more active EU role throughout all levels of the process? His noble Friend has described it as "an internal working document". What is its current status? While we hold the presidency of the EU, do we support the memorandum's proposals? How is it suggested that they should be put into effect?

In 1996, the previous Government warmly welcomed the decision of the Palestinian National Council to amend the Palestinian covenant, which honoured a commitment made in the Oslo letters of recognition, and was welcomed at the time by both the United States Government and Mr. Perez. Will the Minister therefore tell us a little more about the letter, of which we heard this morning, that Mr. Arafat sent last month to the Prime Minister, and which was subsequently passed on to President Clinton? The Israeli Government consider the move to be "insufficient", but it would be helpful to have the Minister's views of its significance in the overall peace process.

In the written answer to which I referred, the Minister also said:

"We are anxious to see existing agreements implemented in full."

The House will know that, under the Oslo accords and the subsequent Hebron agreement, the territory of the west bank is, as my hon. Friend described, divided into three zones. Zone A, under complete Palestinian civilian and military control, currently represents just 3 per cent. of the territory—the urban centres. Zone B, under Palestinian civilian control but Israeli security control, now accounts for 27 per cent. The remaining 70 per cent., zone C, remains under full Israeli civilian and military control.

At Oslo, the Palestinians accepted that Jerusalem and the settlements, representing some 9 per cent. of land, would be left to final status talks, but that still leaves some 91 per cent. of land in the west bank to come under Palestinian control during the interim period. Under the Hebron agreement, there were to be three instalments of further withdrawals: the first by 7 March last year, the second by 7 September, and the third by the middle of this year, but, as the House well knows, none of those further withdrawals has taken place.

On 7 March last year, the Israeli Government made a renewed offer, which was turned down by the Palestinians, and we have heard this morning that the current Israeli proposal is for a single redeployment of some 6 to 8 per cent. to make up for the two that have been missed, prior to an immediate jump to final status talks.

The United States has now made a further suggestion that some 10 to 14 per cent. be moved from zone C to zone B, and a further 10 per cent. from zone B to zone A. However, even that proposal is still subject to renegotiation and would be phased over three to five instalments. The so-called Sharon map to which my hon. Friend referred, which now appears to be the Israeli

[Mr. David Faber]

Government's blueprint, allows for an absolute maximum of 35 per cent. of the west bank to have been redeployed, even after final status talks.

The Minister's recent visit of the region sadly coincided with the Israeli Cabinet's declaration that large sections of the west bank were vital to Israel's national interest.

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): That was not my fault.

Mr. Faber: It was not the Minister's fault, as he rightly says. What discussions did he have about the announcement at the time? Did he seek or receive assurances on future redeployment during his visit?

The Israeli Cabinet's declaration effectively adds large sections of the west bank to the growing list of issues that the Israeli Government claim are not open to renegotiation, even in final status talks, and all the time, as we heard this morning, the stalemate over redeployment and other issues continues to be exacerbated and soured by the current status of, and future plans for, Israeli settlements.

Israel's unrelenting programme of enlarging its settlements proceeds unabated, in spite of worldwide criticism and condemnation. The hon. Member for Richmond Park (Dr. Tonge) mentioned the Israeli Housing Ministry's confirmation that it plans to double the current settler population by 2020 by building 30,000 new homes, half of them in the vicinity of Jerusalem.

As the House will know, the Conservative Government always regarded the settlements as illegal, and therefore we naturally welcome the strong words of the Prime Minister, the Foreign Secretary, and, indeed, the Minister himself in condemning settlement building. What progress, if any, has he made in talks with the Israeli Government on this matter?

Among other priorities that the Minister highlighted was

"a mechanism to institutionalise security co-operation and handle crises . . . and engaging Israel in a dialogue on ways of removing obstacles to Palestinian economic development."—[*Official Report*, 17 December 1997; Vol. 303, c. *182*.]

What progress has he made in those regards?

We all recognise why Israel is so preoccupied with security. The hon. Member for Ilford, South (Mr. Gapes) quite rightly told us of the problems, and the appalling scenes that we saw on television last year serve as a reminder that the battle against terrorism is far from won.

Peace can flourish only in a climate of trust and confidence. We need to strike a balance. The closure policy has caused widespread resentment and economic suffering. It has come to be perceived as a collective punishment against 2 million Palestinians living in the west bank and Gaza, and has had an appalling effect on the Palestinian way of life. A report on 1996 by the United Nations special co-ordinator's office noted as direct results of the policy a 57.8 per cent. increase in unemployment in the west bank and Gaza; a 23 per cent. drop in aggregate income; and a fall in real wages of 20 per cent. since 1995. Most worrying of all, it highlighted an increase in child labour in the region.

The United Nations Relief and Works Agency estimates that there has been a 40 per cent. decline in overall living standards since the Oslo accords. Access to health care has been reduced, students have been unable to get to their universities, and Palestinians, both Muslim and Christian, no longer have freedom of access to their holy sites.

We have had a short but informative debate. There were other issues that I had hoped to raise. The Minister has mentioned previously his efforts in respect of the Gaza air and sea ports, transit arrangements between the west bank and Gaza and the permanent security committee he mentioned in a speech in Washington last year. We have also heard about the Syrian and Lebanese tracks. We would be interested to know about reported comments that the Israelis may accept, albeit conditionally, resolution 425. We warmly welcome the priority that the Government are giving to reinvigorating the middle east peace process during their presidency. They may be sure that, during their brief tenure, they will have our support in doing that.

12.20 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): I congratulate the hon. Member for Mid-Sussex (Mr. Soames) on raising this issue and thank him for the way in which he made his comments about Iraq, the nature of its regime and the need for it to comply with United Nations Security Council resolutions.

One constant theme ran through the debate. Whatever the perspective—or, indeed, prejudice—of hon. Members, it is clear that they are all keen to see progress in the peace process. The hon. Member for Mid-Sussex talked about the principles of land for peace, and was right to say that that is the underpinning notion that will enable us to make progress. Every hon. Member who spoke mentioned the intimate link between political, social and economic progress and security. It is self-evident that progress along all those lines is in the interests of the people of Israel, of Palestine and of the whole region. There should be no question but that there is a joint agenda and a set of common interests. Our political task is to ensure that we put some life back into the peace process and make progress.

Perhaps I can answer some of the points that were raised. We hold the view—which was held, as the hon. Member for Westbury (Mr. Faber) said, by the previous Government—that to make progress, there needs to be a balance of action in terms of the land for peace principle. That means further redeployment in line with previous agreements, confidence-building measures and a commitment to security.

Let me take security first. It is axiomatic that we cannot have peace without security. Whether one is an Israeli or a Palestinian, that is self-evident. One of the encouraging aspects of my recent visit to Israel and the occupied territories was the extent to which Palestinians recognised that their political progress depends on the security of the people of Israel. We have taken action to help with security.

The hon. Member for Westbury mentioned our security proposals. We have asked special envoy Ambassador Moratinos to meet Dr. Erekat of the Palestine National Authority over the next few days to discuss what further

measures we can take to help the Palestinians to deliver their security promises. I have two more points on security. First, to reinforce my earlier point, we believe that the Palestinians are making a genuine effort on security. That should be put on record. That view is currently also held by the American Administration. Secondly, if we can assist in the process, it is a meaningful contribution that Europe can make the peace process. We will do all that we can to help on security issues.

The hon. Member for Hertsmere (Mr. Clappison) and others mentioned the Palestinian charter. I raised that in my recent meetings with President Arafat. As a result, he wrote to the Prime Minister setting out the action taken by the Palestine National Council. It is important to put it on record that we believe that that was a significant letter. He set out the clauses of the charter that had been repealed and amended and made it clear that the charter is now seen as in line with the commitments and principles of the Oslo accord. We welcome the fact that Secretary of State Albright has also welcomed those assurances and believes that the charter is no longer a stumbling block to the peace process. We see that as a significant step forward and welcome it.

On further redeployments, I heard the strong words of the hon. Member for Mid-Sussex about how the map of the west bank is still distorted in a way that does not reflect the wishes that were around at the time of the Oslo accord. We have been very clear that there must be further meaningful redeployments. We are in line with the Hebron agreements. Such further meaningful redeployments must be of a size that can give the Palestinians confidence in the process and show them that progress is being made.

We have also taken every opportunity to condemn the expansion of settlements. As the hon. Member for Westbury noted, the previous Administration rightly said that the settlements were in breach of international law. We have said that not only on behalf of the UK Government but on behalf of the EU presidency. If I can personally take some credit, I think that I am still the only European Minister to have visited Har Homa and to have made the point there that the Government disagree strongly with settlement building.

As hon. Members have said, that settlement shows the extent to which the character of Jerusalem and the surrounding area are being significantly changed. That is why we have supported the notion of time out: that neither side should take steps that pre-empt the final status discussions. A strong criticism of settlements is that they distort the final status discussions and make it difficult for real negotiations to take place in line with the Oslo accords.

We are concerned about the way in which the character and nature of east Jerusalem is being changed. It should not be changed prior to the final status negotiations. It is an area in which Palestinian life and the Palestinian community are being badly affected by decisions taken by the Israeli Government.

The hon. Member for Westbury asked about economic and confidence-building measures. During my recent visit to Israel, I chaired the EU-Israel dialogue on economic matters. We gave strong priority to certain economic measures that have to be taken on Gaza airport and port, on its industrial estate and on safe passage, which is crucial for economic development. As several hon. Members said, the Palestinians must feel an economic commitment to the process of peace. Since Oslo, there has been a decline of more than 30 per cent. in Palestinian living standards. It is impossible to sell peace if people are suffering such reductions in living standards.

The key theme of the debate has been to ask us in our presidency to take an active role in the middle east peace process. The action that we have taken so far on economic measures and security, our close liaison with Washington, the messages that we have delivered and the positions that we have taken show the extent to which under our presidency the European Union will play a strong and active role. We are determined to do that during the short six months of our European Union presidency.

Our role during our presidency will not be to compete with the United States. The hon. Member for Mid-Sussex knows Arab countries and their leaders extremely well. They do not want the European Union to play a competitive role. They want Europe to help the process, to play a complementary role and to support the objectives of land for peace and the Oslo accords. We are determined to play that role effectively. I give the hon. Gentleman a commitment that we will be active during our six-months presidency of the European Union.

We all have an interest in peace. We shall work for peace. Peace in the middle east is in the interests of the Israelis, the Palestinians and all the people living in the region.

Nuclear Test Veterans

12.30 pm

Mr. Llew Smith (Blaenau Gwent): This debate is about a sad saga, of which successive Governments cannot be proud. The lives of thousands of British service men and medical auxiliaries have been ruined because politicians wanted to satisfy their egos by building atomic bombs that they claimed were part of our national defence. They were tested thousands of miles away in Australia, Nevada and small Pacific islands without the permission of the indigenous people. Successive Governments have seen fit to use other people's backyards to test nuclear weapons. That surely cannot be right.

I have provided the Minister with a list of questions, and I have enough confidence in him to know that he will answer them in detail. In 1957, the then Prime Minister, Harold Macmillan, told the House:

"The present and foreseeable hazards, including genetic effects, from external radiation due to fall-out from the test explosions of nuclear weapons, fired at the present rate and in the present proportion of the different kinds, are considered to be negligible."—[*Official Report*, 5 March 1957; Vol. 566, c. 178.]

That was, to say the least, a false statement.

I have raised this matter because of the concerns of the British nuclear test veterans, who were victims of the tests that were conducted on Christmas Island in 1958–59. They believe, as I do, that their ill health was caused by radiation and the toxic pesticide DDT that was used 40 years ago. I am sure that the Minister will accept that those service men did not go to those Pacific islands for a holiday in the sun. They went as loyal British soldiers and as medical auxiliaries, and they deserve better than to be fobbed off for all these years.

Ministerial denials of responsibility were not believed by the European Commission of Human Rights, to which the British Nuclear Test Veterans Association took its case on behalf of some of the 22,000 veterans who witnessed atomic tests in the Pacific in 1958. On 27 January 1997, the British Government were found guilty: the commission found that they had violated article 6(i) and article 8 of the European convention on human rights, and that the atomic veterans had established a reasonable basis for their anxiety and concern that they had been subjected to radiation experimentation by their own Government. It further found that the Government's contention that inanimate dummies, not live service men, had been exposed to radiation was unconvincing.

Deplorably, the Conservative Government refused to honour the commission's recommendations. I trust that this Government, under new Labour, will reverse that decision.

One of the first parliamentary questions that I asked when I entered the House in 1992 was what information the Government had received from the American Government about the public hearings held in Vegas, which is near the Nevada site where Britain tested its nuclear bombs from the early 1960s to just a few years ago. The hearings dealt with the environmental and radioactive contamination at the site from British bombs. The reply to my question was, "None."

If Britain were forced to pay the proper clean-up costs for testing Polaris and Trident warheads in the desert lands of the Navajo indians, it would run to hundreds of millions of pounds. I suspect that the Government have not allowed for that in their nuclear defence budget.

Many journalists, such as Rob Edwards in the *New Scientist* and Alan Rimmer, Dean Rousewell and David Brown in the *Sunday People*, should be congratulated on their investigative work, which has been reported extensively in the press recently.

There is still considerable toxic contamination on Christmas Island. I am totally unconvinced by the Minister's written replies to me on this issue. He asserts:

"there is no radioactive contamination which would present a hazard to the inhabitants of Christmas Island."—[*Official Report*, 17 November 1997; Vol. 301, c. *64*.]

The specific questions that I want the Minister to answer have been provided by the British Nuclear Test Veterans Association. First, do the Government agree that they owe a duty of care to nuclear veterans and their families? Secondly, does the review of the veterans' pension scheme, as proposed by the Defence Minister, include a review of the new evidence of radiogenic injury to veterans of the United Kingdom nuclear weapons test programme that is emerging from the Dundee database study? Thirdly, are the Government aware of the Dundee study? If so, will the Minister comment on that study, and on the peer support of Dr. David Hole, director of the west of Scotland cancer surveillance project?

Fourthly, is the Minister aware of the undertakings of the National Radiological Protection Board's spokesperson on the "Frontline Scotland" programme that the Dundee university medical school researcher should have access to the updated database held by the NRPB for her secondary analysis? What action will the Minister take to ensure that such access is provided?

Fifthly, does the Minister agree that more than 22,000 men who were sent to the nuclear weapons test, and their families, unfortunately constitute a most important study group for cancer research, and that appropriate funds should be made available for that research?

Sixthly, an agreement reached in 1962 between the United Kingdom and United States Governments allowed the US Government to carry out nuclear weapons testing no more than 25 miles and no less than five miles from Christmas Island between April and July 1962. During that period, 28 nuclear explosions took place, in which 300 British service men participated. The US Government stated that they would indemnify Her Majesty's Government as a result of claims for compensation by British service men arising out of those tests. Do the Government agree that UK participants qualify for US compensation under that agreement?

Seventhly, the Government rely on the final NRPB report adopted in November 1993, which found that, statistically, UK veterans were not harmed by their participation in the Australian or Pacific nuclear tests. However, in December 1993, the UK Government signed an agreement with Australia for payment of £20 million sterling to the Australian Government for the settlement of all claims that arise out of the death or injury of any person, excluding UK veterans, as a result of the United Kingdom's experimental nuclear test programme in Australia.

Will the Government explain the rationale for handing over £20 million of taxpayers' money to fund compensation for Australian victims of nuclear tests, including Australian veterans, while maintaining that

there is no evidence that the UK service men who participated in the same Australian tests were harmed? That does not make sense to me.

Let me now comment on research conducted by Sue Roff of the Dundee centre for medical study. I shall deal first with her research relating to death certificates. A total of 22,000 service men and medical auxiliaries could now be regarded as test veterans, of whom 10 per cent.—2,200—were members of the association. Of those 2,200, 600 have died, and approximately 455 death certificates have been sent to the association. Two thirds of those 455 veterans had died of cancer, compared to between a quarter and a third of the general population.

Some may suggest that those people joined the association because they wanted pensions or compensation, but that is not so. Only two thirds of the widows of the victims supplied the association with death certificates, which does not seem to imply that, when their loved ones died, they were preoccupied with the question of compensation.

The cancers that caused the deaths were on the list of 15 cancers that American legislation stipulates as eligible for compensation. Medical science recognises those 15 cancers as potentially radiogenic. The conclusion tentatively reached in the study is that veterans have at least a double chance of dying of a radiogenic cancer. The average age of those who died was 55, compared with a figure of between 65 and 70 for the general population. There seems to be strong evidence of radiation-induced cancer deaths, because they all fall into those 15 categories.

If we took a sample of 2,200 former Members of the House of Commons and found that 600 were dead, it is very unlikely that the patterns of death would be the same as that of this group of nuclear veterans. The pattern of coal-mining deaths would be different again. Each of the three groups is subject to specific occupational hazards. The nuclear veterans suffered radiation hazards; coal miners suffer bronchial hazards. I would not dare to suggest what Members of Parliament are likely to die of.

The other aspect of Dr. Roff's study concerned the veterans who were still alive. The conclusions reached so far are, to say the least, alarming, not just for the immediate families of the veterans who died, but for their children and grandchildren. The results of the study of the health of the surviving veterans and their children and grandchildren will be reported before Easter, but the preliminary analysis shows a clear pattern of radiation injury in the veterans, their children and their grandchildren. Their deaths and injuries were highlighted vividly in *The People* some weeks ago.

I was disappointed by the Minister's dismissive reply to questions about Dr. Roff's research. He said:

"There is no substantial evidence in her work which would undermine in any way our total confidence in the conclusions of the report published by the National Radiological Protection Board in 1993."—[*Official Report*, 22 January 1998; Vol. 304, c. 625.]

I would have expected such a response from a Conservative Minister, but not from a Minister who obviously epitomises all that is good about new Labour.

Mr. Brian Jenkins (Tamworth): I find this difficult to understand. When people wrote to the Ministry a few years ago, the Ministry denied that dosimeters had been issued. When photographic evidence was provided, the Ministry said that the reason was not related to any risk that might be incurred; it said that the intention had been to make a film for training purposes, to show people what the meters looked like. This has been a catalogue of misinformation and deceit from day one. The trouble is that the small number of veterans who went down the dirty path were used as a control group.

Mr. Smith: My hon. Friend is right. The same has happened on other occasions and in other instances. I tabled dozens of questions about problems relating to Gulf war syndrome and organophosphates, but was told by the then Government that there had been no problem, and that organophosphates had not been used. Some months later, however, the Government had to make a statement saying that I had been misled.

The Minister should bear in mind the fact that Roff is using the methodology that has frequently been used in other studies conducted by the same people who undertook the MOD studies. Her methodology is perfectly legitimate, but it calls into question the validity of the findings of major studies using another methodology. That is a common experience in medical and scientific research; what is less common is the refusal of major Government agencies to accept the implications of the findings. That is why today's debate is taking place.

Let me remind the Minister what was written in a confidential document—declassified by his own Department on 26 January 1985—by the rear admiral who was in charge of Britain's first atomic bomb in 1951. In a memorandum to Vice-Admiral Brooking, he wrote:

"radiological safety must be one of the chief concerns of the naval commander . . . I believe that all Government servants are in fact entitled to compensation for injury on duty".

I agree, and I trust that the Minister agrees.

In March 1991, the then Member of Parliament for Stoke-on-Trent, South ended his Adjournment debate on nuclear test veterans with the words

"What the men need is justice. "—[*Official Report*, 20 March 1991; Vol.188, c. 377.]

That is just as true today. It is unforgivable that those men have had to wait seven long years, when so many have died painful deaths. The people—and, indeed, Parliament—deserve much better.

12.48 pm

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): The debate gives me two opportunities. First, it gives me the opportunity to record our appreciation of the work of service personnel—many doing their national service—who took part in our nuclear testing programme in Australia and the south Pacific. The atmospheric tests carried out in the 1950s were a major contribution to British development of our independent nuclear deterrent—not, as my hon. Friend the Member for Blaenau Gwent (Mr. Smith) unfortunately claimed, for the sake of Ministers' egos, but as part of our national security effort.

Secondly, the debate gives me an opportunity to make clear to the House, and to those who will read the record, the facts of the matter with regard to the nuclear tests. I hope to answer most of my hon. Friend's questions in the time left to me, but I shall write to him about those that I cannot answer now.

[Mr. John Spellar]

Between 1952 and 1958, the United Kingdom conducted 21 nuclear tests in Australia and the Pacific. Those tests, which all took place in the atmosphere, ranged in yield from 1 kilotonne to 3 megatonnes. The purpose of the tests was to develop the United Kingdom's independent nuclear deterrent—an aim which was achieved with distinction by the personnel who were involved.

In 1962, the United States conducted nuclear tests off Christmas Island, at which some United Kingdom service personnel were also present. It would be quite wrong to assert, as some have asserted, that the health of service men and other personnel who were attending the atmospheric tests was not an absolute priority. Formal and well documented procedures were in place to ensure the safety of personnel in Australia and at Christmas Island. A standard safety drill at all UK atmospheric tests was for personnel to be mustered at a safe distance and to be ordered to face away from the blast while covering their eyes with their hands. Those measures eliminated the risk of being blinded by the flash, and minimised the risk of injury from flying debris.

The vast majority of personnel who were present during tests were mustered in areas that were known to be safe from the effects of blast, heat and any prompt or residual radiation. At Christmas Island, for example, the muster points were in the areas of the main camp and the port, each of which was some 25 miles from the detonations.

The mass of evidence shows that the health and safety of the trial participants were regarded very seriously, and that a great deal of trouble was taken over radiological protection. In nuclear tests, the distance from the explosions was a major safety feature. The Monte Bello islands, Maralinga, and Christmas Island were all chosen as test sites because there was a great deal of space. I was slightly surprised by my hon. Friend's comments about choosing those locations. Because of that space, it was not necessary to provide universal personal monitoring for all participants. These safety judgments were borne out by real-time environmental monitoring.

While the vast majority of personnel were mustered well outside the range of the radiation effects, a small number of specialist staff who were required to be closer to monitor the test, could have been at risk. Those people, most of whom were technical staff from the Atomic Weapons Establishment, and who were very much closer to the detonations, were sheltered. Any exposure was monitored, and, if necessary, decontamination took place. The same monitoring and decontamination regime applied to some aircrew who were involved in the tests.

Measures were taken in two ways to protect the civil population in Australia and Christmas Island from radiation hazards. First, they were kept out of the danger areas and, secondly, it was ensured that fall-out did not harm them outside those areas. Residual radiation at Maralinga in Australia, where certain trials took place until 1963, has been dealt with by a programme of site rehabilitation. As my hon. Friend rightly said, there was an agreement between the United Kingdom and Australia to deal with that. The agreement on personnel was a typical one between two countries, and most of the money was for cleaning up the site.

Separate and independent studies by Washington university in 1975 and by the New Zealand Department of Health in 1981 confirmed the findings of a 1964 atomic weapons research establishment study that, radiologically, the tests at Christmas Island had no impact on the islanders' environment, and had not contributed to any current or past health problems among the local population. I am slightly surprised that my hon. Friend was unconvinced by the evidence on that, and especially by the evidence from the New Zealand Government.

Mr. Llew Smith: My comments about Australia were not intended as a criticism of the payment of compensation. They were about the failure to recognise that the compensation should be applicable not only to Australians who were affected but to British service personnel and medical auxiliaries.

Mr. Spellar: As I have said, most of the money was to be used to clean up the site. Inevitably, the Australian Government rightly asked us for indemnity to cover them for any compensation claims against them, because they are responsible for aborigines who might have been in the territory and for Australian personnel. We were responsible for British personnel. That is the standard procedure, and any proven connections between presence at the tests and the induction of radiologically determined cancers would bring people within the scope of the United Kingdom's war pensions scheme. We are working on facts rather than on assertions. I shall shortly deal with that.

The subsequent position of the nuclear test veterans, which was outlined by my hon. Friend, has been the subject of detailed studies by the National Radiological Protection Board, which produced its initial report in 1988 and a follow-up one in 1993. The studies involved the medical records of no fewer than 21,000 veterans—some 85 per cent. of the total. The health of those veterans was compared with that of a similar control group of 22,000 personnel.

The 1993 NRPB report clearly concluded:

"participation in the test programme has not had a detectable effect on the participants' expectation of life, nor on their risk of developing cancer or other fatal diseases".

Not only is the NRPB an independent advisory body to the Government, but the nuclear test veterans study group included representatives of the Imperial Cancer Research Fund, an independent charity of unimpeachable credentials.

It is significant that the NRPB report was peer reviewed prior to publication in the *British Medical Journal*. Those conducting the studies included Professor Sir Richard Doll, a most eminent and respected epidemiologist, who is a world authority in his field and who was responsible for the pioneering work that established the clear connection between cigarette smoking and lung cancer.

My hon. Friend the Member for Blaenau Gwent stressed the report by Sue Rabbit-Roff. There have been other studies, some of them of questionable statistical or scientific significance. My hon. Friend has tabled parliamentary questions about the Rabbit-Roff report. We think that it is unsatisfactory in a number of respects. As he said, it involves only a small proportion of veterans, about 2,000, who are members of the veterans association and are, by definition, a self-selected sample.

As far as I am aware, the work of Dr. Rabbit-Roff has not been peer reviewed or published in a reputable scientific journal. I urged that to be done when the report was published, and I still urge it. The statistical significance of Dr. Rabbit-Roff's work when compared with the vastly more comprehensive NRPB studies must be seriously questioned.

Mr. Llew Smith: The Minister said that the sample of about 2,000 people was small and self-selected. I do not think that it was self-selected. Those people are members of the veterans association, and many of them have since died. If the Minister views that as a small sample, surely the Department should fund research on a bigger sample. If the Government were willing to do that, I am sure that medical researchers would take part. That issue was raised in one of my questions.

Mr. Spellar: I fail to understand my hon. Friend's point. There have been two full studies of the full sample of test veterans by the National Radiological Protection Board. Both studies have been peer-reviewed and published, and have not been scientifically invalidated. My hon. Friend should bear that in mind.

I shall now turn to the two nuclear test veteran cases that were heard by the European Court of Human Rights at Strasbourg. One case concerned two former service men—Mr. McGinley and Mr. Egan, who were present at the atmospheric test. The other case concerned the daughter of a test veteran, who was diagnosed as suffering from leukaemia when she was four years old. The cases were referred to the court by the European Commission of Human Rights, which had concluded, as my hon. Friend rightly said, that there had been a violation of articles 6.1 and 8 in the McGinley and Egan case.

The finding of a violation of both articles related to the same issue. It was a narrow, technical point about access to records, which, it was claimed, were needed for the veterans to get a fair hearing in an appeal for war pensions. The commission inferred from the evidence that was placed before it by the applicants' representative that there were yield and radiation level records from the atmospheric tests that had not been released publicly. It considered those records to be relevant to the veterans' case, because, without them, they could not usefully challenge the NRPB report on the veterans' health or an Atomic Weapons Establishment report on radiation levels.

From that, the commission concluded that there had been a violation of article 6.1 because the lack of those records placed

"a disproportionate limitation on their right of access to the Pensions Appeal Tribunal."

Therefore, let us be clear: the issue before the court relates to process, not to the substance of the claim that the veterans' experience at the tests led to cancer.

The Department's position is clear. We have consistently advised veterans of their individual radiation doses, based on the yields of the test devices and the distance of the individual from the device at the time of detonation. I will have to write to my hon. Friend on some of his detailed points, particularly as I took interventions during the debate.

New Ministers came to the Ministry of Defence determined to resolve matters on the basis of fact, not prejudgment. Whether dealing with industrial relations in the civil service, equipment purchases or the welfare of our troops, our guiding principles have been to be open to argument and to seek the truth and the facts. That is why the Minister for the Armed Forces has instigated a full investigation into Gulf war syndrome, and why I have taken measures with regard to those military personnel civilians who were—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We now come to the next Adjournment debate.

Anne Bullen

1 pm

Mr. Oliver Letwin (West Dorset): I am delighted to see so many Members on the Treasury Benches, which somewhat belies the spin—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I must have silence in the Chamber, with the exception of the hon. Member for West Dorset (Mr. Letwin).

Mr. Letwin: Thank you, Mr. Deputy Speaker.

The presence of so many Labour Members somewhat belies the spin that has been placed on the matter by Labour spin doctors that the issue is of no concern.

The background to the debate is the long tradition of the British public service, whereby the consistent practice has been that individuals should be appointed to their post—as the civil service management code makes clear—if they are most fitted to that office and that, if an official who is involved in an appointment is shown to have a close relationship of any sort with a potential appointee, that is declared and the official in question then resiles from the appointment.

We have on record in *Hansard*—there is no question of misinterpretation—a series of answers to questions that were posed by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). Those answers make perfectly clear a certain pattern of events.

To remind the House, on 21 May, the Foreign Secretary told the permanent under-secretary at the Foreign and Commonwealth Office that he intended to dismiss Ms Bullen and to appoint Ms Regan as his diary secretary. Nine days later on 30 May, he informed officials in the Foreign and Commonwealth Office that he wished to change that pattern of events and to have an internal appointment instead.

At some point in those nine days, an official—

Mr. Tony McNulty (Harrow, East): Will the hon. Gentleman give way?

Mr. Letwin: I am afraid that I shall not give way as I have only six minutes. *[Interruption.]*

Mr. Deputy Speaker: Order. The House must come to order.

Mr. Letwin: Thank you, Mr. Deputy Speaker.

Mr. McNulty *rose—*

Mr. Letwin: At some point in that period, an official told Ms Bullen that she was to be dismissed and to be replaced by Ms Regan.

Mr. Dale Campbell-Savours (Workington): On a point of order, Mr. Deputy Speaker. Does not the failure of the hon. Member for West Dorset (Mr. Letwin) to give way show that he has a very weak case?

Mr. Deputy Speaker: That is not a matter for the occupant of the Chair. This is an Adjournment debate and the hon. Member for West Dorset has a right to refuse to give way. It appears that he is not going to give way. The House must come to order.

Mr. Letwin: When Labour Members have heard the whole story, they can decide for themselves whether the case is indeed so weak.

On another day in that nine-day period, an official telephoned Ms Regan to discuss her appointment. We are also told on the record by the Foreign Secretary that, during those nine days, he never informed officials about his relationship with Ms Regan; indeed, they were not so informed until August. We are also told on the record that Ms Bullen was induced by officials to agree that

"the terms of her departure"—

[Interruption.]

Mr. Deputy Speaker: Order. The hon. Member for Harrow, East (Mr. McNulty) must be silent and behave properly.

Mr. Letwin: I am grateful to you, Mr. Deputy Speaker, for that defence.

Ms Bullen was forced to agree that

"the terms of her departure and the circumstances giving rise to it, should not be disclosed to third parties."—[*Official Report*, 29 January 1998; Vol. 305, c. *387*.]

Mr. Campbell-Savours: Will the hon. Gentleman give way?

Mr. Letwin: I will not.

The pattern that that reveals is clear. We have a Foreign Secretary, the holder of one of the great offices of state, who, for a period of at least—

Mr. Campbell-Savours: How did Ms Bullen get the job?

Mr. Letwin: This is not about that.

The Foreign Secretary, for at least nine days, intended to appoint a person closely related to himself, while deceiving officials about that through failing to declare that connection.

The position is worse than that. Some months later, when it came to light that these events had transpired, the Foreign Secretary found himself in the presence of a Foreign Minister and high officials from a foreign Government in a foreign land. He did not take the opportunity to defend himself, as was his right. He took the opportunity, like some Labour Members from a sedentary position, to abuse the diary secretary whom he had displaced. *[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members may not like the subject of the debate, but it is a Back Bencher's right to speak during an Adjournment debate, and he must be given that opportunity.

Mr. Peter L. Pike (Burnley): On a point of order, Mr. Deputy Speaker. Should not the hon. Member for

West Dorset (Mr. Letwin) begin at the starting point of the whole issue: how Ms Bullen got the appointment in the first place?

Mr. Deputy Speaker: The hon. Member for West Dorset has been in good order. Other hon. Members have been in bad order. I shall soon tell the hon. Gentleman if he is out of order.

Mr. Letwin: Thank you, Mr. Deputy Speaker.

This pattern reveals three qualities on the part of the Foreign Secretary: first, a significant failure of judgment during nine important days; secondly, a tenuous grip on public ethics, to the point where—

Caroline Flint (Don Valley): On a point of order, Mr. Deputy Speaker. May I have some guidance? Is not the hon. Member for West Dorset (Mr. Letwin) misinforming the House by implying that this person was a civil service appointment, rather than a political appointment?

Mr. Deputy Speaker: That is not a matter for the occupant of the Chair.

Mr. Letwin *rose—*

Hon. Members: Answer.

Mr. Letwin: I shall answer. The appointment of Ms Regan—*[Interruption.]*

Mr. Deputy Speaker: Order. The House must come to order. The hon. Gentleman is in order. I assure the House that, if he is out of order, I shall be the first to say so.

Mr. Letwin: The appointment of Ms Regan was a public service appointment, or would have been, had it occurred. In seeking to make it happen while deceiving officials, the Foreign Secretary acted in a way that would have led to the dismissal of a senior official, had he behaved in the same way.

Thirdly, in behaving as he did in Albania, the Foreign Secretary demeaned himself, his office and this country.

Mr. Deputy Speaker: Order. Did the hon. Gentleman say that the Foreign Secretary was deceiving the House? *[Interruption.]* Order. I must hear the hon. Gentleman, and the House is not giving me that opportunity. How can I chair these proceedings if there is too much noise? Did the hon. Gentleman mention the word "deceiving"?

Mr. Letwin: I did not mention the term "deceit" in the context of this House. *[Interruption.]*

Mr. Deputy Speaker: Order. Let me chair the debate. There are too many chairmen. The hon. Member for West Dorset should not accuse another hon. Member of deception of any kind. Will he withdraw that remark?

Mr. Letwin: I apologise.

The Foreign Secretary failed to disclose to officials an item that it was essential to disclose. He demeaned himself and his office and, under those circumstances, our case is straightforward. There is a great question mark over the tenability of the Foreign Secretary's position in his current office.

1.8 pm

Mr. Michael Howard (Folkestone and Hythe) *rose—*

Mr. Deputy Speaker: I understand that the right hon. and learned Gentleman has the permission of the Minister and the promoter of the Adjournment debate to speak.

Mr. Howard: That is so. I make it clear from the outset, Mr. Deputy Speaker, that I speak from the Back Benches in deference to your specific ruling on this point, that I do not intend to accept any interventions so that the Minister may have the maximum amount of time to respond to this important if brief debate, and that the world will draw its own conclusions from the ludicrous attempts by Labour Members to disrupt this debate, and will ask what they have to hide.

Let me make it clear at the outset—*[Interruption.]*

Mr. Deputy Speaker: Order. The House is far too noisy. The House must come to order. The right hon. and learned Gentleman is speaking from the Back Benches because of my ruling.

Mr. Howard: This is not a debate about the private life of the Foreign Secretary. The criticisms that we make are not about his private life. When the Foreign Secretary made his decision last August, apparently at the behest of the Prime Minister's press secretary, to leave his wife, I made no comment. My right hon. Friend the Leader of the Opposition said that he was not going to use it against him in any way, as it was a personal and private matter. When the Foreign Secretary's wife entered the lists last month with comments that gave us a remarkable insight into the Foreign Secretary's character, I again made no criticism.

What we are concerned about today is the way in which the Foreign Secretary discharges his public duties and his public responsibilities. That is properly a matter for this House. Indeed, it is the very essence of our system—

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I have appealed to those on the Government Benches and I do so again. Hon. Members must keep in good order.

Mr. Howard: It is the very essence of our system of parliamentary democracy that the way in which Ministers carry out their public duties and responsibilities should be subject to scrutiny in Parliament. That is what Parliament is here to do, and if Parliament neglected its obligation to protect defenceless citizens and to hold Ministers to account, it would be a dereliction of its duty to those who send us to this place.

The allegation made against the Foreign Secretary is that he sacked a civil servant, sought to replace her with his mistress, did not tell officials in the Foreign Office that she was his mistress, and left the public to pick up the bill for compensating that sacked civil servant. If true, that conduct would amount to a scandalous abuse of ministerial power.

[Mr. Howard]

It would render the Foreign Secretary unfit for public office. Indeed, I doubt whether the seriousness of such conduct is a matter for controversy.

A week ago, the Prime Minister himself agreed that such conduct would be wrong. Last Friday, the Foreign Secretary agreed that such conduct would be wrong. He said that on 30 May he recognised that what he had spent many days—indeed, perhaps weeks—trying to do was wrong. We now know—

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman is not going to give way. He made that clear at the beginning of his speech.

Mr. Howard: We now know—

Mr. Ivor Caplin (Hove): Coward—Howard the coward.

Mr. Deputy Speaker: Order. That term should not be used in the House. The hon. Gentleman must withdraw it—please withdraw it.

Mr. Caplin: I withdraw it.

Mr. Deputy Speaker: It is withdrawn.

Mr. Howard: We now know, after days of written answers, dragged bit by bit out of the Foreign Secretary—

Dr. George Turner (North-West Norfolk): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it is a point of order.

Dr. Turner: As a new Member, I would welcome your guidance, Mr. Deputy Speaker. Many hon. Members would like to know whether the right hon. and learned Gentleman has some form of interest to declare, because many of us on Labour Benches are incensed to hear that cheque-book journalism is afoot and that the right hon. and learned Gentleman's friends are involved in it. Have we not a right—

Mr. Deputy Speaker: Order. That is not a matter for the Chair.

Mr. Howard: We now know, after written answers dragged bit by bit, day by day, out of the Foreign Secretary that in every material respect the allegation against him has been proved. It is admitted that he sacked a civil servant.

Mr. Andy King (Rugby and Kenilworth): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it is a proper point of order, as there have been none so far.

Mr. King: I believe that I have a point of order. I am a new Member too, Mr. Deputy Speaker, so I seek some clarification from you. The right hon. and learned Gentleman is making unsubstantiated allegations and is not willing to answer one question—

Mr. Deputy Speaker: Order. That is not a point of order.

Mr. Howard: Nothing I say is unsubstantiated.

It is admitted that the Foreign Secretary caused a civil servant to be sacked. It is admitted that he sought to replace her with Mrs. Gaynor Regan. It is admitted that he did not tell officials in the Foreign Office that she was his mistress. It is admitted that the taxpayer picked up the bill for the sacked civil servant's compensation.

It is a measure of the lack of any moral sense among Labour Members that they behave as they do this afternoon. In every respect, the charge against the Foreign Secretary has been proved—*[Interruption.]*

Mr. Deputy Speaker: Order. I must appeal again to the House to behave itself. The House is behaving very badly.

Mr. Howard: I will not weary the House with all the answers that we have had from the Foreign Secretary, interesting though they are. But there is one which perhaps more than any other—

Mr. Charles Clarke (Norwich, South): On a point of order, Mr. Deputy Speaker. Is it in order for the right hon. and learned Gentleman to continue to refer to the lady in question as a public servant and civil servant, even though she was not at the time of her appointment by a previous Foreign Secretary?

Mr. Deputy Speaker: The right hon. and learned Gentleman is responsible for his own speech.

Mr. Howard: The lady in question was a civil servant; she was not a political appointee. Apart from special advisers, there are no political appointments in our civil service.

I will not weary the House with all the answers that we have had from the Foreign Secretary, but there is one which perhaps more than any other illustrates how remote the Foreign Secretary has become from the real world.

Caroline Flint: On a point of order, Mr. Deputy Speaker. I really do seek clarification. I am trying to make up my own mind about this debate. Is it not the case that had the person in question been a civil servant, she would have been moved sideways? It is the fact that she was a political appointee—

Mr. Deputy Speaker: Order. That is not a point of order.

Mr. Howard: There is one answer that illustrates more than any other how remote the Foreign Secretary has become from the real world and how distant he has become from any consideration of ethics or, indeed, common sense.

One of the key elements in this saga is whether the Foreign Secretary told officials in the Foreign Office the true nature of his relationship with Gaynor Regan at

the time he was seeking to have her appointed as a civil servant in his private office. This is his reply:

"I do not discuss my private life with officials, nor do they seek to discuss it with me."—[*Official Report*, 29 January 1998; Vol. 305, c. *388*.]—

and this in relation to a woman whom he was seeking to appoint as a civil servant in his private office.

We have had a series of different answers on these points at different times from Labour party sources, from sources close to the Foreign Secretary and from the Foreign Secretary himself. What we have on the admissions of the Foreign Secretary himself is a scandalous abuse of ministerial power. We know from his admissions that he has done what the Prime Minister told this House last Wednesday was wrong. We know from his own admissions that he has done what he himself now admits was wrong. To answer this charge, he should have come to the House today. The fact that he has not done so is in itself disreputable, apart from being a gross discourtesy to the House. I hope that we shall have answers to that central allegation from the Minister today.

1.18 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): I reply to the debate as the Foreign Office Minister responsible for administration matters.

Two points have struck me during the debate. First, the hon. Member for West Dorset (Mr. Letwin) will probably be a Member of this House for a long time, but I suspect that he will not have a worse moment than he has just had. Secondly, even though the hon. Gentleman did not live up to our expectations, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) certainly did. I should have thought it impossible that someone who had held senior office in a previous Administration could be as base as the right hon. and learned Gentleman was.

I shall answer some of the detailed points, but I shall deal first with one particular question. The right hon. and learned Member for Folkestone and Hythe asked where my right hon. Friend the Foreign Secretary was—indeed, the question was asked by other hon. Members from a sedentary position. Today, my right hon. Friend has been making a major speech about the overseas British dependent territories—an issue sorely neglected over the past 18 years by the previous Conservative Government. He will also meet the Romanian and German Foreign Ministers to discuss European Union matters and European Union enlargement. Tonight, he will travel to the Gulf to meet the leaders of Saudi Arabia and Kuwait.

The contrast could not be clearer between the Foreign Secretary on the world stage, successfully pursuing British interests, and a shadow Foreign Secretary consumed by trivia and irrelevance. One of the most interesting and telling points of the debate is that the right hon. and learned Member for Folkestone and Hythe now speaks from the Back Benches, which is where he belongs.

I shall answer the two points that have been raised.

Mr. John McDonnell (Hayes and Harlington): Will my hon. Friend give way?

Mr. Fatchett: I shall give way in a few minutes.

The first point, which I know has given rise to some concern, relates to the appointment of Anne Bullen. In 1993, Ms Bullen was appointed diary secretary to the then Foreign Secretary, Lord Hurd. She moved from a job as personal assistant to the Earl of Limerick, a former junior Conservative Minister and a lifelong friend and contemporary at Eton college of Lord Hurd.

The appointment was unique for the Foreign Office in that it was made under schedule 2, paragraph (2)(i) of the Diplomatic Service Order in Council 1991. That chosen procedure meant that Ms Bullen's appointment had three essential characteristics: first, the usual competitive civil servant recruitment procedures were bypassed; secondly, the appointment could be for a maximum of only five years; thirdly—some of my hon. Friends made this point in their interventions—Ms Bullen was not a career civil servant.

As one might expect, the appointment caused controversy among staff at the Foreign Office, and I have no doubt that there were suggestions of personal and political influence. Feelings ran so high that the chairman of the diplomatic service trade union, Ric Girdlestone, was asked by his members to write to the then Foreign Secretary, Lord Hurd. He said:

"We are at a loss to understand why a suitably qualified DS9"—

that is the staff rating—

"should not have been given the job. Does this mean that the Administration is not producing the right calibre of DS9s to do the work asked of them?"

The then Foreign Secretary replied:

"The Diary Secretary position in my Private Office has always been a difficult one to fill. The job requires a mix of skills, including experience as a personal assistant and considerable maturity . . . As you know, the Diary Secretary was initially replaced in the summer. I regret to say that, even though I selected the person I thought best qualified, the appointment did not work out."

Let me sum up: Anne Bullen's appointment was made through a special procedure for a fixed term; it did not grant her career civil service status; and it was closely and personally associated with the then Foreign Secretary, Lord Hurd.

Mr. James Gray (North Wiltshire): Will the hon. Gentleman give way?

Mr. Fatchett: I shall give way in a few minutes, but I think that the right hon. and learned Member for Folkestone and Hythe would like me to answer some of his questions first—I am very happy to do so.

As the House will know, Ms Bullen ceased to work as diary secretary on 27 June last year, for reasons that were set out in a parliamentary answer to the right hon. and learned Gentleman on 29 January. The right hon. and learned Gentleman has been extremely active in his pursuit of these issues—he has tabled many questions. Nevertheless, like the hon. Member for West Dorset, he raised no new issues today, so it might be worth my telling the House the key facts about the appointment of the new diary secretary, Lynne Rossiter, and the consequences of that decision.

Mr. Crispin Blunt (Reigate): Will the hon. Gentleman give way?

Mr. Fatchett: I shall give way to the hon. Gentleman in a few minutes.

[Mr. Fatchett]

We should remember first that, in contrast with the previous appointment, the new diary secretary was appointed through usual civil service procedures. Secondly, the post is once again occupied by a career civil servant. Thirdly, because no special procedures were used and no additional contractual expenditure was involved, there will in subsequent financial years be a saving to the taxpayer and the Exchequer.

The right hon. and learned Gentleman, showing all his base characteristics, asked about the consideration of Gaynor Regan for the post of diary secretary. There was absolutely nothing new in the points that he raised. Along with the hon. Member for Reigate (Mr. Blunt), he has detailed answers to his questions; they were issued on 29 January. The right hon. and learned Gentleman has got the timing of his debate and questions wrong. Each of his questions has already been answered. I suggest that he finds a good research assistant to look at the material.

Mr. Colin Pickthall (West Lancashire): My hon. Friend the Minister has heard the shadow Foreign Secretary in this debate and no doubt on the "Today" programme this morning. Does not he find it surprising that the right hon. and learned Gentleman seems to have nothing to say about the severe crisis that we face in the Gulf and the possibility of military action against Iraq?

Mr. Fatchett: My hon. Friend makes an important point. Before replying to this debate, I took the opportunity to look at all the written questions tabled by the right hon. and learned Gentleman at a time of international crisis. Since 1 January, the right hon. and learned Gentleman has tabled no written questions on the EU presidency—an issue dear to his heart—the middle east peace process, the crisis with Iraq, the dependent territories, or China. I shall not bore the House further; I shall say only that the right hon. and learned Gentleman has tabled no question on foreign policy during the past three weeks.

Several hon. Members *rose—*

Mr. Fatchett: One final point on the right hon. and learned Gentleman's performance is that he seems to regard the position of shadow Foreign Secretary as a sabbatical between his period in the Home Office and his rumoured high-paid job in the City.

I have been happy to answer today's debate because in it we have seen the clear difference between this Government and the Opposition. We are a Government who have been elected to do things, and we are getting on with doing things—making our schools better, improving our hospitals, tackling crime, strengthening the economy. The Opposition have no policy on any of those issues. We are a Government, a Prime Minister and a Foreign Secretary facing up to vital issues such as Iraq, Bosnia and the middle east. We have an Opposition who are playing games, obsessed with trivia, and chasing the gossip-column agenda. Their only message is: "The Tories were sleazy, so let us see that Labour is sleazy as well." But the public can tell the difference; they can tell the difference between the arms to Iraq—

Mr. Deputy Speaker: Order. *[Interruption.]* Will the hon. Member for Lancaster and Wyre (Mr. Dawson), who has secured the next debate, remain seated for a moment? I appeal to hon. Members to leave the Chamber quietly.

Children in Care

1.30 pm

Mr. Hilton Dawson (Lancaster and Wyre): It is a shame that, rather than remaining in the Chamber for a significant and important debate, so many hon. Members feel the urgent need for lunch. I am delighted to have the opportunity to raise this subject. Many issues raised are important—unlike the subject of the previous debate—but this issue goes beyond that. How we look after children in care defines what sort of people we are. I have applied for this debate many times. It raises issues with which I have been concerned for many years. It carries the hopes of people whom I am privileged to call friends: young people in care—and those who have left care—excellent residential social workers, fine foster carers.

I shall not spend too much of the brief time available detailing the problems of local authority care. They are well set out in Sir William Utting's recent report, "People Like Us"; in recent submissions to the Select Committee on Health; and in notable publications from bodies such as the Who Cares? Trust, the National Foster Care Association.

We are all aware of investigations into scandalous sexual abuse. Many of us are learning about other issues: of the significant shortages of foster carers; of the 75 per cent. of children in care who leave formal education with no qualifications; of the 23 per cent. of the adult prison population who were brought up in care; of the 30 per cent. of homeless 16 to 17-year-olds who have care backgrounds; of the sheer lack of placements; and of children who experience placement breakdowns and heart-wrenching moves time and again. No honest person who asks the simple yet searching question, "Would this be good enough for my child?" could possibly answer in the affirmative. Is there any decent person who is not affronted by such facts?

Many good people work in local authority care. Brave and resilient young people have benefited from it. Some progress has been made. The Warner recommendations of recent years have improved staff selection and slightly raised qualification levels. There is hope from a ministerial task force that will give the Utting report its utmost serious consideration. "People Like Us" calls for urgent action to raise standards, a national strategy for residential care and an inspection of the recruitment and support of foster carers, followed by a Government code of practice.

We have a Minister—it is good to see him in his place—who palpably listens to young people and people working in residential and foster care. It is the 50th anniversary of the Children Act 1948, which established children's officers. The deep irony is that the Act was in the wake of an inquiry following the death of a child in foster care. This year, the United Kingdom must prepare a report on its implementation of the United Nations convention on children's rights.

I suggest that we need to do three big things. They will not solve every problem, but they would set us on the right track and could form the basis of a properly valued and intensely valuable care system. First, we should put children's rights at the forefront of our agenda. Secondly, we should develop the training and career structure of residential workers. Thirdly, we should instigate a significant element of professional fostering in every local authority.

To justify the latter two suggestions, the House should consider the tasks that we ask of largely unqualified residential workers and inadequately supported foster carers. They do not simply play a parental role, which is familiar to many of us, or merely undertake the hugely complex and stressful task of keeping children warm, safe, fed and open to play and education. Moreover, they do not just negotiate boundaries and deal with growing pains and all the horrors of adolescence. They do much more than that.

Residential workers and foster carers comfort and help children to come to terms with abuse and overwhelming rejection; handle the manifold issues and tremendous inconsistencies surrounding parental contacts; undertake the acutely sensitive work of settling someone in and offering trust; make all the complex preparation for possible moves to permanent family placements or to independence; assist children to make relationships with all the strangers with whom they did not choose to live; try to maintain consistency and make the needs of children paramount; understand anger and deal with sometimes appalling behaviour without rejecting the person behind it; undergo advocacy on behalf of the child with the plethora of institutions, professionals and agencies who come in and out of the child's life; listen and communicate, often at those times of acute distress which just happen to be late at night when they are just off to bed, no one else is around and they are left to deal with the problem; understand law and social policy and—crucially—how to make bureaucratic systems work; manage carefully the competing demands of needy children who vie for one's attention immediately; keep going when their best efforts are rejected, are able to have a laugh, and at the end of the day, still actually like children.

I have observed and managed residential and foster care. It seems that such activities are grounded in the everyday task of parenting—but they go way beyond that. The tasks are professional, yet at the heart of this most distressing problem, we expect that the complex, deeply sensitive, emotionally and physically exhausting task of looking after the most needy children can be done on the cheap by low-paid and unqualified workers; by people with other jobs and families who work in their spare time; by people whose esteem is lowered by the lack of credibility afforded them; by people whose career opportunities largely rest on getting out in order to get on.

We shall never really offer a better future for children in care until that is changed, and we recognise the ludicrously simple reality that all residential workers need to be professionally qualified, with a proper career structure, and that we need at least a good proportion of foster carers to be people who are paid a living wage and properly trained and supported for doing what is more than a full-time job.

We shall never get things right until then; we shall never give the more than 40,000 children in care their basic right to the best childhood that they can have. If we really want to stress children's rights, perhaps we should heed the words of Sir William Utting:

"We should make direct use of the experience of young people in developing policy, planning and training for services for children who live away from home . . . looking after them would be easier and much more effective if we really heard and understood what they have to tell us."

Listening to a new national organisation for young people in care would be a good task for the Government. Listening to children in care could be the basis of a new

[Mr. Hilton Dawson]

system of local authority care. Putting residential care and foster care on a proper footing could help us all to be proud of who we are.

1.40 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): The whole House will welcome the opportunity to address this important issue. Our children and young people are our future and we as a society must be a better parent than we have been to a crucial group of children—children who are looked after, those for whom we have a responsibility.

My hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) brings to the debate, and to the topic in general, a body of knowledge and experience in the care of children in institutional settings that is especially valuable. I am also grateful to my hon. Friend for having brought to my Department just such a group of young people, thus enabling them to share with my officials and me their valuable insights into the experience of care.

There is much that we need to do. When describing the Government's approach to Sir William Utting's report, the Secretary of State made it clear that we attach special importance to the subject. A ministerial task force under the leadership of my right hon. Friend has been established, and it will operate across government to ensure that the various Departments with an interest in the area are well represented.

It is not without significance that we see a special role for education. It is a vital task when it comes to moving young people from care into the world of adulthood and work in a seamless way that is supportive of them. Sadly, that is far from characteristic of the current situation, in which young people leaving care all too often find themselves adrift in a hostile uncaring world. Unlike so many other children, they do not have parents and a wider family there for them.

We as a society have a duty to ensure that we do not allow that group of vulnerable young people leaving care—after perhaps spending their whole lives there—with all the problems that my hon. Friend has described. We cannot have them launched out into the world in a leaky vessel, likely to add to the statistics of failure and criminality that are too often the sad consequences of neglect at that vital time. The Government are determined to put an end to that situation.

What are we doing about the problem? First, we see a role for good practice and training. Her Majesty's chief inspector of social services has carried out an important assessment of local authorities' compliance with essential management and staffing safeguards, to ensure that what is already supposed to be in place is there. That body of work continues, and is giving us valuable indicators of what we have to do. We shall continue to act on the messages brought to us.

We also see a role for a change in the way in which we focus social care, and in the context in which such care is delivered. That is why, in the late spring or early summer, we shall publish a White Paper on social services that will set out our detailed proposals for the improvements in the regulation of social services that we believe are long overdue.

That will mean a transparent, tough, accountable but independent regulatory and inspection system, which will drive up standards in residential settings for young people. It will also mean closer co-operation between health and social care services, so that we can deal with some of the health problems, not least those involving mental health, that affect young people in care.

The Government are committed to the establishment of a general social care council, and the statutory regulation and discipline, where appropriate, of professional workers in the field. We believe that such a body, which will also have a responsibility for training, will make a real difference where, as my hon. Friend knows too well, a difference needs to be made.

I shall now address some of the specific points that my hon. Friend raised. He mentioned the vital role of training and qualifications in the delivery of services to that group of under-privileged and vulnerable young people. We recognise that there has been some progress in the training of heads and deputy heads of homes. Less progress, however, has been made in the support of other staff in gaining relevant national vocational qualifications.

That, I know, is an area of concern for the Select Committee, to which I had the pleasure of giving evidence last week. What I said to the Committee, and what I now repeat to the House, is that, in view of the importance that we attach to ensuring that residential child care staff are qualified to do the difficult and challenging task expected of them, we have ring-fenced about £2 million for 1998-99 to fuel the demand for level 3 NVQs for residential child care staff.

That will have a significant impact in ensuring that those young people receive care from people who can draw on the qualifications that equip them better to do the job, and on a body of knowledge and learning that gives them as residential workers a greater sense of status and self-esteem. One of the problems that my hon. Friend recognises is that, for too long, residential care work has been regarded in some circles as an inferior form of social work. That is not acceptable. For the Government, it is a vital branch of social work, and we want it to be given the recognition and status that are its due.

My hon. Friend mentioned fostering. In stark contrast to my predecessor at the Department of Health under the departed Conservative regime, we recognise that there is a problem with the recruitment and retention of foster carers. They are required to carry out some difficult and complex tasks in relation to the upbringing of some difficult and vulnerable children, some of whom have complex needs. Other children whose problems are not so severe or complex do not necessarily require the same degree of attention, but they do require the love, care and support that every child needs.

The recruitment problems go across the board. The Department is determined to encourage support for local initiatives to recruit foster carers which are rooted in an assessment of local needs. We want the measures necessary to encourage a particular group of people to come forward to deliver this valuable service. Those will vary from area to area. For instance, where there is a particular problem with recruiting foster carers from the ethnic minority communities, the evidence shows that it is a good idea to put advertisements in newspapers and publications that are read within those communities. The evidence also shows that, whatever the ethnic background

of a community, locally based campaigns, using local media, institutions and person-to-person contact, are the best way to recruit foster carers.

We want to encourage local authorities to learn from one another, and to learn good practice. We also want to make sure that, once foster carers are recruited, they are retained. That means ensuring that they have appropriate training and flexible levels of remuneration to recognise the differing degrees of complexity and the differing demands required of foster carers according to the needs of children and young people. We are not saying that all carers should be paid the same; we recognise that some will need to be paid more than others. Some do not see their role as essentially professional at all but as a voluntary contribution to the welfare of the community, and they want it to be recognised as such. The system needs to be sufficiently flexible to recognise that, and work must be done in relation to the residential staff of children's homes and other institutions and foster carers.

My hon. Friend called for a greater recognition of the importance of children's rights. Following the start that the Government have made in this area, I hope that he feels that we have shown that we regard children's rights as important. We set that approach within the broader framework of the rights and responsibilities that parents, children and society have as well. Rights need to be balanced with responsibilities. It is central to the approach of the Government to ensure that that is applied to children just as much as to parents.

My hon. Friend was present at a conference at the beginning of this week at which we began, as a United Kingdom, to prepare our response to the United Nations in terms of our fulfilment of our treaty obligations under the UN convention on the rights of the child. It will be our second report, and we are determined that it will be characterised by a child-centred approach that recognises that children and young people must be given a voice.

We started the process on Monday. My hon. Friend was present, as was my hon. Friend the Member for Newcastle–under–Lyme (Mrs. Golding), who has done so much inside and outside the House for children and children's rights. Also present, I am glad to say, were many distinguished representatives of the voluntary sector and the president of the family division of the High Court. We are drawing on all those strands, with children and young people at the heart. I hope that we will see the fruition of that work in a report that will, of itself, provide an agenda for change.

We must make sure that the issue is taken forward across Government. That is why the lead given by my right hon. Friend the Prime Minister in terms of the establishment and operation of the social exclusion unit is so important. In launching the unit at Stockwell Manor school, my right hon. Friend put the rights and interests of children and young people in care—particularly at the vulnerable time when they leave care—at the heart of Government policy. Within the Department, we shall ensure that the work of the unit is co-ordinated with policy to focus on the needs and interests of children and young people.

In terms of the new deal and welfare to work, we have seen the process begin. We must make sure that care leavers claiming jobseeker's allowance are able to enter the new deal programme early if they choose so to do. That is one example of the way in which we have adapted policy to make sure that we deliver to that most vulnerable group of young people. The new start strategy—part of our investment in young people—is a national strategy based on partnership projects, which co-ordinates local action to tackle poor motivation and non-participation in learning, with a focus on 14 to 17-year-olds who have dropped out of learning or are at risk of doing so. That strategy also ought to focus on care leavers, and that is why a number of new start projects focus specifically on that particular group.

The voluntary sector is working with us in partnership. My hon. Friend knows of First Key and the vital work—supported by the Department—that it does in seeing how the Government ought to meet the challenge of giving children and young people in care a voice and a role to play in the development, formulation, monitoring and implementation of policy. We are studying the results of that research carefully. The ministerial task force will consider the matter as it responds to Sir William Utting's report and, in due course, we shall make announcements.

I also want to mention the Who Cares? Trust and the valuable work that it does in this area. The Prince's Trust recently launched a three-year programme, specifically addressing the provision of mentors for care leavers. The aim is to ensure that, by the year 2000, all young people leaving care will have access to someone to help, support and advise them. My hon. Friends the Members for Lancaster and Wyre and for Newcastle–under–Lyme have taken up this issue, and it was a matter of concern for the Health Select Committee.

The notion of mentoring is that we bring someone on board in the life of that child. We can call that person a mentor, a befriender, a counsellor, a supporter or a champion; the important thing is that they are there for the child in care. Being there: that is what it is all about. The House has to be there for the child and young person and it is as a result of debates such as this, and the interest and concern that they generate, that we shall be there for children and young people in care. I am grateful to my hon. Friend for enabling the debate to take place. I must tell him, and all my right hon. and hon. Friends interested in this matter, that, for children and young people in care, the best is yet to come. We shall be there for them.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

DUCHY OF LANCASTER

The Chancellor was asked—

Millennium Compliance

1. **Mr. Ian Bruce:** What progress is being made in tackling the millennium computer problem within Government Departments. [25355]

4. **Mr. Sutcliffe:** If he will make a statement on the progress being made by Government Departments to address the millennium computer compliance problem. [25359]

The Chancellor of the Duchy of Lancaster (Dr. David Clark): Following my statement to the House on 27 November 1997, I made note of the comments raised by hon. Members, and wrote to the Departments and agencies responsible for further information on skills shortages, embedded systems and contingency plans, which were hon. Members' key worries. Those responses have now been received, and they have been placed in the Library of the House and published on the internet. So far, I have published more than 1,600 pages on the internet and that is in line with the open process of public scrutiny which I began in November. In addition, last week my ministerial group on the millennium date change problem relating to central Government held its first, very positive, meeting and further action will arise from that.

Mr. Bruce: I am grateful to the right hon. Gentleman for that full reply. He probably knows that early-day motion 661 congratulates the Government on the open way in which they are tackling the millennium problem, but I am somewhat sad to have to say that I am thinking of removing my name from that early-day motion because of the lack of clarity. We keep being told that more and more committees are being set up—first, it is the Prime Minister, then it is the President of the Board of Trade and then it is the right hon. Gentleman himself—but we do not really know what is going on. Will he start to put some oomph behind this issue and, instead of dismantling what was there previously, get on with the job, get it done and try to make people feel that both the Government and business will be ready on time?

Dr. Clark: I hope that the hon. Gentleman will not withdraw his name, because he does pay tribute to the Government's openness in their approach to the problem. No one should be complacent, but equally, we must not be alarmist. We must work towards meeting the millennium deadline and that is the Government's objective. We will work in an open way across central Government, which is my responsibility, across Government Departments, which have responsibility for various other organisations, and across private industry. The hon. Gentleman is right to say that it is no use central Government getting it right if private industry has not got it right.

Mr. Sutcliffe: Is it not the case that the current Government are being far more decisive on this issue than were the previous Government? It is right and proper that the information is publicised in the way it has been. Does not the fact that the documents are published every three months show the Government's commitment to open government?

Dr. Clark: I thank my hon. Friend for those comments. Clearly, the year 2000 problem needs constant monitoring. I am determined to make sure that the Government keep a good grip on the issues and that we report fully to the House of Commons. By publishing the detailed departmental estimates, we are being as open as possible so that everyone can see the state of play. As I promised, I have written to my ministerial colleagues asking for their three-monthly update and, as soon as I have received that information and my officials have looked at it, we shall report it to the House.

Mr. David Atkinson: Is the right hon. Gentleman aware that computer systems in the public sector—crucially, in some hospitals—failed to recognise the date of 29 February 1996, a leap year, which caused problems? Has he taken account of that experience in his strategy towards the millennium compliance of computer systems in the public sector to ensure that in the year 2000, which is also a leap year, we do not experience similar problems?

Dr. Clark: We are aware of the manifold problems arising from the millennium 2000. The date of 29 February 1996 was not the only one to cause problems; the date of 9 September 1999 will be another. I am writing to my ministerial colleagues with responsibility for public services asking them if they will write to their relevant local authorities, national health service organisations and other public bodies to try to ensure that they carry out an inventory and audit of their progress similar to the one that we are conducting at central Government level.

Mr. Miller: Whether or not the hon. Member for South Dorset (Mr. Bruce) withdraws his name from early-day motion 661, when my right hon. Friend receives the report from his Cabinet colleagues, will he ask them to look carefully at the spirit of the motion, which was tabled with all-party support, as they prepare the next batch of reports? Departments could make some serious progress if they followed the spirit of that motion.

Dr. Clark: I thank my hon. Friend for tabling the early-day motion and I thank the hon. Members who signed it. It pays tribute to the open way in which the Government have approached the subject. I have drawn it to the attention of my colleagues; it is important because it raises awareness of the millennium 2000 problem, which applies not only to central Government, but to other public bodies and private industry.

Mrs. Gillan: Notwithstanding the new-found letter-writing skills of the Chancellor of the Duchy of Lancaster, the Government can hardly be proud of their slothful and inadequate progress on the millennium problem, as the right hon. Gentleman has made only one statement in nine months and the ministerial committee

only bothered to hold its first meeting the week before last. More alarming is the fact that it is now evident that businesses and industry are revising their costings upwards daily and that the Government still have no idea of the final costs of finding a solution to the millennium problem. With fewer than 90 working weeks until the millennium, can the right hon. Gentleman assure the House that he can solve the problem in time? How much will it cost? On what basis has he made his costings? Where is the money coming from?

Dr. Clark: That question comes a bit rich from a representative of the Conservative party, which left this Government with no plans whatsoever to deal with the millennium 2000 problem. When I took over my portfolio in May, one of the first things I did was to ask about the problem; I found that nothing had been prepared.

To respond to the question, we have published 1,600 pages of the detailed report on how central Government Departments are tackling the problem. I challenged the information technology industry in this country to trawl through those documents, to make an analysis and to try to identify any shortcomings in central Government plans. Not a single response has been received from private industry or from the hon. Lady on where we are going wrong. We are being open with the House; the figures are available and will be updated. They may vary as time goes on, but the key issue is not to try to score points, but to ensure that we meet the millennium deadline in the year 2000.

Public Service Delivery

2. **Mr. McNulty:** What consultations he has carried out with the general public on issues relating to the delivery of public services. [25356]

The Parliamentary Secretary, Office of Public Service (Mr. Peter Kilfoyle): We have carried out a number of consultations on public services with a wide variety of interested bodies, as well as with individual members of the public. The consultations have covered the new charter programme, due to be launched as part of the better government initiative later this year; improving the effectiveness and accountability of quangos; proposals on freedom of information; and most recently, a consultative paper on improving means of disseminating official information to the public. In addition, as we announced last week, we are establishing a people's panel of some 5,000 members of the public who will be consulted regularly on public service issues.

Mr. McNulty: I thank my hon. Friend for that reply. I welcome the better government initiative, which is bound to make public services much more effective. Some sections of the community, particularly the elderly, rely on public services far more than others. What steps are the Government taking to improve access to public services for the elderly, in contrast to the disdain and contempt for the elderly shown by the previous lot?

Mr. Kilfoyle: We are attempting to make public services more accessible for everybody. Last year, I hosted a forum for the elderly to ascertain their needs and whether IT was applicable to satisfying those needs. More immediately, to ensure that we get it right, we have set up a project with the Warwick university local authority consortium, Age Concern, the Anchor housing trust and the Carnegie UK trust under the directorship of Martin Shreeve, late of the social services department in Wolverhampton. We intend, around June, in partnership with the Citizenship Foundation and Age Concern, with sponsorship from Guardian Royal Exchange and Saga Holidays, to publish a passport for the over-50s.

Freedom of Information

3. **Mrs. Mahon:** What representations he has received from other Governments on his proposals for a freedom of information Act. [25358]

Dr. David Clark: I have received letters from the Australian Solicitor-General, as well as from the Information Commissioners for Canada and British Columbia, and the Chief Ombudsman of New Zealand. These variously describe our proposals as "exhilarating", "cutting edge" and including the "best of best practice".

Mrs. Mahon: I am glad that my right hon. Friend's proposals for a radical freedom of information Act have been so well received abroad. More information will change the culture of government in this country. Can he assure the House that, as he builds on the White Paper, the Act itself, as it goes through the House, will be progressive and open?

Dr. Clark: The consultation period is still progressing and closes at the end of this month. I am very pleased with the response so far. It is important to make it clear that "Your Right to Know" is a statement of the Government's intention, agreed by the Cabinet Committee and endorsed by the full Cabinet. Although there are several areas that we indicated had green edges, I do not envisage any major changes to the spirit or the substance of the White Paper. I am confident that the Bill will be a radical, progressive and landmark piece of legislation, and that it will, as my hon. Friend says, change the political culture of Britain.

Dr. Julian Lewis: At a time when other countries are opening up their cold war files to public inspection and to inspection by historians, what does the right hon. Gentleman think of the fact that in this country, the Security Service is apparently about to engage in the mass destruction of cold war files, in part at the behest of the Minister without Portfolio, who is worried about his own?

Dr. Clark: I can tell the hon. Gentleman that we have progressively been releasing documents from our security services over recent years. We have already done so in relation to world war one, and later this year, we will do so in relation to world war two. We have already released some information about the current situation. It is the Government's intention to release as many documents as possible, although we will not do anything that threatens the security of this country.

Better Government Programme

5. **Mr. Ben Chapman:** Which Government Departments are involved in his better government programme. [25360]

Mr. Kilfoyle: All parts of Government are actively involved in the preparations for the better government White Paper. This includes local as well as central Government.

Mr. Chapman: I thank my hon. Friend for that response. I warmly welcome the better government initiative, which will allow us to implement that part of our manifesto to rebuild people's hopes for politics. In that context, the use of information technology will be important. It will allow us to deliver services more efficiently and more quickly. What are my hon. Friend's plans for the use of new technology in the better government initiative?

Mr. Kilfoyle: We have many plans to use information technology—although it is not the only answer. It is only one weapon in an armoury that is designed to deliver better services. The armoury includes an electronic dimension to the vanguard project, which combines the Contributions Agency, Inland Revenue and Customs and Excise. We also have the direct access government project, which has already put more than 600 forms and pieces of Government information on to the internet. The central information technology unit ranges across Government, finding appropriate ways in which to use information technology. My right hon. Friend has already instigated work on the use of smartcards and electronic signatures to that end.

Mr. Ruffley: In the context of improving his Department's performance, will the Minister tell us whether those inquiring into the disgraceful leaking of the freedom of information legislation have personally interviewed the Minister without Portfolio and/or his associates? A simple yes or no answer will suffice.

Mr. Kilfoyle: No.

Mr. McAllion: As part of the better government programme, do the Government intend to do something about the concentration of civil service departments and quangos in relatively few population centres? For example, Edinburgh and Glasgow have twice as many civil service and quango jobs per head of population as Dundee—and God knows how the figures for London compare with those for Dundee. What are the Government's plans for a people's civil service which is dispersed across the entire country, and therefore in touch with what those of us who live outside the greater metropolitan areas think?

Mr. Kilfoyle: As my hon. Friend knows, individual civil servants are chosen on the basis of merit. Some areas of the civil service will obviously be responsible to the future Scottish Parliament. The better government project aims to ensure that we deliver better services to the people by whatever means. That is the yardstick against which we shall measure where it is appropriate to locate individual civil servants or Departments.

Freedom of Information

6. **Mr. Paterson:** What representations he has received on the freedom of information White Paper. [25361]

Dr. David Clark: We have received more than 70 responses so far, and the overwhelming majority of them have welcomed the Government's proposals.

Mr. Paterson: Does the right hon. Gentleman intend that, following legislation, there will be more or less freedom of information than exists in the United States of America?

Dr. Clark: It is clearly a very different system, and I am determined that we will not follow the American system of litigation in the form of appeal. The system that we have developed is designed for the Westminster model and for our political culture. I have been encouraged by the responses that I have received from overseas, almost all of which refer to this piece of legislation as belonging to the next generation of freedom of information Acts.

Ms Abbott: The Chancellor of the Duchy of Lancaster will be aware that his freedom of information White Paper and the radical proposals that it contains have been widely acclaimed. It may be one of the most important things that the Government will do. Has my right hon. Friend received any representations about the Millennium Experience Company? In the spirit of the freedom of information White Paper, should it now post interim accounts so that there may be greater transparency regarding how it is spending £750 million of public money?

Dr. Clark: It would not be appropriate for me to trespass on the millennium experience. However, the idea of continually releasing information is a good sign and a positive step towards freedom of information. Although I do not wish to anticipate a written question at 3.30 this afternoon, I can confirm that I hope to publish a background paper on the details that were given to the committee that drew up the White Paper, as I promised to do on an earlier occasion.

Correspondence

7. **Mr. Burns:** What guidance he provides to civil servants concerning the time taken to answer correspondence from hon. Members; and what monitoring he carries out. [25362]

Mr. Kilfoyle: Each Minister in charge of a Department is responsible for ensuring that the handling of correspondence in that Department is effective, and that robust and challenging target times are set for replies to letters from hon. Members. Individual Ministers are also responsible for monitoring their Department's performance against those target times. My Department collates and publishes information for all Departments annually.

Mr. Burns: I am grateful to the Minister for that reply. In a genuine and non-party political way, I stress that there is concern about deteriorating standards and the length of time that hon. Members must wait before

receiving ministerial replies to constituents' queries. Some 63 per cent. of my correspondence does not receive a reply until after four weeks and 23 per cent. does not receive a reply until after nine weeks. Will the Minister speak to his Government colleagues about trying to tighten up the system and restore the standards that applied before 1 May?

Mr. Kilfoyle: The hon. Gentleman will know that the Office of Public Service is responsible for collating and reviewing such information; that process is on-going. Individual Departments are responsible to individual Ministers. Last year, in the Office of Public Service, 63 per cent. of correspondence met the target date. So far this year, under the new Government, that figure has gone up to 97 per cent.

Better Regulation Unit

8. **Mr. Pike:** What projects have been identified as priorities for action by the better regulation unit. [25363]

Dr. David Clark: A key part of my work is to create a modern and fair Government servicing our citizens. One of the unit's priorities is the smooth operation of the deregulation order-making process. I thank my hon. Friend for his work as Chairman of the Select Committee on Deregulation. Other priorities that we have identified include the direct access Government system for providing regulatory forms and guidance and developing a concordat, local business partnerships and one-stop services. In addition, the unit works closely with the better regulation task force, chaired by Chris Haskins, and with other Departments in the review of existing regimes and the development of new proposals.

Mr. Pike: I welcome my right hon. Friend's work to ensure that we obtain the right balance between scrapping unnecessary red tape and providing protection for the British citizen. Bearing in mind the importance of that, how will the better regulation task force ensure best practice?

Dr. Clark: As my hon. Friend knows, we replaced the deregulation task force with the better regulation task force because we recognised that a balance had to be struck on the lines that he has suggested. More than half the members of the better regulation task force are drawn from small businesses. They have been broken up into various working parties led by experts and they have recently produced a good set of principles for good regulations which have been broadly welcomed in Britain and in the European Union, to the extent that I intend to have them translated into French and German. *[Interruption.]*

Madam Speaker: Order. The House must come to order. The conversations are much too noisy. I cannot hear.

Mr. Fabricant: Further to the earlier question of my hon. Friend the Member for New Forest, East (Dr. Lewis), will the unit ensure that the principles of the freedom of information Act are upheld? Will he assure the House now that the files held on the Minister without Portfolio will not be destroyed and will be made available when the Act is passed?

Dr. Clark: I am not responsible for the operation of the security services.

Former Civil Servants

9. **Mr. Flight:** What representations he has received on the economic circumstances of former members of the Civil Service who took a gratuity on leaving the service in the 1960s and 1970s. [25365]

Mr. Kilfoyle: Only those made by the hon. Member.

Mr. Flight: I thank the Chancellor of the Duchy of Lancaster for his detailed letter setting out the contractual history. Has the Minister any estimate of the number of female former civil servants whose pensions have been either lost or reduced as a result of their taking gratuities? The situation may be contractually correct, but did those individuals receive the same standard of advice that is now expected of those advising people on their pension arrangements?

Mr. Kilfoyle: No estimate has been made, and the hon. Gentleman knows the difficulties in trying to do so. As to some rearrangement after this period of time, the hon. Gentleman knows that that is an actuarial rather than a political or administrative point. Those who took the marriage gratuity before 1972 were, in the context of their time, advantaged. Oddly enough, the people who were disadvantaged were those who chose to leave the civil service before the age of 50, both male and female.

Public Appointments Unit

10. **Mrs. Lait:** How many vacancies on public bodies have been filled from the list held by the public appointments unit since 1 May. [25366]

Mr. Kilfoyle: Since May, the public appointments unit has made nominations for around 600 appointments. Over the same period, it has learnt of 59 appointments that have been made following nomination by the unit. A number of recent appointments are still under consideration.

Mrs. Lait: I thank the Minister for that reply, but is he not horrified at how few appointments are made from the public appointments unit, given the thousands of public appointments that there are? Is he aware that, in the "Civil Service Year Book", no civil servant with responsibility for the list is listed? Does he not think it time that the public appointments unit is boosted or, given the cynicism with which it is regarded by those outside who wish to offer themselves for public service, is killed off?

Mr. Kilfoyle: What horrified me after 1 May was the extent to which the Conservatives, while in government, boosted the Tory nomenklatura on the quangocracy. We have attempted to use all means possible, including the public appointments unit, to ensure that there is the widest possible dissemination of information about vacancies on quangos, and to ensure that more women and ethnic minorities get the representation that was denied them in the previous 18 years in the unelected quango state.

UK Presidency

11. **Ann Clwyd:** What plans he has to press for the simplification of EU rules and administrative procedures during the UK presidency. [25367]

Dr. Clark: My presidency initiative is to press for the simplification of European Union rules and administrative procedures. To make these as effective as possible, I have secured the support of my Austrian and German counterparts to continue the initiative during their presidencies, which follow ours. That means that there will be a 18-month campaign to make European regulations more relevant and focused. I hope that that will mean that silly talk of square eggs and straight bananas will become a thing of the past.

Ann Clwyd: I thank my right hon. Friend for that answer. When I was a Member of the European Parliament, I spent much of my time trying to translate the gobbledegook of European language into language that people could understand. Will he look at that matter and see whether we can give information to people in clear, simple language so that they know their rights and opportunities as European citizens?

Dr. Clark: I agree with my hon. Friend. Indeed, last week I spent a day with Members of the European Parliament in Brussels trying to explore ways in which to tackle this particularly difficult issue, because it is important that rules and regulations emanating from Governments should be clear and understandable to our citizens. We also took the initiative of launching citizen— *[Interruption.]*

Madam Speaker: Order. Hon. Members should stop this hullabaloo when the leaders of the parties come in. It is a total waste of time. I had hoped that the Select Committee on the Modernisation of the House of Commons might have got it through to Members before now that we do not want these last hurrahs when the leaders of the parties come into the Chamber.

Dr. Clark: I also took the opportunity the week before last to launch the citizen first campaign in Britain, which draws to the attention of the British people their rights under European legislation.

Mr. Maclennan: Will the Chancellor acknowledge that the difficulties of interpretation of European regulations can be compounded by the work of our parliamentary draftsmen, who should be encouraged to follow the best practice of the Government in bringing in clear language that does not restrict discretions in the way in which some legislation, particularly agricultural subordinate legislation, of which he will be aware, has in the past?

Dr. Clark: The right hon. Gentleman raises a real point. We need to be careful that we do not have "gold plating" of European legislation when we incorporate it into our domestic legislation.

Freedom of Information

12. **Mr. Dalyell:** Pursuant to his oral answer of 30 July 1997, *Official Report*, columns 322–23, what representations he has received from broadcasting interests on freedom of information. [25368]

Dr. David Clark: I have received a letter from the chief executive of BBC News, which said that the BBC would submit a corporate response to the freedom of information White Paper in due course.

Mr. Dalyell: How about the investigation rights of journalists?

Dr. Clark: It would be very strange if the Freedom of Information Act brought in restrictions on the role of journalists—*[Interruption.]*

Madam Speaker: Order. I will not have such noise from Government Members either. *[Interruption.]* We want no geese in the Chamber. I hope that I have made myself clear and that we shall not have this on any other Wednesday.

Dr. Clark: It will be right and proper for any publicly funded organisation such as the BBC to be open to freedom of information, but nothing must be done to restrict investigative journalists or to put pressure on journalists to disclose sources. We made that clear and that is my commitment.

Smartcards

13. **Mr. Sheerman:** What plans he has to utilise smartcards for the delivery of public services. [25369]

Dr. David Clark: The new technology of smartcards will form a major part of our better government programme, allowing us to modernise public services and deliver flexible, user-friendly packages to our citizens. My Department is focusing on using smartcards to put electronic signatures on electronic forms, which will make life much easier for business people and ordinary citizens. The Government are exploring ways of using smartcards to make life easier for citizens in their dealings with government.

Mr. Sheerman: Has my right hon. Friend examined the experience of France and Germany, which use smartcards extensively in their health services? The process saves an enormous amount of money and a lot of the filing that takes up much of the accommodation of hospitals and general practitioner surgeries. Will he consider whether that experience is applicable to Britain, which has the leaders in smartcards in our leading-edge supermarkets?

Dr. Clark: We are examining all sorts of ways of using smartcards. We are aware of the experiments and work undertaken in Germany and France. There is a project involving the Benefits Agency and the Post Office to consider how to use smartcards and other cards for the delivery of benefits. That will involve considerable new

investment under a private finance initiative for the Post Office. We are exploring along the lines that my hon. Friend suggests.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1.[25384] **Mr. Sanders:** If he will list his official engagements for Wednesday 4 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. Later today, I go to the United States of America.

Mr. Sanders: Is the Prime Minister aware that there is a national health service dentist in my constituency [HON. MEMBERS: "Only one?] Yes, only one, and he has to charge his patients £3 a month to continue dispensing on the NHS. Is that legal? Does it fit with the concept of a fully comprehensive national health service free at the point of use? What will the Prime Minister do to increase NHS dentistry in my constituency and elsewhere?

The Prime Minister: We want as much NHS dentistry as possible, but the hon. Gentleman knows that we have inherited a situation where the number of dentists on the NHS was slashed by the previous Government. However, as a result of what the Government have done, £1.5 billion extra is going into the NHS. That is not as much investment as we want, but at least under this Government we are getting the chance to rebuild and renew the national health service as the citizens of our country want.

Q2.[25385] **Mr. Rhodri Morgan:** When my right hon. Friend flies to Washington, he will not need the services of rocket science to observe that the United States has a democratically elected upper house, whereas we have a Heath Robinson contraption, including the absurdity of an hereditary grouse-moors-R-us component with its built-in Tory majority. When is he going to bring that disgrace to democracy to an end and move the hereditary peers out of Parliament and put them where they belong: in the millennium dome as a permanent exhibition dedicated to feudalism in all its forms?

The Prime Minister: As soon as possible. I am delighted by reports that the Conservative party is changing its policy and will back House of Lords reform. There appear to be a few heads nodding and a few heads shaking. That is about par for the course for today's Tory party. It is essential that we remove a blight on the nation's democracy—that of hereditary peers sitting in the House of Lords making laws. That has no place in a modern democracy, and under our Government it will be got rid of.

Mr. Hague: When the Prime Minister goes to the United States later today, will he take with him the message that there is strong support across all political parties for the backing that this country has given to the United States in its firm stand on Iraq, in its determination to enforce United Nations resolutions and in dealing with horrific weapons of mass destruction? I am sure that he agrees with us that history has taught us not to be weak in the face of an evil dictator.

The Prime Minister: Yes. I am grateful to the right hon. Gentleman for his support. It is absolutely essential that we bring Saddam Hussein back into line with the UN resolution under which he agreed that chemical, biological and nuclear weapons of mass destruction would be removed and destroyed. That resolution was passed by the UN, and it was an agreement that Saddam Hussein entered into: it was part of the deal that ended the Gulf war. It is absolutely essential that we enforce that agreement, otherwise we will have to deal with an even more dangerous situation a few years, or even a few months, down the line.

I am grateful for the right hon. Gentleman's support and for the support of other political leaders. It is essential that we send out the firmest possible message to Saddam Hussein today and every day until he complies with those UN resolutions.

Mr. Hague: In supporting the Prime Minister's remarks, may I ask him to agree that history has also taught us that we owe it to our armed forces to exhaust every diplomatic possibility before we use force, to have clear objectives for any military action and to ensure that the armed forces have all the support they need to attain those objectives if they are called upon?

The Prime Minister: Yes, that is right. We must have the clearest possible strategic and military objectives in any action that we take. Let me repeat that it is our desire—and the desire of everyone involved—to find a diplomatic solution. No one wants to use force, but history has taught us, first, that, in the case of Saddam Hussein, unless diplomacy is backed up by force it will not be successful and, secondly, that it is of paramount importance to prevent his developing the weapons of mass destruction that he has been developing in this past period. His is not a theoretical or abstract capability: he has developed a real capability over a period of time. The proof of that exists, as does the proof that he has attempted at every stage to obstruct the UN inspectors so as to prevent them from carrying out their task.

Of course we shall seek a diplomatic solution. We all want a diplomatic solution, but no one should be in any doubt that our bottom line is that those Security Council resolutions necessary for the peace of the world will be enforced.

Ms Ryan: Does my right hon. Friend agree that the fact that a child in social class V is five times more likely to die before the age of 15 than a child in social class I cannot be tolerated? What are the Government doing to ensure that improving public health for all is given the highest priority?

The Prime Minister: That is the Government's priority, which is why we have introduced proposals to improve public health. Experience has taught us that problems of ill health, particularly among children, are often connected with poverty, poor housing and high levels of unemployment. That is precisely why we have set up the £3.5 billion welfare-to-work programme, why we are tackling the problem of poor educational

opportunity in our schools, and why the Deputy Prime Minister has released the first £900 million that will be spent on improving the quality of housing for our people. All those measures are necessary if we are to raise the living standards and health of all our children.

Mr. Ashdown: Given Saddam Hussein's record on cruelty and international aggression, will the Prime Minister explain what he believes the consequence would be if we failed to take the actions that may ultimately be necessary to convince and persuade Saddam Hussein that he cannot flout international law and thumb his nose at the international community?

The Prime Minister: Yes, I will. I should also tell the right hon. Gentleman and the House that we have issued a document, which we will send to all Members of Parliament today, detailing the exact weapons findings that the United Nations inspectors have made. For example, in the last six years they have uncovered some 38,000 chemical weapons, some 480,000 litres of live chemical warfare agents, 48 Scud missiles, 30 missile warheads and a vast biological weapon production plant which they then destroyed.

That is my first point. My second is that, at every stage, Saddam Hussein and the Iraqi authorities have lied and deceived people about the existence of those weapons. If anything could make clearer the case for our ensuring that the UN inspectors can carry out their work, it is that evidence. That is why I say that this is not a theoretical or an abstract threat; it is not a test of international virility or machismo. It is a genuine desire to ensure that we enforce the conditions necessary for peace.

The short answer to the right hon. Gentleman's question is that, if we do not stop Saddam Hussein, there is every possibility that he will develop weapons of mass destruction, and—on the basis of experience—use them.

Mr. Sedgemore: Can my right hon. Friend think of a better or more inspirational celebration of the 50th anniversary of the national health service than the historic decision to keep St. Bartholomew's open as a world-class hospital dedicated to the service of people in one of the poorest parts of the kingdom?

The Prime Minister: As my two eldest children were born at Bart's, I well appreciate the importance of keeping it as a hospital in London.

The important feature of yesterday's announcement is that it allows to develop London's long-term health care needs. It is not just a question of Bart's; it is a question of the framework for the long-term development of primary health care services, mental health services and, of course, hospitals, which gives us the chance to build a national health service that is fit for the 21st century in London.

Q3.[25386] **Mr. Hawkins:** When one of the Prime Minister's junior Ministers says that the green belt is "up for grabs" and other Ministers overrule the decision to reject housing development in the south-east of England—whereas in the run-up to the general election the Prime Minister and his party were saying that Labour would look after the countryside—is it not yet another Labour broken promise?

The Prime Minister: No, it is not—and there has, perhaps, been no more hypocritical or opportunist campaign than the Conservative campaign on the countryside.

Let me explain the facts. First, we are continuing precisely the policy of the last Government, apart from the fact that we are tightening it. Secondly, when in government, the Conservatives said that they wanted 50 per cent. of development to be on brown-field sites; then, in their manifesto, it was 60 per cent.; then their junior environment spokesman said that it was 75 per cent.; then the Leader of the Opposition said that it was 66 per cent. Shall I tell the House what the Conservatives did in government? In government, it was 42 per cent. Whatever the Conservatives say now, it is not what they did in government, and this Government intend to do better than they did.

Mr. Connarty: When the Prime Minister goes to the United States of America, I am sure he will congratulate the President on the surplus in their budget. I wonder whether he, bolstered by his own popularity in this country and the popularity of this Government, will suggest to the United States President that it is time in a mature democracy that they looked again at the policy of oppression of the Cuban people and particularly looked at getting rid of the Helms-Burton Bill, which prevents the people of Cuba moving smoothly to a democratic situation.

The Prime Minister: I do not know whether that will be part of the conversation between us, but I am aware of my hon. Friend's views and he will be aware of the Government's position.

Q4.[25387] **Mr. Burns:** Does the Prime Minister still agree with his Housing Minister that a target for building on brown-field sites of 60 per cent. or more would be a recipe for disaster?

The Prime Minister: As I understand it, that is not what is being said, but in any event let me make one thing clear again. There is an idea that the present Government are in some way implementing a policy that was no part of the last Government's policy. It is completely in line, apart from the fact that we are trying to tighten it. [HON. MEMBERS: "What about Hertfordshire?"] Conservative Members are shouting about Hertfordshire. The Leader of the Opposition went to Stevenage to say that we were bulldozing green-field sites. We have considered the matter. The building in Hertfordshire is entirely in line with what the inspectors wanted: it is not the Government's decision. Furthermore, most of what has been done in Hertfordshire was done under the previous Government. They had 14,000 houses built on green-field sites and under our proposals there are only 7,000. Yet again there is nothing but an appalling, hypocritical opportunist campaign that does not even convince the Opposition, never mind the public.

Q5.[25388] **Mr. Rammell:** Does my right hon. Friend welcome the flat rejection by the Commissioner for Public Appointments of Conservative party complaints about appointments by the Secretary of State for Health to national health service trusts? Does he agree that the contrast with the record of the Conservative Government, when appointments were invariably based on whether applicants were card-carrying Conservatives, is stark? Does he further agree that, however hard Tory Members try to pretend that all politicians are as bad as they are,

such bogus complaints and the scandalous debate that was initiated before lunchtime mean that their tactics will not wash? They know it, we know it and, more important, the public know it.

The Prime Minister: My hon. Friend is absolutely correct. They are an Opposition of trivial pursuits at the moment. The latest allegation is absolute rubbish. We wanted to make trust boards more representative of the communities they serve, and that is quite right. The Conservative health spokesman made an allegation that has been comprehensively rebutted by the Commissioner for Public Appointments. It is about time that, one of these days, having made a false allegation, they withdrew it.

Mr. Hague: On the day of the National Farmers Union conference, will the Prime Minister tell the House by how much farming income fell in the past year?

The Prime Minister: It has fallen in the past year as a result of a number of factors. [HON. MEMBERS: "How much?"] We are putting in as much support as we possibly can, and rather more than the Conservative Government did.

Mr. Hague: I am sorry that the Prime Minister does not know the answer. Perhaps he thinks that it is too trivial. The figures published in the past week by his Government show that farming incomes have fallen by 46 per cent. Will he acknowledge that the rural economy faces great difficulties? Has it not been the wrong time to cut the payments to the livestock sector and to reduce support for hill farmers? Will he at least give farmers a guarantee that in the coming year the forecast underspend on agriculture budgets will be put back into agriculture?

The Prime Minister: The payments to hill farmers that the right hon. Gentleman mentions are payments that we inherited from the previous Government.

Hon. Members *indicated dissent.*

The Prime Minister: Opposition Members shake their heads, but it is precisely the same amount—except that since we came to power we have increased it by £85 million. As I say, £1.6 billion is now going to support the beef industry. Yes, the right hon. Gentleman is absolutely right: there is a serious situation in farming. That is why we produced the additional package. It is surely important that we manage to support farming in a way that helps it for the long term and in particular deals with the enormous problems that were left to it by the Conservative Government after BSE.

Mr. Hague: The Government cut the budget by £129 million before increasing it by £85 million, so the Prime Minister cannot boast about that. The Government have imposed millions of pounds of extra costs on family farms. They have banned beef on the bone without needing to and have presided over a massive fall in farm incomes. The only hope they give to agriculture at the moment is that many Labour party members want to buy eggs to throw at the Chancellor. All we ask for is a clear answer to my question. Will the Prime Minister guarantee that money that is intended for the rural economy goes to the rural economy? If he cannot give that guarantee he will reinforce the growing belief that the Government do not care about the countryside.

The Prime Minister: What a load of rubbish. [HON. MEMBERS: "Answer."] Look at them.

Mr. Paterson: Answer!

Madam Speaker: Order. Mr. Paterson, save your voice for when you are outside the Chamber. Stop shouting.

The Prime Minister: First, to blame us for the crisis in the beef industry, when the Conservatives were responsible for BSE, is extraordinary. Secondly, I am informed by my right hon. Friend the Minister of Agriculture, Fisheries and Food that, when they were in government, the Conservatives never once did what the Leader of the Opposition is now asking me to do. Thirdly, in relation to the agrimoney that the Conservatives are now saying we should seek, we are the Government who have sought extra money. I am advised that, throughout the entirety of the 20 years of Conservative government, they never once did that.

In relation to this countryside issue, as on all the others, people can tell the difference between an Opposition who are opportunistic and an Opposition who mean something. This Opposition have not a single constructive thing to say, which is why they are in opposition and we are in government.

Q6.[25389] **Kate Hoey:** I hope that my right hon. Friend is aware of the huge support that he has in Northern Ireland, for his personal determination to reach a settlement in Northern Ireland that will be accepted by everyone who is reasonable, but does he agree that there is a vital need to bolster the democratic process in Northern Ireland? Does he share the concern about—or will he at least study carefully—the BBC consultation document that, if implemented in full, would mean that United Kingdom mainland parties would no longer have political broadcasts in Northern Ireland? Does he realise how that could be perceived in Northern Ireland and, crucially, that it would mean that British citizens would feel even more excluded from democratic politics and from full and equal citizenship?

The Prime Minister: My hon. Friend will know, of course, that the broadcasters are examining the arrangements for party political broadcasting, and it is for them to take the lead in that. I understand that she has concerns about the proposals and why she puts those concerns forward, but it is clear that these are matters for the broadcasters. I am sure that they will have heard what she has said and the remarks that I have made.

Q7.[25390] **Sir Robert Smith:** Will the Prime Minister take the opportunity of his flight to America with his economic adviser, Mr. Gavyn Davies, to ask him about his latest report on the UK economy in which he claims that there is plenty of scope for additional public spending, given the war chest that the Chancellor of the Exchequer is building? When he asks Mr. Davies about that, perhaps the Prime Minister will be able to deal with the problems that are faced by farmers in my constituency, the elderly and those who receive cold weather payments

with regard to the crisis in public spending. Will he ask Mr. Davies to advise him on how to access the money that is in the war chest?

The Prime Minister: Gavyn Davies has not, as far as I am aware, supported the Liberal Democrats' claims of some great war chest. On cold weather payments, the Government are giving £200 million of help to pensioners, including £50 directly to pensioner family households who are on income support.

In relation to public spending, of course we understand that there are public services that need more investment. Indeed, we have contributed a substantial amount of additional investment to our schools and to our hospitals, but it is important that we do it noting that we must not go back to the days of the late 1980s and early 1990s when, after people said, "There is enough money to do whatever we want. There is no problem with inflation," mistakes were made by the previous Government and we ended up with interest rates at 15 per cent. for a year and record borrowing.

It is precisely to avoid that situation that we are being cautious on public spending. We are right to be. Of course we will invest, but we will do it when we can and consistent with the economy's having stable economic management for the future.

Ministerial Visits

Q8.[25391] **Mr. Hesford:** What plans he has to visit the Wirral, West constituency.

The Prime Minister: I have no immediate plans to visit the Wirral.

Mr. Hesford: Perhaps I could tempt my right hon. Friend to come to Wirral, West. He will be aware that my constituency has the great good fortune to have been chosen as a pathfinder area under the Government's new deal scheme. Will he join me in wishing all those who are concerned with the delivery of the scheme every success? Hundreds of youngsters in my constituency will be assisted by the scheme and given hope and opportunity where none previously existed, particularly after 18 wasted years under the Conservative party.

The Prime Minister: The pathfinder projects are going very well, and I pay tribute to the part that my hon. Friend and others have played in getting them under way in their constituencies. In Sheffield last week, I visited some people who are now going through the new deal gateway. Those young people, often for the first time in their lives, have real enthusiasm and commitment because they have the chance of a decent job or a decent skill. When we use their talent and ability, we help not only them but the entire country, which is why the programme is so important and right. It is a pity that it does not have the support of the Conservative Opposition.

Engagements

Q9.[25392] **Mr. Alan Simpson:** I know that the west has its own explaining to do about who armed Saddam Hussein, but I am grateful to my right hon. Friend for saying that there have to be some clear military and political objectives to underpin any strike against Iraq. In the current situation, they could range from eliminating or deposing Saddam Hussein to destroying the military and industrial stockpiles or the biological and chemical weapons. Will my right hon. Friend tell us exactly what objectives he would sign up to in the name of this country and what calculation of civilian casualties has been made as the cost of doing so?

The Prime Minister: The objectives are absolutely clear. They are to bring Saddam Hussein back into line with UN Security Council resolutions so that we can continue to destroy the chemical, nuclear and biological weapon capability that he wants to develop.

I emphasise yet again that it is important to realise that at every stage there has been deceit and deception on the part of Saddam Hussein. I shall give the House a couple of examples. Iraq claimed that the VX nerve gas project was a failure until we discovered that it had the capability to produce it on a huge scale and that four tonnes had in fact been produced. I have already mentioned a factory that was able to produce 50,000 litres of anthrax and botulinus. Iraq claimed that it was for animal feed. It was only when one of its leading people defected to a neighbouring country that we discovered the truth and it admitted what was happening, although it had been denying it for four years. It is for those reasons that inspectors have to be allowed in.

People keep wondering whether we cannot give Saddam Hussein a way out, but all he has to do is to keep to the agreement that he originally made and let the inspectors in to do their work so they can see that what he says is happening is actually happening. It must be right to ensure he does that. We will try every diplomatic avenue to ensure that the matter is resolved. If it can be resolved peacefully, so much the better—no one wants to take military action—but resolved it must be, and resolved in compliance with the UN Security Council resolutions.

Mrs. May: Will the Prime Minister tell us his target for building on brown-field sites? Does he think it should be increased to 60 per cent. or above? If not, why not?

The Prime Minister: It is certainly better than 42 per cent., which was achieved by the Conservative Government. The purpose of the consultation paper is precisely to ensure that we receive the various representations. We will then, in the statement that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions will make, declare our position for the future.

We have always made it clear that we will protect the green belt. In fact, there has been an increase in the amount of green-belt land since 1 May, so we do not need any lessons from the Conservative Opposition about the protection of the green belt. Indeed, it was the first Labour Government after the war who introduced the Town and Country Planning Act 1947 which provided the first such protection, and it will be the new Labour Government who in this area, as in so many others, will clean up the mess left by the Conservatives.

Q10.[25393] **Mrs. McGuire:** On the fourth day of enactment of the new legislation banning hand guns in Britain, may I thank my right hon. Friend on behalf of the

residents of Dunblane, which is in my constituency, for his commitment to the cause, and may I also thank the House for ensuring that the ban was enacted? Even given that firearms have legitimate uses, will my right hon. Friend assure me that the Government will consistently review the procedure and regulatory framework for the ownership of firearms to keep pace with the increasingly sophisticated weaponry in private use?

The Prime Minister: Yes, I can give my hon. Friend that assurance—we shall keep the regime under tight scrutiny. I am delighted that, as a result of the House's vote, we managed to put through the ban on hand guns. I believe that that, in some measure, repaid our debt to the people of Dunblane.

Millennium Compliance

Q11.[25394] **Mr. David Atkinson:** What initiatives he is taking in the European Union to encourage action to ensure the millennium compliancy of computer systems.

The Prime Minister: We are taking action under Britain's European Union presidency to deal with the problems of the so-called millennium bug. We are not only setting up meetings in Europe to publicise the dangers that the millennium bug poses to our companies, but ensuring at a European level that action is taken across member states to increase awareness of it.

Mr. Atkinson: Does the Prime Minister plan to discuss with President Clinton the letter that he reportedly received from the President urging that the introduction of the single currency be delayed until after 2000 because the computer systems involved would be not only single currency non-compliant but, more crucially, millennium non-compliant, which would cause absolute chaos?

If the Prime Minister is as serious about the issue as he claims, why do his Whips continue to object to my private Member's Bill, which would do much to protect British business from the millennium bug? Will he ensure that the Bill receives its Second Reading on Friday 13 February, and will he read a copy of the Bill on Concorde tonight?

The Prime Minister: The answer to the last point is no. We shall not ask the Whips to reconsider their opposition to The hon. Gentleman's Bill, for a very simple reason: his Bill would require companies both to check their systems and to report their proposed action in the annual report and accounts. We believe that that is an unnecessary bureaucratic requirement and that it is not a sensible way in which to proceed.

It is far better to do what we are doing. We are spending more than double the amount spent by the previous Government in relation to the millennium bug and the threat it poses. My right hon. Friend the President of the Board of Trade is chairing a ministerial group to bring together work in the public and private sectors and my right hon. Friend the Chancellor of the Duchy of Lancaster is monitoring progress in central Government. We are raising the issue not merely at the Group of Eight but under Britain's presidency of the European Union. As far as I am aware, President Clinton has made no request to delay the introduction of the single currency.

The millennium bug is a serious issue. It could cause problems for our companies, particularly smaller ones. It is necessary that they realise that, if they do not change their systems, they will face very great difficulties. I should have thought that both sides of the House can agree about the importance of making it clear to companies that they themselves bear the ultimate responsibility for bringing themselves into line. We shall do everything that we can as a Government to publicise this issue and to give it impetus both here and abroad.

Director General of Oflot (Resignation)

3.32 pm

Mr. Francis Maude (Horsham) (*by private notice*): To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the resignation of the Director General of the Office of the National Lottery.

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): Yesterday, I met the Director General of the National Lottery, Mr. Peter Davis, to discuss the issues of confidence in the lottery arising from the Branson libel case. We agreed that the likelihood of continuing controversy surrounding the running of the national lottery would increase if he continued in his post.

To ensure that public confidence in the lottery is maintained, Mr. Davis felt it was right to tender his resignation. I accepted his resignation, and immediately asked Mr. John Stoker, the deputy director general, to assume the director general's duties while we seek to make a new appointment to replace Mr. Davis. Mr. Stoker accepted. Mr. Davis will remain in post until next Monday. I have already set in motion the procedures that will be necessary to advertise openly for a permanent successor.

I make three issues very clear. First, it was Mr. Davis's decision to tender his resignation; it was my decision whether to accept it. I agreed with Mr. Davis that this was the right thing to do in the circumstances. Secondly, I stressed yesterday when I announced Mr. Davis's resignation and repeat today that there is no question mark whatever against his integrity. Mr. Davis's readiness to put the public reputation of the lottery before his own personal position bears testimony to his sense of duty as a public servant.

Thirdly, the reasons for Mr. Davis's actions are quite clear. The success of the lottery depends on continuing public confidence in its operation and its regulation. He and I both agreed that, if he continued as regulator, the Office of the Director General would be at the centre of continuing controversy, which would undermine confidence in that office and in the lottery itself. We both agreed that it was right to act before any damage could be done.

The appointment of a new director general will provide the opportunity for a fresh start and ensure that the lottery continues to be respected and successful. Mr. Stoker's immediate priority will be to carry on the work that Mr. Davis had set in hand to ensure that Mr. Guy Snowden will no longer be involved in the management of our lottery and will not be in a position to draw any direct financial benefit from it through his involvement with GTech.

Mr. Stoker will also need to study carefully the court proceedings and evidence from the Branson case, and the implications that arise from it for the relationship between Mr. Snowden, GTech and Camelot. That is the job of the regulator. I have not interfered, and will not interfere, in it, but I will continue to take a close personal interest.

The actions that I have taken, together with the proposals for reform that we are bringing forward in the National Lottery Bill, will ensure that the lottery does indeed command the respect and support of the British people. That is the Government's commitment to the House.

Mr. Maude: Will the Secretary of State confirm that the national lottery is, and continues to be, the most successful and efficient in the world, raising more for good causes and in tax than any other?

On the key question whether Mr. Davis was pushed or resigned spontaneously, how does the Secretary of State reconcile stories in today's papers, clearly based on Government briefing, with his assertion this morning that Mr. Davis's resignation was spontaneous, and Mr. Davis's statement, which was repeated three times yesterday morning, that he would not resign? Is it entirely spontaneous speculation in *The Times* that

"The National Lottery regulator . . . was dismissed last night on the direct orders of Tony Blair.

Mr. Davis was forced to go during a marathon meeting with Chris Smith"?

Is that spontaneous, or was it based on a direct Government briefing?

If, as the Secretary of State claimed this morning, Mr. Davis changed his mind over the course of yesterday morning, why was it necessary to delay the announcement so that Mr. Davis could break the news to his family? It would surely have been already on his mind. What took place during the morning that changed Mr. Davis's mind?

In the meeting, who was the first to raise the issue of resignation? Was it raised first by Mr. Davis, or first by the Secretary of State or his officials? Will the Secretary of State say categorically whether there was any discussion between the Prime Minister's office and the Secretary of State or his office before the meeting with Mr. Davis?

If the regulator was pushed—as seems certain, despite the Secretary of State's somewhat wriggling denial this morning—what was the alleged impropriety, given the Secretary of State's statement that

"there is no question mark"

over Mr. Davis's integrity?

The Secretary of State has raised the issue of public confidence in the national lottery. Does he have a better measure of confidence than the public's readiness to buy national lottery tickets? Will he confirm that sales for the mid-week draw up to last night—before Mr. Davis's resignation—were up by 7 per cent. from the previous week? Is he aware that, of 2,000 calls to the national lottery line yesterday, three were about the trial and only one was a complaint? What evidence is there of the sort of threat to public confidence on which the Secretary of State relied in accepting Mr. Davis's resignation?

Is Mr. Davis free to speak out on yesterday's events, or is he subject to a confidentiality agreement? Can the Secretary of State confirm that Mr. Davis's pay-off of more than £42,000 is to come directly out of the money earmarked for good causes? Will he now publish the minutes of yesterday's meeting? If he will not, does he not understand that many will conclude that he has something to hide?

Is not the truth that Mr. Davis was persuaded to resign; that, to convey the impression of decisive action, the press was briefed that he had been dismissed; but that, because there were no legal grounds for his dismissal,

the Secretary of State is maintaining—to general incredulity, I have to say—that the resignation was completely spontaneous?

Have not the Downing street spin doctors left the Secretary of State to swing in the wind? This is no longer an issue of what he or I think about Mr. Davis's judgment, or whether Mr. Davis should still be in his job; it is about whether Ministers are telling the truth. Unless he is prepared to publish the minutes of yesterday's meeting and lay the matter to rest, it may soon be an issue of whether the Secretary of State himself should still be in his job.

Mr. Smith: I am tempted to say, "Oh, dear." I had expected some sensible questions about the future of the national lottery, about its proper regulation and about the way in which we can ensure public confidence in its operation. However, we got none of that.

I shall answer some of the specific questions that the right hon. Gentleman asked. First, he should not believe everything that he reads in the newspapers. The situation is clear, and has been set out by me both in the statement that I made last night and in innumerable interviews that I have given since. It has also been confirmed by the official spokesman for the Prime Minister in his Lobby briefing this morning that Mr. Davis decided to offer his resignation and I accepted it.

That is what happened. As for the record of the meeting, I issued a statement following that meeting; that is a public document, and it is the definitive record of the meeting. As for the delay in making the announcement, I am surprised that the right hon. Gentleman should not have applauded me for having ensured that Mr. Davis had time to speak with his family after the discussion, and after he had made his decision.

In answer to the question whether there was contact between myself and the Prime Minister—yes, indeed, there was contact on a regular basis yesterday between myself and the Prime Minister, in the normal way, for me to inform him of what was happening and what my intentions were.

On the question of public confidence and tickets being sold, I must tell the right hon. Gentleman that the important thing is that we maintain confidence in the lottery for the future. The crucial matter. which I had hoped that he would be interested in—but clearly he is not—is to ensure that the lottery is being run with 100 per cent. propriety. That is the crucial matter, and the new director general will address himself to ensuring that it happens.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that the ludicrous and banal nit-picking that we have heard from the Opposition Front Bench comes ill from a party that created a structure for the national lottery that has resulted in bribery and corruption? Is not the result of the structure that the Conservatives created a situation in which the operating company grabs for itself every spare penny that it can, including the interest on undistributed prizes, and charges the stupid BBC £550,000 a year for the privilege of publicising Camelot—so that the people who operate the lottery can reward themselves with astronomical sums of money?

Will my right hon. Friend assure the House the categorical position of Her Majesty's Government remains as stated in the Labour party manifesto last year:

"When the current contract runs out, Labour will seek an efficient not-for-profit operator to ensure that the maximum sums go to good causes"?

Will he further consult the Chancellor about the possibility of buying out Camelot before that date, using the profits that will accrue to pay for the sum? Will he assure the House that it is the Government's intention that we should have a national lottery in fact as well as in name, and that the people's lottery will in future belong to the people?

Mr. Smith: My right hon. Friend, as ever, makes a series of forceful points. He might have added that it also ill becomes the Conservative party to raise this matter, given that a former Conservative Minister of Sport is currently a £5,000-a-month consultant for GTech and that a former Secretary of State for Social Services is currently on the GTech board.

In response to my right hon. Friend's two main questions, I can tell him, first, that the interest on the prize shortfall is now—I am pleased to say—coming into the pot for good causes. That is as a direct result of my intervention some months back, when the Camelot directors' bonuses were announced. Secondly, it remains our intention to seek an efficient not-for-profit operator for the lottery after 2001, and to make sure that the maximum sums possible go to the good causes.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): Does the Secretary of State agree that, although the Branson judgment may not have called into question the integrity of the director general, earlier hearings by the Public Accounts Committee demonstrated that the company which he was responsible for selecting, GTech, was engaged in extremely unattractive and immoral activities in the United States, of which the director general was aware when he made that decision?

Does the right hon. Gentleman accept that it is not only the judgment of the director general which is flawed but the legislation for which the Conservative Government were responsible, which gave the director general not only the task of appointing the company to run the lottery but the subsequent duty of regulating the company which he had appointed? Does the right hon. Gentleman accept that those functions should be separated, and that, in dealing with such vast sums of money going to public causes, it would be appropriate to have the lottery regulated not by an individual alone, but by a council—perhaps along the lines of the Gaming Board for Great Britain?

Mr. Smith: The right hon. Gentleman is correct to point out that the current legislation, put in place by the Conservative Government, is flawed. That is precisely why, in the National Lottery Bill, we propose to reform the way in which the lottery operator is selected.

Mr. Alan Williams (Swansea, West): Does my right hon. Friend agree that he does not have to explain why the regulator went yesterday—it is the Conservative party which must explain why he did not go two years ago, when the Public Accounts Committee exposed the fact that he had taken the use of a private aircraft belonging to a dubious American company that he was supposed to be monitoring and regulating?

[Mr. Alan Williams]

To be positive about the future, can I draw to my right hon. Friend's attention the point raised by the Comptroller and Auditor General, that he does not have all the powers he needs to monitor the effectiveness of the regulator, which is one of his duties? He asked if he could be given extra powers. Will my right hon. Friend table an amendment to the National Lottery Bill to introduce those powers?

Mr. Smith: I shall certainly look at the point that my hon. Friend makes in some detail.

Mr. Peter Brooke (Cities of London and Westminster): The Secretary of State was selective in choosing which of the questions asked by my right hon. Friend the Member for Horsham (Mr. Maude) to answer. Will he now answer this question: at the meeting, who first raised the issue of Mr. Davis's resignation—Mr. Davis or the Secretary of State?

Mr. Smith: The matter was discussed mutually between us.

Mr. Robert Sheldon (Ashton-under-Lyne): Is my right hon. Friend aware that the departure of Peter Davis was inevitable, because of what happened when the Public Accounts Committee discovered how he had accepted free flights from those to whom he was awarding the contract, and because of the subsequent bribery allegations that were proved in court? It was inevitable, and my right hon. Friend took the right action. Will he now consider separating and dividing the powers of the regulator who looks after the conduct of the industry from those who award the contract, because the regulator will be in the position of wanting to defend his own decision, rather than regulating the industry itself?

Mr. Smith: It is precisely because of concern on that point, which has been frequently expressed and which was raised by the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) today, that we are proposing in the National Lottery Bill the establishment of an advisory panel to give guidance to the director general in the selection of any future operator. It is to address that concern that we have come forward with that specific proposal. It may well be that Parliament wishes to examine that and look at other options, but at least it will make for a much better process than the one that went on last time.

Mr. Ian Taylor (Esher and Walton): Does the Secretary of State recognise that one of the most remarkable achievements of the lottery was the technological factors that went into getting it up and running within a very short time and running it continuously, with satellite uplinks and many other miracles of communication? Is it not the case that Richard Branson—admirable though he may be—cannot even make his trains run on time, and is therefore unlikely to meet those technological challenges? Will he pay tribute to the companies that were involved in ensuring that ours is one of the most technologically advanced lotteries in the world?

Mr. Smith: I certainly endorse the observation that the establishment of the lottery and its running since has been an efficient operation—no one could deny that. As for Mr. Branson, I think that I distinctly heard him say on Monday evening that he no longer intended to put in a proposal to run the lottery in future.

Mr. Joe Ashton (Bassetlaw): Will my right hon. Friend ask the regulator to look at the obscene profits made by Camelot under rules laid down by itself? Is he aware that Camelot pays only 5 per cent. commission to newsagents, many of whom have to work long hours and take as little as £30 or £40 a week, while at the same time Camelot has been making a profit of more than £100,000 a year on each of its employees—probably the biggest profit ratio in the country—and the directors pay themselves huge amounts of money?

Can the new regulator not look at ways of using some of those profits to help newsagents and ensuring that there is a proper system of appeal, so that, when they sell their shop, newsagents can sell on the franchise? There is little, if anything, that the consumer or the person who plays the lottery can do to make an impression on Camelot. Will he ask the regulator to crack down on that sort of thing?

Mr. Smith: My hon. Friend makes an important point about newsagents and the way in which a franchise can be handed on from one to another. We made it clear in the White Paper we issued in July and in everything we have said since that we shall seek not only a not-for-profit operator for the lottery after the franchise becomes available, but to maximise returns to the good causes.

Mr. Alex Salmond (Banff and Buchan): Does the Secretary of State accept that we should be extremely grateful to Mr. Richard Branson for pursuing his legal case, because, if he had not been prepared to do that, the circumstances would not have arisen whereby the Secretary of State could take action to restore public confidence in the lottery? Although it is welcome that the Secretary of State has reaffirmed that we shall see the end of Camelot's licence to print money for itself, will he explain to the House why it took one individual pursuing a legal case to provide the opportunity to restore public confidence in the national lottery?

Mr. Smith: The hon. Gentleman will, of course, wish to reflect on the conduct of Government up to 1 May last year. As for the present, as soon as it was obvious that the court had reached its verdict and that public confidence needed to be restored, I sought a meeting with the director general; the discussion we had resulted in his decision to tender his resignation. That was the right course of action in the circumstances; it was honourable of him to decide to take that course of action. It is clear from the questioning by Conservative Members that they do not think that it was the right course of action.

Mr. Dennis Skinner (Bolsover): Does my right hon. Friend agree that the most remarkable thing about the exchange of views this afternoon is that, once again, we have another demonstration of the Tory Front-Bench team flogging a dead horse. The right hon. Member for Horsham (Mr. Maude) was paid more than £100,000 by a City firm because he has good judgment—he is certainly not displaying it today.

Today's private notice question was never really necessary; my right hon. Friend the Secretary of State was right to get rid of Mr. Davis, whether or not his departure was spontaneous. If there was a telephone call in the night, so be it. It sounds as if somebody else's instincts were on the ball. I have one final suggestion: before the contract reaches its expiry date, my right hon. Friend should get rid of Camelot, which would make the lottery even more popular.

Mr. Smith: My hon. Friend has got the right hon. Gentleman bang to rights.

Mr. Alan Clark (Kensington and Chelsea): Why is the Secretary of State so protective of Mr. Davis? It is a matter of public record that he behaved in an improper way at least twice. Is it not a fact that GTech, a partial shareholder in Camelot, was twice subject to a federal investigation on account of its Mafia connections? If the Secretary of State can get past the officials who advised his predecessor to give Camelot the contract, he will probably be able to find quite enough documentation to take the contract away from it immediately, which is what he should do.

Mr. Smith: I shall be very interested to observe the discussions between the hon. Gentleman and his right hon. Friend on the matter. Mr. Davis was found by the Public Accounts Committee to have been unwise in his judgment. That was a matter on which he was exonerated by the then Conservative Secretary of State.

If the hon. Gentleman is so concerned about GTech, perhaps he will have a word with his former Conservative colleagues who act for GTech.

Lorna Fitzsimons (Rochdale): I welcome the statement and my right hon. Friend's actions. He took decisive action, which, out there in the public—certainly among the good burghers of Rochdale—was very welcome and long overdue. I also welcome the Bill's provisions that will put right some of the wrongs.

If Conservative Members were listening and cared that much about the lottery on which they have asked for a statement, they would also welcome those provisions. One such measure is the advisory panel, which is much needed and long overdue; another involves the need for much more transparency. When the next contract is given out, will there be as much transparency as possible so that everyone, inside and outside the House, can ensure that they are truly supporting the people's lottery, both before and after the contract is given?

Mr. Smith: Yes, I can give my hon. Friend that assurance.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I shall bring the questioning back to the conduct of this Labour Government. Did any Minister, or an official on behalf of a Minister, ask Mr. Davis to resign, seek to persuade him to resign, or suggest that he resign?

Mr. Smith: I have already explained clearly: we discussed the situation arising from the court case; it was a mutual decision that it was in the interests of the national lottery that he tender his resignation and I accept it.

Mr. Denis MacShane (Rotherham): Is my right hon. Friend aware that 99.9 per cent. of the people of this country think that he acted yesterday with diligence, and exercised his responsibilities fully and fairly? However, they are puzzled about why the Opposition are seeking to defend Mr. Davis and GTech.

Has my right hon. Friend read the remarkable article in *The Times* today, which links GTech not to former Ministers, as he said, but to a serving Front-Bench spokesman, the hereditary peer Lord Moynihan, in the House of Lords? Given the allegations made by the right hon. Member for Kensington and Chelsea (Mr. Clark) about GTech and Mafia, will he be instructing his officials to look at the connections between the Conservative Front Bench in the House of Lords, the Conservative party and GTech, so that the full truth of the matter can be put before the public?

Mr. Smith: I do indeed find the actions of the Opposition somewhat puzzling. There is a term in military usage—friendly fire—which describes falling under a hail of one's own bullets.

Mr. Michael Fabricant (Lichfield): Given that the Select Committee inquiry on the royal opera house demonstrated that there were several versions of the meeting between the Secretary of State and Lord Chadlington, will the Secretary of State be surprised if there is some scepticism about any so-called definitive report that he may have issued about his meeting with Peter Davis?

When the right hon. Gentleman first became Secretary of State and brought in the directors of Camelot to demand that they give up their bonuses, is it not the case that he failed? When he had meetings with the Chancellor of the Exchequer to try to defend the good causes and prevent the money from being plundered for the health and education budgets because the Chancellor's sums did not add up, is it not the case that he failed? Has he not made Peter Davis a scapegoat to try to preserve his own political career, come the next Cabinet reshuffle?

Mr. Smith: When I had a discussion with the directors of Camelot several months ago, I succeeded in getting £24 million extra into the good causes arising from the lottery as a result of those discussions.

Mr. Robin Corbett (Birmingham, Erdington): Will my right hon. Friend ask the acting Director General of Oflot to satisfy himself, and in turn to satisfy my right hon. Friend, that the directors of GTech are and remain fit and proper persons to be part of the consortium running the lottery; and if not, to use powers to end the contract forthwith?

Mr. Smith: That is indeed one of the duties of the director general. I look to the new director general to exercise those duties with the greatest vigour and care.

Mr. Damian Green (Ashford): Will the Secretary of State take this opportunity to distance himself from some of the more rabid anti-lottery statements that have come from hon. Members behind him this afternoon? In particular, will he acknowledge that the lottery under the running of Camelot has raised millions and millions of pounds for good causes, and that he would not want to put that at risk? If he is re-awarding the contract, is it more important to award it to a not-for-profit organisation than to guarantee a continuation of the large sums of money going to the good causes? Which does the right hon. Gentleman consider more important?

Mr. Smith: I have heard no rabid anti-lottery statements this afternoon from the Benches behind me. I hope that, with a new bidding process post-2001, a higher percentage will come to the good causes than does at present.

Ms Claire Ward (Watford): Is my right hon. Friend aware that, as a result of the past few days, many employees of GTech and Camelot who work and reside in my constituency will feel sad and let down by the indefensible actions of Guy Snowden? Does my right hon. Friend accept that we need an organisation that will ensure the greatest amount of money to good causes, and which has the greatest experience in running a national lottery?

Will my right hon. Friend assure my constituents who work in those organisations that, if they can show, when the licence comes up for renewal, that they have expertise and are willing to accept the Government's change towards a new national and people's lottery, they will not be ruled out of bidding for the contract?

Mr. Smith: I can give my hon. Friend that assurance. We will be open to any bids to run the lottery post-2001. We will assess those bids on the basis of what is best for the good causes and the future of the lottery.

Mr. Gerald Howarth (Aldershot): Will the Secretary of State not accept the truth: he does not have the guts to tell the House today that he sacked the director general? His weasel words are a cover for the fact that he does not have the guts to tell the public what he did.

Does the Secretary of State agree that he has invented the lack of public confidence in the lottery? The truth is that, far from there being a lack of confidence, the national lottery enjoys huge public confidence, because it works. Not a single ticket holder has been let down. That is due in large measure to the fact that GTech had the technology, as my hon. Friend the Member for Esher and Walton (Mr. Taylor) said, and it has delivered to the people. Yesterday the Secretary of State staged a pathetic performance in response to the political requirements of his master at No. 10.

Mr. Smith: There is one small problem with making the statement to the House that the hon. Gentleman requires: it is not true. Mr. Davis offered his resignation, and I accepted it.

Mr. Michael Clapham (Barnsley, West and Penistone): My right hon. Friend will be aware that the lottery organisers have made a cumulative profit of £169 million on an investment of £49.5 million. That is clearly an excessive profit. Therefore, will my right hon. Friend ensure that the new regulator is given a remit to regulate the organisers' profits?

Mr. Smith: We cannot change the terms of the contract that was awarded by the previous Government. However, I repeat what we said in July's White Paper: the open-ended profit mechanism, which is at the heart of the current contract, will not be entertained in any future contract.

Mr. Andrew Lansley (South Cambridgeshire): Does the Secretary of State understand that we must ensure that independent regulators, in whatever sphere, are not at the mercy of press hounding? They should resign—or be called upon to resign—when they fail in their duties.

Will the Secretary of State make clear in what ways he thinks Mr. Davis failed in his duties? When the Secretary of State speaks of a lack of public confidence, he may be seeking to generate that lack of confidence in Camelot. Does he acknowledge that, as the hon. Member for Watford (Ms Ward) made clear, Camelot has been very successful and produced much more money for good causes than was promised in the original licence? It runs what is widely regarded as the most successful lottery in the world.

Mr. Smith: I have made it extremely clear several times that there is no question mark over Mr. Davis's integrity. He chose to offer his resignation in order to maintain public confidence in the lottery. That is the important point, and I hope that the hon. Gentleman shares that ambition.

Mr. Mike Hall (Weaver Vale): Is my right hon. Friend aware that, before the lottery contract was awarded to Camelot, Peter Davis flew around the United States in a private jet owned by GTech? The day after he awarded the contract to Camelot, he took the then chairman, Sir Ron Dearing, to one side and said that he was aware of the nefarious activities of GTech in the United States, and did not want to see them repeated in the United Kingdom. The events of this week prove that that is what occurred, which made Mr. Davis's position untenable. The only problem remaining for me is that the Opposition do not recognise that fact, but stand by him.

Mr. Smith: I look to the new regulator to make absolutely certain that there can be no question of any impropriety in the running of the national lottery or any of its component parts.

Mr. Christopher Fraser (Mid-Dorset and North Poole): On a point of clarification, the Secretary of State said that he spoke to the Prime Minister about his intentions. What intentions did he speak of, and did he intend to settle an old score?

Mr. Smith: No. I informed the Prime Minister of the discussion that I intended to have with Mr. Davis, as I wished to keep the Prime Minister informed in the normal manner.

Mr. Ben Bradshaw (Exeter): Will my right hon. Friend assure the House that the new regulator will investigate the whole sorry tale of how Camelot came to be awarded the contract in the first place, including the very close financial relationships between the now discredited GTech and Conservative politicians?

Mr. Smith: The new regulator will be required to fulfil his duties under the National Lottery etc. Act 1993. That will entail examining the relationships between the different companies involved and the probity with which the lottery is being run. That is the proper province of the regulator.

Wild Mammals (Hunting with Dogs) Bill

4.9 pm

Mr. Tony Baldry (Banbury): On a point of order, Madam Speaker. The Wild Mammals (Hunting with Dogs) Bill had its Second Reading last November and went into Committee in December, and we have been considering it in Committee ever since. So far, as of today, we are on line 2 of clause 1. However, today we adjourned in some disarray because the Under-Secretary of State for the Home Department, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), informed the Committee that, in the Government's view, not only is clause 1 defective, but the Bill is defective in a number of other instances. He undertook to advise the Committee by next week how the Bill could be put into proper order.

Two points of order arise for you, Madam Speaker. First, are the Government, or should they be, neutral on private Members' Bills? If they are neutral, what are Ministers doing giving advice to promoters of such Bills on how to put their Bills in order? If the Government are not neutral, why, given that the Bill has been in Committee since last December, have not the Home Office and Ministers tendered their advice much earlier?

That brings me to my second point for you, Madam Speaker. You will know that time for private Members' Bills on the Floor of the House and in Committee is finite. The longer we are in Committee, the less time there is for other private Members' Bills to go into Committee and complete their stages. There is now every possibility that a number of private Members' Bills, which have had a Second Reading in the House, will not reach the statute book for lack of time, because this Committee is hogging Standing Committee C.

In those circumstances—they are very unusual circumstances, given that all the work we have done to date has been otiose—I understand that you, Madam Speaker, have the power to set up a Special Standing Committee, and you may wish to consider doing that. Otherwise, many hon. Members will feel aggrieved that we have been hogging so much time.

The Bill is a complete shambles. We have been sitting for weeks now, and all the work that we have done to date, we are now told, is otiose. That is a disgrace to the House.

Mr. Ian Cawsey (Brigg and Goole): Further to that point of order, Madam Speaker. I, too, serve on that Committee, and that was not the advice given by the Minister today. The Minister said that the Bill could be improved, not that all the work that we had done was irrelevant and must be disregarded. The Committee has agreed a new sittings motion allowing it to sit twice a week, so that, further to your comments in the House last week, it can make progress.

Madam Speaker: I shall not allow a debate on this, because, as the House knows, I do not get involved in the details of Committee work unless the Chairman of a Committee were to approach me to do so, and the Chairman of this Committee has not done so. However, I take seriously the points of order that have been made.

I understand that, this morning, the Minister suggested that there was a likelihood of some amendments being forthcoming from the Home Office to assist with

[Madam Speaker]

clause 1. I was not aware that the Committee ended in uproar. My understanding is that the Committee did not oppose the motion to suspend the sitting until next week, when it wished to sit both morning and afternoon.

I repeat that it is not the role of the Speaker to get involved in Committee work unless asked to do so by the Chairman. However, I want Committees to run smoothly, and I shall make it my business to see what help I can give to move the matter along speedily and with proper procedures.

BILL PRESENTED

Residential Care Homes and Nursing Homes (Medical Records)

Mr. Paul Flynn presented a Bill to require persons registered to carry on residential care homes or nursing homes to keep records concerning medicines and their use; to provide for inspection of such records by medical practitioners; and for connected purposes: And the same was read the First time; and ordered to be read a Second time upon Friday 3 July, and to be printed [Bill 116].

Electricity (Maintenance of Supplies)

4.13 pm

Mr. Dafydd Wigley (Caernarfon): I beg to move,

That leave be given to bring in a Bill to require electricity supply companies to compensate customers whose supply is interrupted and not restored within specified time periods.

The House will already be well aware of the considerable problems experienced in northern and central Wales and elsewhere with regard to the breakdown of electricity supply during the Christmas period. I was fortunate to secure an Adjournment debate on the issue on 21 January, during which other hon. Members from Wales and elsewhere added their experiences of similar problems. I do not intend to repeat the detail of that debate, but it may be helpful to highlight some of the main themes.

First, I remind the House that thousands of households in Wales lost their electricity supply over Christmas, hundreds were off for more than three days, dozens were off for as long as five days, and, in some instances, the loss was for as long as eight days. Although we criticise the performance of the supplier company, MANWEB, we recognise the strenuous efforts of its workers, who laboured in difficult weather to restore power. Likewise, although we criticise the company for having an inadequate facility to respond to telephone inquiries from those who lost their power supplies, we pay tribute to the staff who sacrificed their Christmas holidays to try to help out in the offices.

The supply failures occurred on 24 December following a "severe weather watch" issued by the Meterological Office on 20 December warning of the dangers, particularly on Christmas eve. In areas where cables had been put underground or investment made in upgrading the supply lines, supplies were maintained, but thousands of homes lost supplies. Half the losses were because of trees or branches falling on to supply lines. Trees in our area are trimmed only once every five years.

When the electricity supply was lost, my constituents, and many others, had immense difficulty making telephone contact with the supplier company. It took days to get the electricity restored. Constituents are convinced that that was partly because of inadequate investment and partly because of cuts in staff, particularly engineers.

The loss of supply hit farmers hard, who are dependent on electricity to keep milk cool or to run milking machines to milk the cows. Many vulnerable people, some in nursing homes, were put at risk because no electricity supply was available for their life support machines. Hundreds of people lost the entire contents of their deep freezes. All are looking for compensation.

MANWEB, the supplier company in our area, does not recognise the need to pay compensation. A loophole in the Electricity Act 1989 lets supply companies off the hook in what is termed "severe weather". MANWEB is, however, making good-will payments, although, by doing so rather than paying compensation, it avoids bumping up its annual figure for breaches of guaranteed standards. In other words, because of a loophole, its performance is not properly recorded.

Incidentally, another failure in the present compensation rules was drawn to my attention by a correspondent from Somerset: if people live in a private

park, for example, with caravans or chalets, and the electricity is lost, the compensation goes to the park owner, not the people who have suffered the loss of supply.

The objective of the Bill is to maximise the maintenance of electricity supplies. It has been made abundantly clear to us that the supplier companies now work in a commercial environment. They exist to make money, not just to provide an electricity supply service. That is clearly seen from the way in which such companies diversify into other sectors, such as water. Indeed, the Minister for Science, Energy and Industry, who replied to my Adjournment debate, acknowledged that when he said:

"we are concerned that utility companies are putting profits and shareholders before service to their customers."—[*Official Report*, 21 January 1998; Vol. 304, c. 1120.]

It is therefore my contention that the supply companies will maximise the attention they give to maintaining supplies to their customers when, and only when, they suffer punitive financial penalties for not doing so—in other words, when the cost of paying compensation is greater than the cost of taking the necessary steps to safeguard supplies.

We want the companies to do three things: first, to invest substantially more to upgrade the distribution network to reduce and, I hope, eliminate power cuts; secondly, to maintain their supply lines more effectively, having more rigorous planned maintenance and tree-trimming programmes; and, thirdly, to respond more quickly to breakdowns in supply.

The first objective requires a greater capital investment programme by the supplier companies, and the second and third need more engineering staff, locally—I emphasise locally—based so that they can respond to the needs in their areas. All three of those objectives require money to be spent by the companies on looking after their customers rather than their shareholders. That means not reducing charges to some customers at the cost of failing to maintain supplies to others, usually in rural areas.

The mechanism envisaged in the Bill would stiffen the compensation regime so that it starts to provide significant compensation to customers, including commercial customers, and to ensure that those who suffer the most get the full benefit of the compensation. It will close the loopholes whereby the supply companies avoid paying compensation, although they may make more limited good-will payments, as MANWEB has.

I raised the matter with the Office of Electricity Regulation. In his reply, Professor Littlechild relies on the present guaranteed standards payments, but acknowledges that they are inoperable

"in circumstances outside the company's control, such as exceptionally severe weather."

That is not the wording in the statutory instrument, which refers merely to "severe weather conditions". The companies appear to be working to the wording in the regulations, not that in Professor Littlechild's letter.

There is, moreover, no definition of "severe weather" in the regulations. There is no obligation in the primary legislation to have such a regime; it is merely permissive. To be fair, Professor Littlechild tells me that he is considering whether there is a case

"for further tightening or extending these standards".

We accept that a reasonable period must be allowed for engineers to reconnect supplies after storms. We believe that 24 hours—the threshold in current regulations that triggers the present flawed compensatory payments—is reasonable. We propose to keep that threshold and the £40 initial payment—which may shortly go up to £50—for when the electricity supply is off for 24 hours, but to make it virtually mandatory. After the first 24 hours, we want a mandatory compensation payment of £10 for each hour after the first 24 without supply. The Bill would achieve that by amending sections 37 to 42 of the Electricity Act 1989.

If such a regime had been in place, my constituents who were without electricity for three days would have received £525 compensation, not a £50 good-will payment. Compensation at that rate would force supply companies to get their act together and minimise periods of lost supply. Through the Bill, we are helping to facilitate such a change, using the proposed augmented compensation as a lever to encourage companies to ensure that supplies are maintained. Other provisions in the Bill will help ensure greater emphasis on maintaining supplies.

At Christmas, many people in Wales and elsewhere suffered misery and financial loss because of the failure of the electricity supply companies to avoid breaks of supply and to re-establish it in a reasonably quick time frame. I hope that the Bill will help show the direction in which the regulator and the Government will have to go to avoid in similar occurrences.

Question put and agreed to.

Bill ordered to be brought in by Mr. Dafydd Wigley, Mr. Elfyn Llwyd, Mrs. Margaret Ewing, Mr. Lindsay Hoyle, Mr. Cynog Dafis, Mr. Ieuan Wyn Jones, Mr. Alasdair Morgan, Mr. Chris Ruane, Mr. Gareth Thomas, Mrs. Betty Williams and Mr. Alex Salmond.

ELECTRICITY (MAINTENANCE OF SUPPLIES)

Mr. Dafydd Wigley accordingly presented a Bill to require electricity supply companies to compensate customers whose supply is interrupted and not restored within specified time periods: And the same was read the First time; and ordered to be read a Second time on Friday 27 March, and to be printed [Bill 117].

Police Grant Report

4.23 pm

The Minister of State, Home Office (Mr. Alun Michael): I beg to move,

That the Police Grant Report (England and Wales) 1998–99 (HC 492), which was laid before this House on 2 February, be approved.

This is my first opportunity to open a debate on the funding of the police service in England and Wales, and I am very pleased to do so. As my right hon. Friend the Home Secretary said in his Christmas message to police officers across the country, we all owe the police a debt of gratitude for the risks that they take on our behalf, and for the quiet professionalism with which they go about their daily duties. He went on to say that the Government have a duty to give the police their full support, and to provide them, as best they can, with the resources and powers that they require to enable them to do their job effectively.

I referred to resources and powers. We shall debate powers later in the Session, particularly when we come to the radical proposals for tackling crime in England, Wales and Scotland contained in the Crime and Disorder Bill. Today's debate is not about powers: it is about resources.

At the general election, we were careful not to make rash promises about police numbers and police funding that we could not deliver. Since coming to office, we have been equally mindful of the need not to make impossible commitments on increasing police numbers. One of the previous Government's mistakes—and there were many—was to plan and project increases in police numbers, when in the Police and Magistrates' Courts Act 1994 they had handed to chief constables and their police authorities the freedom to decide whether to use available resources on recruiting more police officers or on other expenditure such as information technology or equipment.

It is a matter of record that the number of police officers in England and Wales fell from 127,627 in March 1992 to 127,158 at the end of March 1997, which is a loss of 469 officers instead of the additional 1,000 officers that were promised for the 12 months following March 1992.

I do not intend to fall into the trap of promising extra officers. Of course police numbers are important; but far more important is the number of officers available for duty at any one time, and the quality of service that they provide to the public.

Last week's Audit Commission report makes interesting reading. It rightly emphasises the important link between funding and performance. It makes the point that performance sometimes does not reflect the level of funding, as one would expect. We must ensure that we get best value for money from the resources provided to all public services, including the police. We shall continue to work closely with forces and police authorities to ensure that that is achieved in the police service. We are examining funding in the context of the value-for-money study of police efficiency that is taking place as part of the fundamental review of all aspects of public expenditure. In the meantime, we shall do all we can to ensure that the police have adequate resources to play their key part in preventing and cutting crime, and in working with local authorities and other agencies to tackle crime and disorder.

Money is tight, and we are committed to remaining within the previous Government's overall spending plans while we undertake our comprehensive spending review. Nevertheless, the police service in England and Wales will be able to increase its spending for the coming financial year by £258 million, which is an increase of 3.7 per cent. As a result, the total revenue spending power of the police may rise to £7.15 billion. That is a healthy increase at a time of public spending constraint. It shows the Government's commitment to helping the police build on their success in tackling crime. Overall, the settlement gives police authorities the finance to cover pay and pension increases.

Let me explain how we reached the 3.7 per cent. figure. Under proposals announced by my right hon. Friend the Deputy Prime Minister last December and restated on 2 February, all police authorities will be subject to a single capping criterion that will allow a budget increase of 3.2 per cent., with the standard proviso that authorities set budgets no more than 12.5 per cent. above the sum of their standard spending assessments and principal grant under the funding formula. Forces may budget to the total of SSA and principal formula grant even if that results in a budget increase of more than 3.2 per cent. A number of police authorities will be able to take advantage of that last measure. Similar proposals have been announced by my right hon. Friend the Secretary of State for Wales in respect of Welsh police authorities.

In addition, we have included in the settlement the final £40 million instalment of the additional funding planned by the previous Administration for police officers in 1998–99. That money is being provided outside the capping limits. We are therefore honouring the earlier commitment by providing the finance. However, we are not attaching a condition that the money should be spent on extra officers: that is not for the Government to decide. Resources are being made available to enable police authorities to increase spending on delivering my right hon. Friend the Home Secretary's key objectives for the police for 1998–99. The extra funds, which are allocated under additional rule 2A of the Police Grant Report, and the earlier instalments, which are allocated under additional rule 2, are being made available outside the capping limits of 3.2 per cent. When added to the capping increase, they will deliver an overall spending power increase of 3.7 per cent.

Mr. Andrew Hunter (Basingstoke): Can the Minister explain why the additional funds that were made available for the provision of more police officers were not translated nationally into the recruitment of more officers—although that did happen in Hampshire?

Mr. Michael: Yes, I can, very simply. The police said that they needed more money in order to do their job. The additional money was granted, theoretically for the provision of extra police officers; but it was not for the Government to decide how money allocated to police forces should be used. The 1994 Act made that the responsibility of the chief constables and the police authorities. The Government gave the money intending it to be used to provide more officers, but it was for the chief constables and the police authorities to undertake their duty of deciding what was the best value for money.

It is clear that judgments differed in different parts of the country. Some police forces felt that they should pass the money straight through into increased policing, and found

that the resources available to them allowed them to do so. For others, that would have meant cutting other areas of expenditure—or it would not have made sense for them to take on police officers without being certain that they could maintain the same level of employment in future years. The establishment factor has been changing; the previous Government changed it persistently for a number of years. The number of police officers is not a tap that can be turned on and off. It cannot be turned on in one year without there being implications for finance in future years.

The Government said that they would provide more money for police officers, but it was not their responsibility to give money for police officers. Their responsibility was to give money to the police so that they could do their job. We warned what would happen, and it did happen.

The settlement for the Metropolitan police will give them a revenue spending power of £1.775 billion. That represents an increase of 3.7 per cent. in spending power over 1997–98, taking the Metropolitan police to exactly the national average. The settlement is fair, but not excessive. It is in line with the increase for police authorities in the rest of England and Wales. The Commissioner of Police of the Metropolis has acknowledged that it is fair in the context of public expenditure constraints. We have had to strike a balance between the Commissioner's assessment of need and the demands of council tax payers.

Included in the total settlement for the Met is a special payment in recognition of its capital city and national functions. The payment was fixed at £130 million in 1995, and until now has remained unchanged. For 1998–99, it will be increased by £21 million to £151 million. The increase followed a review of the special payment led by the Home Office, assisted by the Metropolitan police. We wanted to establish a firm foundation for the calculation of the figure. That review was the first serious attempt to cost the Met's capital city and national functions.

The report provides a degree of transparency about the additional payment that was not previously available. I know that police authorities have welcomed its publication, although some outside London have voiced concerns about the level of the payment. We consider that the report is an open and honest attempt to study and identify the additional costs that the Metropolitan police must bear in relation to their national and capital city functions, which are exceptional.

In general, people agree that there is that additional capital city element, although I think we all accept that there is no simple way of identifying it. We have done the best we can, working with the Commissioner and others, to establish rationally what the figure should be. Now that the new level of payment has been established, we shall consider whether it needs further uplifting against the background of future police funding settlements. It establishes a rational basis for looking at the needs of the Metropolitan police.

As part of the settlement for the Metropolitan police, my right hon. Friend the Home Secretary has asked the Commissioner of Police of the Metropolis to prepare a comprehensive value-for-money strategy that will draw together the current initiatives and look forward over the next five years. The overall national increase of 3.7 per cent. does not include an additional £30 million that we have transferred from central funding to local police funding for 1998-99, to allow authorities to pay the levy to the new service authority for the National Criminal Intelligence Service. That sum also includes a contribution to the NCIS and national crime squad service authorities.

Every police authority will get its share of the £30 million. We have excluded that sum from our calculations, because, although it is a cash increase, it does not represent an increase in spending power as forces will need it to pay their levy. That levy was proposed by the previous Government and we supported it. We felt that it was right that those national functions, the finance for them and the representation on the service authorities should be routed back into local police forces and local authorities. That principle, which was established during debates and by agreement between both sides for incorporation in earlier legislation, is respected in the way that we have described the increased finance for this year.

My right hon. Friend the Home Secretary consulted the Association of Chief Police Officers and the Association of Police Authorities on the levies. In the light of the consultation process, he decided to direct the service authorities to issue levies that were lower than those that were originally proposed. The APA has described that as a sensible outcome of tripartite consultation.

Since 1995, allocations to individual authorities under the main settlement have been made according to a needs-based funding formula. The basis for calculating the money is the amount that each police force needs to do the job. In the short period between taking up office and announcing provisional grant allocations for 1998–99, we have not had time to consider whether there is any need for significant changes to the formula. However, in the light of consultation with the police service, we are making two minor changes. First, in recognition of the continuing increase in police pension costs, we are increasing the proportion of grant and standard spending assessment that is distributed under the pensions component of the funding formula from 12.9 per cent. to 13.2 per cent.

Secondly, we have reduced the amount of funding that is based on police force establishments. When the formula was introduced in 1995, 50 per cent. of funding was allocated on the basis of forces' past establishment levels. The number of police officers who were employed during the previous year had an impact on determining the finances for the coming financial year. The proportion has been progressively reduced over the past three years to 30 per cent. For 1998–99, we have reduced it again by 10 percentage points to 20 per cent. It is important to continue to move away from a historical means of funding and closer to a needs-based approach. The force establishment figures are increasingly out of date, because original figures rather than those for the previous year are used. Confidence in the formula continues to grow.

Sir Brian Mawhinney (North-West Cambridgeshire): I am grateful to be allowed to intervene before the Minister leaves this part of the speech. I do not seek to make a partisan point, because we both know the difficult problems that are associated with the increasing pension contribution. The Minister will know that the previous Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), had discussions with the police about that matter. I assume that the Minister and the present Home Secretary are also having discussions.

[Sir Brian Mawhinney]

The problem must be addressed soon, because it is already of significant proportions. Could the Minister say a little about his thinking on the issue and tell us when we might expect some proposals for discussion and consultation?

Mr. Michael: I am grateful to the right hon. Gentleman for the way in which he raised the issue. He is right, and I raised the issue several times in rather the same manner when we were in opposition and the matter was being debated. We hope to be able to report shortly our views on the pensions element. The right hon. Gentleman will know as well as I do that there is no magic wand that can be applied to the problem. For example, a fully funded scheme would require about £20 billion, I think that that figure has been mentioned. That is not the sort of money that grows on rose bushes, but we shall introduce proposals in relation to both the police service and the fire service, where similar problems exist. What we have done this year is to increase the proportion of grant and SSA that is distributed under the pensions component, so that the greater burden in the coming financial year compared with this financial year is reflected at least realistically in the figures.

Out of interest, I found out what the percentage increase would be if we netted out the additional cost of pensions. If we took out the extra money for the extra burden of pensions, the overall increase of 3.7 per cent. in the finance available for forces would go down to 3.5 per cent. We have been realistic; it is still a realistic settlement and realistic increase. We shall debate the matter again in the near future, because we need to establish a way forward for the long term, although, as I say, I would not like to promise that a magic wand can be waved and immediately remove the problem.

Returning to the formula as a whole, I believe that, with the reduction of that historic element—the amount of funding that is based on police force establishments—there is increasing confidence in the needs-based formula. The Association of Police Authorities has welcomed both the measures to change the funding formula.

We are making two further changes from last year. We are abolishing two of the additional rules that were introduced by the previous Government: 1 and 3. Both those rules, which sought to guarantee minimum increases in funding and spending for all authorities, served simply to distort or to override the application of the formula.

We understand the reason for the rules: to smooth the impact of changes where they mean that authorities are losers rather than gainers, and any change in a system is bound to produce losers and gainers. The problem is that the rules distorted expectations.

For example, one police authority that came to see me, which had received additional money under the formula to try to help it over the impact of last year's settlement, said that it expected that the assistance would continue year on year, rather than being a one-off to smooth things over. It is clear from what the previous Home Secretary said that the assistance was not to be given year on year, but was a one-off. Police authorities have been confused, so it is important that we have a simple system that everyone understands.

The APA has welcomed the measures, although one or two authorities have suggested that additional rule 1 funding should be phased out over more than one year. However, against the background of a needs-based formula, it is difficult to justify the continuation of the special funding that the rule provided. We shall therefore remove it completely in 1998-99.

Applying the formula without those additional rules inevitably means that, as well as winners, there will be some losers. A formula that provides winners and losers will never enjoy universal acclaim. It is funny how the comments on the formula come largely from the losers, but that is only natural. It is important that the formula is intrinsically sound, and applied as far as possible without distortion.

Many chief constables and police authorities have said to me that, more than anything else, they want to know where they stand, not just for one year, but over successive years, so that they can predict where they will have difficulties and plan for them. We are trying to assist by giving them a predictable future. We believe that the system is essentially sound, but we shall continue to review and refine it in consultation with police authorities and ACPO.

The effect of the formula and capping principles to be applied by my right hon. Friend the Deputy Prime Minister unfortunately means that two police authorities—Surrey and Lincolnshire—will be disappointed by the settlement. To be blunt, they are disappointed by it, and have said so.

The chief constables of those forces came to see me with representatives from the police authorities to express their concerns over the Government's funding proposals for 1998–99. I listened to them carefully, but my view remains that the special funding that they were given in 1997–98 cannot continue.

Tough choices are sometimes necessary for the greater good. The Government stand by their tough decisions in respect of Lincolnshire and Surrey. In doing so, I fully acknowledge that both forces are efficient and effective organisations. This is not a question of penalising inefficient forces. It is simply about allowing the formula and the capping limits to apply without the intervention of additional rules to distort the needs-based system.

Another issue that has been raised in several quarters is that of sparsity, which affects forces that have to police rural areas where distance makes their problems slightly different from those of metropolitan areas. They complained that the formula does not recognise the costs involved in policing areas of rural sparsity.

The previous Government introduced a sparsity element into the formula without objective evidence to justify it. We have left it in place for 1998–99, but we want to ensure that the pressures of policing rural areas receive fair consideration. Equally, I want to be sure that the formula takes account of the cost implications of policing densely populated urban areas. I am therefore commissioning independent research into the costs of policing areas of rural sparsity and urban density, in the hope that it will give us an objective method of judging the way forward on this argument which, as hon. Members will know, has arisen annually. We need to put it on a factual basis, and I hope that the research will assist us in doing that.

I shall refer briefly to capital expenditure for the police. We will be supporting £179 million of capital expenditure next year. We have inherited a difficult situation from the previous Government on police capital provision, a matter that we have debated over the past two years. Funding

has in fact been cut over the previous three years. However, all funding for the major police building programme is being maintained for next year as ACPO and the authorities wanted. The majority of forces will benefit from that funding.

Maintaining funding for the major building programme has meant a reduction of 4 per cent. across the board in allocations for minor capital works. That is a much smaller reduction than in the two previous years, when cuts of 17 per cent. were imposed. Spending on minor works, vehicles and equipment needs to be efficient and provide value for money.

The private finance initiative offers forces an opportunity to extend their capital needs and remove investment backlog. We have removed the barriers to successful PFI projects. New arrangements introduced by the Treasury and the Department of the Environment, Transport and the Regions at the end of last year will help police authorities and the private sector to develop projects more quickly and with greater certainty.

Revenue support in the form of PFI credits will be available to forces that sign PFI contracts, where the commercial viability of the project has been signed off by the new Treasury task force. We expect around four more police PFI contracts to be completed next year.

In conclusion, this is a very fair settlement for the police in a very tight spending round. The additional resources, coupled with our proposals in the Crime and Disorder Bill to tackle other issues in the criminal justice system—they include nipping things in the bud with regard to young offenders, speeding up the youth courts, dealing with anti-social behaviour and driving forward a partnership approach to cutting crime—will all help the police in the fight against crime and disorder. I commend the report to the House.

4.47 pm

Mr. John Greenway (Ryedale): At best, this police grant settlement represents a standstill for the police service in England and Wales; at worst, it will mean budget cuts for several police authorities, leading to fewer police on our streets.

Year after year, Labour criticised the Tories for not spending enough on the police service, yet what do we find now? In his press statement on Monday, the Home Secretary admitted with refreshing honesty:

"The police are the only local authority service to have had an increase greater than inflation in each of the last 4 years."

What an admission—it must be the first time a Minister has tried to excuse not giving enough money by suggesting that the Tories gave too much. It is hardly the background against which Labour should complain of a poor inheritance.

Three years ago, when Labour voted against the grant settlement, the current Home Secretary gave four reasons. First, he claimed that manifesto promises on police numbers had not been kept. Secondly, he said that some police forces would have to cut their numbers. Thirdly, he said that the funding formula was not sufficiently objective and that the apportionment of grant had been arbitrarily fiddled. Fourthly, he said that the grant settlement lacked the necessary flexibility to deal with public crises arising from national political matters that placed a strain on local police budgets—the House will recall, for example, the animal welfare demonstrations at Shoreham at the time.

How does new Labour's first police grant settlement match up to those complaints? In the manifesto commitments, we have drawn a blank. The Minister himself said that there would be no rash promises and, indeed, in new Labour's manifesto there were no commitments—nothing about police numbers and nothing about extra resources, just pious waffle about strong support for front-line services.

I shall now deal with the charge that police forces would have to reduce numbers. There were more constables under the Tories and it looks certain that there will be fewer police officers as a direct result of this settlement. That view is shared by a number of police forces.

Mr. Michael *rose—*

Mr. Greenway: I know the point the Minister is going to make. We listened carefully to what he said, so I hope that he will listen to what we say. I shall deal with the point that I know he has in mind.

Let us take the case of Lincolnshire constabulary, for example—I see that the hon. Member for Lincoln (Gillian Merron) is in her place. The loss of grant to Lincolnshire is £2.5 million. The Lincolnshire police authority says that reductions in the number of police officers are inevitable, despite the fact that council tax payers are facing a 14 per cent. increase in their police council tax precept.

In Surrey, the grant has been cut by £7.5 million. A 28 per cent. increase in police council tax precept will not prevent a £4.3 million cut in budget, resulting in 20 to 30 fewer officers than were originally planned. Humberside police authority faces a budget cut of £2.5 million. Thames Valley faces a £6.3 million cut. Dorset faces a deficit of £1.5 million, despite a 12 per cent. hike in council tax. Cheshire must find £1.3 million in savings. It is inevitable that such reductions in spending will mean the employment of fewer police officers in many parts of the country. Is that what the Minister really intends?

Mr. Mike Hancock (Portsmouth, South): Will the hon. Gentleman give way?

Mr. Greenway: In a moment.

In Wales, two of the four police authorities—Dyfed-Powys and Gwent—have expressed grave disappointment and concern at the implication of the settlement. In today's *Western Mail*, the acting chief constable of Gwent, Richard Thomas, is quoted as saying:

"the 18 officers we had hoped to appoint will not now be recruited . . . The money will be put back into the pot to take up the shortfall in the budget."

Perhaps the Minister can stop off to apologise on his way home this weekend to his constituency of Cardiff, South and Penarth.

The problems that a large number of police forces face have been worsened by the fact that the Home Secretary has done precisely what he criticised in the past—he has altered the police grant formula to benefit one police force at the expense of another.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Greenway: In a moment.

[Mr. Greenway]

The Association of Police Authorities agrees, and is particularly critical, as the hon. Gentleman knows—although he glossed over it in his speech—of the decision to increase the Metropolitan police special payment by £21 million, which is an extra 16 per cent.

I know from personal experience the demands that are made on the Metropolitan police in such areas as public order and anti-terrorism. For example, a Metropolitan police study suggested that those responsibilities cost the mounted branch almost £10 million a year. However, that conclusion will not be viewed with much sympathy in North Yorkshire, where it was recently announced that the mounted branch will be closed down because of a lack of funds.

We must ask whether the Metropolitan police's so-called objective assessment was, in fact, objective and independent. If the case for giving more money to London is as strong as the Home Secretary believes, resources should arguably be provided by a special award for London and not by reducing the budget increase for police forces in the rest of the country. On closer examination, however, it appears that Londoners face a 26 per cent. increase in their police council tax precept to cover the £21 million. The residents of London, not the Government, will fund the extra payment. The claim that London alone needs special funding for capital or city-type policing, when other major cities face identical problems of a national nature, is debatable.

The Home Secretary made precisely such a point three years ago, when he said that the formula did not provide sufficient flexibility. When I intervened on him during that debate to ask what he would do about it, the reply that we received was a definition not a solution. Directing more resources to the Metropolitan police makes things worse, because other police forces have even less money with which to deal with unexpected problems.

Mr. Michael: I am ever so grateful to the hon. Gentleman for finally giving way. He is rivalling the former right hon. Member for Conwy, Sir Wyn Roberts, who became known as the bardic steamroller for rolling on without taking a break. The hon. Gentleman should surely recognise and acknowledge that North Yorkshire police force will receive a 4 per cent. increase in spending power as a result of the settlement. Only one force will have a cut in its spending power, as I said. That is Surrey, with a cut of 1 per cent. The other authority to receive a difficult settlement is Lincolnshire, as I have acknowledged, with a settlement of 1.1 per cent. Most other forces receive a settlement at or above the national average of 3.7 per cent. The hon. Gentleman ought to stick to facts.

Mr. Greenway: I must tell the hon. Gentleman that all the figures that I have quoted are in letters to hon. Members, which I would quite willingly give to him or place in the Library. He is correct to say that North Yorkshire police will receive a 4 per cent. increase. In many respects, we welcome that. It is a marginally higher settlement, but it does not alter my argument that in North Yorkshire there will not be a mounted branch whereas it was argued that London must have a mounted branch and therefore must receive an extra £21 million.

What can we conclude from all this? Judging by what the Home Secretary said when he last spoke in the House on this matter, this police grant settlement fails to address any of the issues that he thought so important that he voted against the proposed grant three years ago. Should that come as any great surprise? I think not. All the evidence shows that increasing police service resources is not a priority for the Government. Not only was there no commitment to provide extra resources in Labour's election manifesto, but precious little has been said on the matter since the election.

In the 1995 police grant debate, my hon. Friend the Member for South Dorset (Mr. Bruce) asked the then shadow Home Secretary how much more money the Labour party thought the Conservative Government should spend on the police. In reply, the right hon. Gentleman suggested that my hon. Friend should wait until the Conservatives were in opposition, when they would hear the right hon. Member for Dunfermline, East (Mr. Brown) announce in his Budget details of Labour's spending plans. We are still waiting. We have had not one but two Budgets since the election. There have been two opportunities to tell us about how important resourcing the fight against crime is to the new Government, but there has not been a word about the police—not even a Home Office press release in the Budget pack made available to hon. Members through the Vote Office. Nothing. Not a word. Just silence. So much for Labour being tough on crime.

Mr. Hancock: To hear the hon. Gentleman speak one would imagine that, when in power, the Tories were very generous to the police. This settlement is virtually identical to the one that they proposed last year. Will the hon. Gentleman explain how the number of police officers in England and Wales fell over the last four years of the Tory Government?

Mr. Greenway: I am coming to that, as the Minister knows, because we have had that argument before, although not during the full police grant debate.

What has the Minister, previously merely the hon. Member for Cardiff, South and Penarth, had to say? In recent years he has made much of what he saw as the previous Government's failure to deliver an extra 1,000 officers, yet every independent assessment of the Conservative record bears out the claim that funding was increased in real terms—and we now have the Home Secretary's ringing endorsement of that fact in his own press release.

We also know that more police constables were recruited as a result of what the previous Government did. The Minister has referred to the Audit Commission report. I refer him to paragraph 50 of that report, which says:

"most forces had increases in their funding in real terms between 1993/94 and 1996/97".

The report's statistical analysis shows that 32 police forces had real-terms increases and only six had reductions. One of those, by the way, was North Yorkshire. It is interesting that Durham, in which Sedgefield lies, had the biggest increase of all.

The Audit Commission report also confirmed, in paragraph 48:

"the average time police constables spent in public increased by 4 per cent. between 1994/95 and 1996/97 . . . Coupled with the increased numbers in police constables, this means significantly more bobbies on the beat".

That is not what we say but what the Audit Commission report, which the Minister prayed in aid, said.

The Minister has already confirmed to me in a written answer that between April 1992 and March last year the number of constables increased by 2,322. He says that the number of police officers fell by 469, but it is well known throughout the police service that, by flattening the management structure and civilianising police posts, senior ranks throughout the police service were intentionally reduced. In the Metropolitan police alone, between March 1994 and March 1996 the number of senior officers of the rank of chief inspector and above fell by 255. It is in those ranks, not among police constables on the streets, that the number of police officers fell.

That pattern applies throughout the country. The settlement that we are being asked to approve today seems certain to maintain the trend of a flatter management style as police authorities look for budget savings and reassess their priorities while doing everything possible to maintain front-line services.

Indeed, the Home Secretary has encouraged that process by demanding greater efficiency. That is what the Minister said today. We agree with that. Perhaps he can tell us how many police posts he expects to be civilianised during the lifetime of this Parliament. He knows that, as a matter of necessity, many will be, and he must also know that that will mean fewer police officers. However, what matters to the public is how many constables there are on the streets.

Mr. Nick Hawkins (Surrey Heath): As the Minister of State has already conceded, Surrey is one of the counties that has been hit by a cut in police grant. Does my hon. Friend agree that people in Surrey will be concerned because, unlike many other counties, including Durham, they will not see a continuing increase in the number of constables on the beat because the Labour Government have broken many of the promises that they gave earlier and cut funding for counties such as Surrey?

Mr. Greenway: Certainly the people of Surrey will wonder why they are paying a 28 per cent. council tax increase so that more police officers can be available in the Metropolitan police district, while they get fewer.

Mr. Michael: In replying to his hon. Friend, will the hon. Member acknowledge that it is not the present settlement that affects the figure for Surrey, but the application of the needs-based formula, which the previous Government put in place?

Mr. Greenway: No, it is not.

Mr. Michael: Yes, it is.

Mr. Greenway: No, it is not. The Home Secretary has decided arbitrarily—as the Minister has told us today—to remove rule 1 and rule 3.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Greenway: No. The Minister has asked me a question and I have given him the answer. He must know that that is what has happened. He himself said that that was the cause of the reductions in Lincolnshire and in Surrey. Who made the decision? It was this Government—not the last Government. He must take responsibility for that decision.

Mr. Michael: Will the hon. Gentleman give way?

Mr. Greenway: No, I will not give way again. I have given the Minister an answer. He is putting forward a sterile argument. Rule 1 and rule 3 were introduced to ensure that every police authority got a fair share of the increased money. The fact is that those two rules have been removed, and that is the cause of the problems in Surrey and in Lincolnshire.

Mr. Ian Cawsey (Brigg and Goole): Will the hon. Gentleman give way?

Mr. Greenway: No. I must make progress. Many hon. Members want to speak in this short debate. There are many matters yet to be considered.

A key factor in the increase in the number of constables to which I referred was the initiative by the former Prime Minister, my right hon. Friend the Member for Huntingdon (Mr. Major), in 1995 to provide the resources to enable the police service to recruit up to 5,000 more officers over three years. Although that initiative was derided by the Minister and by Labour in opposition, we now find that the Government have provided the money for the third stage of the programme.

Let me be clear about this. The Opposition warmly welcome the Government's decision to provide the additional £40 million for the third slice of extra money. On that, at least, there is agreement, and it has been generally welcomed in the police service as well. I only wish that I could be more convinced of the Government's enthusiasm. Their attitude to this project is best summed up by what the Minister said a year ago. He said that the Government were

"not providing the resources or putting in the money to meet the Prime Minister's promise."—[*Official Report*, 29 January 1997; Vol. 289, c. 462.]

That was just plain wrong. The assistant chief constable of Gwent clearly thinks that it was wrong, too. He had the money for the 18 officers he planned to recruit, but the Government—through this settlement—have taken it away.

Doubtless the Minister discovered how wrong he was when he examined the figures in preparation for this year's police grant. He found a specific grant of £60 million for extra officers which is replicated in this grant settlement document. Along with the £40 million extra to which I have referred, that means that the police benefit to the tune of £100 million this year as a direct consequence of the former Prime Minister's initiative. The importance of this to police budgets cannot be overstated; it is acknowledged by the fact that this £100 million is excluded from capping limits.

On the question of capping, the police element of the council tax is not sufficiently transparent. This settlement produces vast discrepancies across the country. How can it make sense for residents in Staffordshire to face a 32 per cent. rise in what they pay towards the police through the council tax when, in the neighbouring West Midlands area, residents are likely to see a 7 per cent. cut?

[Mr. Greenway]

In Surrey, residents will pay 28 per cent. more, whereas in Kent there will be a 5 per cent. reduction. In Cumbria, there will be a rise of 24 per cent., yet in Northumbria, Durham and Cleveland there will be a reduction.

More to the point, research from the Library estimates that, of the £63 million increase in overall spending power for the Metropolitan police, £37 million will be funded by council tax payers; almost 60 per cent. of the extra money will be met by residents. What is undeniably perverse about this year's settlement is that, in some areas, the police element of the council tax will go down while the police will be forced to make cuts in their planned budgets. Those cuts inevitably mean that money supposedly for additional officers will be used to help maintain existing commitments. That is why the Minister has made no predictions regarding police numbers, and why I believe we shall never persuade him to do so.

As if all that is not bad enough, the Association of Police Authorities has confirmed that support for capital projects has been cut by 12.7 per cent., or £26 million. It is shameful that the Government have done that and how the Minister can possibly justify that cut in the face of his past statements beggars belief. The obvious lesson is that criticism is easy, but having the responsibility for taking hard decisions is much more difficult. The Minister should not be in the least surprised at being reminded of his more outspoken remarks when in opposition. Judged by what he and his right hon. and hon. Friends said in the past, this police grant settlement does not pass muster.

Judging by their past remarks about police services, we cannot doubt that Ministers are fully aware of what is required to sustain and improve the quality of the police service. What is in doubt is their commitment. There is precious little evidence that supporting the police service with extra money and not just fine words is a priority for new Labour. We in the House today and those in the country at large need to be clear that the problems for the police services and the increases in council tax bills that will flow from this settlement are the responsibility of the Government and no one else. New Labour's manifesto may have been short on specific promises, but their rhetoric and conduct in recent years has generated high expectations. From what they have said in the past, we know what those expectations are; sadly, they will not be fulfilled by this grant settlement.

Several hon. Members *rose*—

Mr. Deputy Speaker (Sir Alan Haselhurst): The Front Bench speeches have now taken 48 minutes of a 90-minute debate. I appeal to hon. Members to make brief speeches so that I can try to accommodate all those who are seeking to catch my eye.

5.11 pm

Gillian Merron (Lincoln): I warmly welcome my hon. Friend the Minister's clear commitment on behalf of the Government to tackle and prevent crime through good policing as well as through legislative measures. Those are the actions of a responsible Government.

I regret that I am the isolated voice of local concern in the House today as the only Lincolnshire Member of Parliament present. As we have heard, Lincolnshire is one of only two police authorities that are losing out—to the tune of more than £2.5 million in 1998–99. In December, because of that, I made urgent arrangements to meet my hon. Friend the Minister and at our meeting I set out my concerns about cuts in Government funding, which we in Lincolnshire fear might cost the police force up to 80 officers—a number that we can ill afford to lose. It is understood that there are many heavy pressures on spending and lines need to be drawn, but I regret that the effect of where the Lincolnshire line is drawn is that council tax payers in my constituency will pay more, but receive less. That is most unwelcome.

We are in that worrying position because the previous Government established a formula that did not take accurate account of Lincolnshire's sparsity of population or needs. For two years, they applied special rules—for political favour, I believe—which have now raised expectations. I would prefer that the previous Government had tackled the issue of a formula that treated Lincolnshire unfairly, but they did not, and we are now where we are.

The outcome of my meeting with the Minister was that he agreed to meet the Lincolnshire police authority and to re-examine the funding formula—assurances I was pleased to secure. The Lincolnshire police authority made an excellent case and alerted the Minister to the value for money offered by the Lincolnshire police authority. The cost of policing in Lincolnshire is 28p per person per day, compared with a national average of 36p. Despite having one police officer for every 500 people, when the national average is one to 400, the apparent implication of the grant formula is that we have too many police officers.

I would not accept that, and nor would the many people and organisations who have made heartfelt representations to me, including the Lincolnshire Tenants Forum, which represents tenants groups across Lincolnshire and works closely with the police in an effort to combat crime and anti-social behaviour. In addition, the chamber of commerce, the Federation of Small Businesses, the Lincoln co-operative society and many other organisations have made concerned representations to me.

Like many other hon. Members, I receive representations from constituents who, as groups of neighbours, come to me as their Member of Parliament to express their concern about local policing. I shall briefly quote a letter I sent to my local police superintendent, who provides an excellent service. The letter was prompted by a group of people, at their wits' end, who came to me, and it illustrates the concerns felt in Lincoln. I wrote that I had been approached by four households

"who are greatly concerned about the behaviour of a family who lives close to them . . . The group that came to see me believe the parents . . . are involved in drug-dealing and allege that they use the empty house to the left of their residence as a repository for stolen goods. . . . the two elder children of the family are apparently left to run wild about the estate, having both been expelled from school. They and their younger siblings regularly climb out of the bedroom windows to roam the streets in the early hours of the morning. All those who came to see me spoke of being terrorised. The children damage their homes and property, and those of other neighbours, on a regular basis. They also shout abuse at residents"—

and spit at an elderly man who is harassed in the street.

"The trouble has apparently gone on for seven years."

We cannot allow that to continue and we must tackle such situations. I am worried that the impact of the settlement on the Lincolnshire police may curtail their ability to do so.

This week is national facial injuries week, as hon. Members may be aware. On Monday, I joined a specialist consultant and a senior police officer at a Lincoln school to help raise awareness of the dangers of the abuse of alcohol and the link to dangerous driving and violent attacks. The police officer spelled out his own experience and, in so doing, may have prevented some of those young people from suffering severe facial and emotional damage or even death. We want our police officers to do that sort of work and do not want funding to be cut and our service to become simply a law-enforcement body. The sort of preventative work and liaison in which I engaged on Monday is what a modern and efficient community police force is all about. I hope that my hon. Friend the Minister will consider that point.

My hon. Friend referred to the Audit Commission report, in which we in Lincolnshire can read that we have a below average number of police officers available for ordinary duty; a below-average proportion of uniformed constables' time spent in public; and a below average expenditure on policing per head of population. Yet I, like the Minister, commend Lincolnshire police for their efficiency and effectiveness. I wish to put on record my constituents' gratitude for the police's dedication and the hard work carried out, not only by uniformed members of the Lincolnshire police force, but by those who are not in uniform. All of them frequently extend themselves well beyond the call of duty.

I thank my hon. Friend the Minister for his agreement to my request for a review of the grant formula, and we have heard about some of the changes. However, I have a plea to make to him. The urgency and worry for Lincolnshire police authority and my constituents in Lincoln is that our level of policing cannot continue and that we shall suffer, lose confidence and no longer be properly policed. I wish to endorse the forcible arguments that have been advanced for transitional support and a special capital grant, which I regret have not found favour with my hon. Friend the Minister.

5.19 pm

Mr. Andrew Hunter (Basingstoke): As time is limited, I shall be brief. I shall not apologise for considering police funding nationally from a Hampshire perspective. There, I believe that it can be said that the prevailing view of the 1998-99 settlement is summed up in the words "Appearances can deceive". I do not believe that that view is confined to Hampshire alone. On the surface, the settlement does not seem unreasonable: it allows an increase in spending of 3.8 per cent. or £6.9 million, and the provisional capping criteria allow maximum spending of £187 million. Together with a few bits and pieces, that brings the total spending to £190.3 million. But appearances can deceive.

Hampshire—along perhaps with other police authorities—is set to suffer from a contradiction in the settlement. In the settlement, the Government recognise the increasing needs of the police force. They consequently and rightly express that recognition in the form of an increase in grant—I support and applaud the Government for that. However, what is highly questionable is that, in the case of Hampshire and, I dare say, elsewhere, the Government have not allowed and are not allowing a similar increase in police spending. That absurd situation has been created by the provisional capping criteria. The simple truth is that those criteria contradict the increase in the grant.

The point has been put simply to me by members of the police authority: it is perverse to a degree. By budgeting at the capping level, the council tax for the Hampshire police authority will have to be reduced by about 2.8 to 3 per cent. I acknowledge that that is of benefit to council tax payers in the short term, and I welcome the increase in grant, but the police authority sees the absurdity of the situation and is already making that point to the Minister and his officials. Hampshire police authority is arguing that the capping limit should be set at a level that would at least maintain the current level of the police element of the council tax.

We are arguing—I hope that the Minister will pay attention to this—that there should, at the very least, be a cash freeze in the police element of the council tax in Hampshire. It would be acceptable politically; on the whole, people regard money spent on law and order as money well spent and, in the case of Hampshire, next year it would yield an additional amount of almost £1 million. At the margin, that would make a significant difference, given the need to direct funds from the revenue account to finance unavoidable capital commitments.

That matter leads me naturally to my second and final point, which is more specific to Hampshire. I hope that the Government will take note of it. I make the point not only because of its obvious constituency interest, but because it affects the whole of the county of Hampshire. As the Minister will know, the funding situation in Hampshire has been compounded by the discovery of a serious asbestos problem in Basingstoke police station. The problem will require a total rebuild; it was unforeseen; and resolving it will cost about £3.2 million. It will place an enormous burden on the funding of Hampshire police authority.

The police authority is already in touch with the Minister's officials and is pleading for borrowing approval to help to pay for the work. I take this opportunity to endorse that plea. I hope that the Government will respond positively. The unforeseen development is a further reason why Hampshire authority is requesting a relaxation in the capping limit.

Mr. Hancock: Before the hon. Gentleman moves off the subject of Hampshire, I am sure that he would like to join me in congratulating the police authority in Hampshire. During the last four years of the Tory Government, when national figures were going down, the Liberal Democrat-led police authority was able to increase police numbers by 225 policemen and 311 civilians—a major breakthrough in policing. What the Government were talking about nationally, we achieved on the ground in Hampshire, but with no help from the Government.

Mr. Hunter: I agree with half of what the hon. Gentleman said. I acknowledge that, during the time that he presided over Hampshire county council, there was a substantial increase in the establishment of the county constabulary. I have frequently congratulated him on presiding over that, and I do so again.

I take issue with the hon. Gentleman because he consistently refuses to acknowledge that, not just when he looked after the county council, but throughout the 18 years of Conservative government, Hampshire benefited from a 115.9 per cent. real-terms increase in funding from central Government. Many of the great

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achievements made by the police authorities of Hampshire were achieved on the back of that increased central Government funding. That does not detract from the fact that I congratulate the hon. Gentleman on what he achieved in that respect while he was leader of the county council, and I would not wish to give that impression.

I plead with the Minister seriously to take on board the two different needs of the Hampshire police authority. First, I make a plea for a raising of the provisional capping limit that has been announced. Secondly, I make a plea that the borrowing approval that the police authority is seeking to help fund the additional, unforeseen expenditure that will be needed owing to the discovery of asbestos at Basingstoke police station will receive a positive response. There is much else that I could say, but I rest my case on a final plea to the Minister to take those points seriously.

5.27 pm

Mr. Ian Cawsey (Brigg and Goole): I shall make only a brief contribution to the debate, as I know that other hon. Members wish to speak and time is limited.

I wanted to say something about my own experience of the subject. For four years before entering the House, I had the honour of being the chairman of the Humberside police authority. I therefore sat through many anxious debates as settlements were made. It strikes me that there is good and bad in all police settlements; perhaps whether one shows joy or indignation depends on which side of the Speaker's Chair one is sitting.

There is merit in the settlement announced today and I, for one, certainly welcome it. I have always found the subject of funding and police officers interesting. From my experience, I am not necessarily sure that, if my police authority received extra funding, that money would always be best spent simply on extra police officers. The hon. Member for Ryedale (Mr. Greenway) made the point rather well when he said that flattening structures and civilianisation were also involved. It is odd when political parties chase after X hundred or X thousand extra police officers; what we want are effective and efficient police services and police authorities. We might debate whether that means more police officers, more civilianisation, more equipment or better training, but really it involves a mixture of all of them. I welcome the settlement, in as much as it will allow police authorities to make the decision for themselves.

I think that all hon. Members will agree that the subject of pensions is perhaps the most significant issue facing police authorities. I remember attending a seminar on the future of police funding last year, or the year before, where it was said that, if nothing changed—my hon. Friend the Minister has already changed something this year—by the year 2020, police authorities would be spending more than half their budget on police pensions, not policing. The matter should be dealt with quickly. I welcomed the Minister's comment that he is working keenly on it and we can expect an announcement soon. We must have a clear way forward.

I was the chairman of the police authority when the previous Government moved from what was basically establishment-based funding to the formula funding, and I was a strong supporter of that. I applauded the previous Home Secretary for doing it. Although he was no political friend of mine, he was right to do it. We are right to continue that process. It was always going to be difficult because, inevitably, it would move resources around.

I had no great objection to the additional rules that were introduced last year, because they gave a degree of protection. It must be borne in mind, however, that the additional rules did not put any extra money in; they simply redistributed the entire cake in a slightly different way. The Surreys and the Lincolnshires can claim to be badly treated because they are not getting transitional relief or additional rules this year, but it must be accepted that there are police authorities that the formula has identified as having less money than they should have had. That is what additional rule 1 and 3 did last year.

The formula provides that certain police authorities should get a bigger slice of the cake—we can argue about the size of the cake—and extra rules were put in to reduce that, so that there was some relief for the losing authorities. I had no objection to the previous Government doing that for one year, because it was a big move in one go, but it must be recognised that, where the formula has identified need, resources should follow.

Let me add a personal plea on the formula. I hope that the Minister will address the area cost adjustment, which, in police terms, is extremely unfair. There are national wage agreements for police services and civilian staff, and I see little basis for an area cost adjustment to move resources to just one part of the country.

There is a romantic myth that we should all like to become a reality—more police officers on the street, walking down the street endlessly and reassuring us, which is part of the police's business. The Police Foundation conducted research that showed that a police officer on the beat would come across a crime only once every six years, or only four or five times in his entire career. If that is the case, questions must be asked about the best use of police officers. That is why money must be spent in a targeted way.

The impact of crime on the public, which my hon. Friend the Member for Lincoln (Gillian Merron) spoke about in the context of her constituency, is a matter of community safety. That was identified by Morgan in his report several years ago. It is a matter not just for the police and the police authority, but for the wider community—the local authority, private business, the voluntary sector. The entire community must work together to ensure that there is less crime and less fear of crime on the streets. I know that we are not here to discuss the Crime and Disorder Bill, but I welcome the fact that the Government want to move in that direction.

The police grant settlement is only one tiny dot on the entire picture of law and order in Britain. The settlement is a step in the right direction, and I am happy to commend it to the House.

5.33 pm

Mr. Richard Allan (Sheffield, Hallam): As I rise to offer the Liberal Democrat response to the report, I am once again confronted by the strange role reversal of the Labour party in government and the Conservatives in opposition.

On these Benches, we are thinking of equipping ourselves with simultaneous translation equipment in the manner of the European Parliament, so that, when we hear

the Minister telling us that this is a perfectly adequate settlement, that is translated as, "I was only pretending when I called for more resources in opposition"; and when the Conservative spokesman attacks the settlement as inadequate, that is faithfully rendered as, "We were only pretending when we spent years arguing that similar settlements were perfectly good."

I welcome any contribution to the debate that uses the popular phrase "the legacy of 18 years of Tory Government," which can be read as "an excuse for absolutely anything, which we will use just as long as we can get away with it."

The first thing that we must be clear about with regard to this year's settlement is who will pay for the 3.7 per cent. increase that the police forces are getting. The Government have said that they expect the average increase in police authority precepts to be greater than the rate of inflation. The Minister's estimate of £5 on the precept for a band D property actually represents an 8.7 per cent. increase.

It is unfortunate that, once again, the local council tax payer is hit in order to maintain the fiction that taxes are not being increased, when what is really meant is that income tax is not being increased.

The Minister found this such a shameful funding mechanism that, in last year's debate, he was not sure whether to call it

"institutional theft or another Tory tax rise"—[*Official Report*, 29 January 1997; Vol. 289, c. 460.]

My translator tells me that that should now read "a sensible and necessary measure to keep the Government's pledges on tax, made necessary by 18 years of Tory rule".

With an increase in the police precept above the rate of inflation, the public might reasonably believe that they would see an increase in the number of police officers in their areas, but that is unlikely if last year's example is anything to go by. The 3.7 per cent. budget increase delivered by the Tories last year led to fewer police officers. There has been a fall of 300 officers from the March 1997 figure of 125,051 to the September 1997 figure of 124,751.

Last year, the Minister enjoyed attacking the Conservative Government for their "con trick" over police numbers. His party was careful not to make a commitment of its own on police numbers, but the clear implication of the Labour argument was that falling police numbers were a problem. In new Labour-speak, that may be translated as "size does not matter".

Mr. Andrew Stunell (Hazel Grove): May I draw my hon. Friend's attention to the situation in relation to the Greater Manchester police? Year after year through those 18 years of Tory misrule, the chief police officer wanted an extra 120 officers, who were denied to him by the Home Office. We now find that there has been a further fall in the number of police officers since the Labour Government came to power. Does my hon. Friend agree that the efforts of councils such as Stockport to improve crime prevention measures and to work with the police to fund special constables are undermined by such outcomes, and that what matters are the outcomes, not the inputs of cash?

Mr. Allan: I thank my hon. Friend for that contribution, which adds local colour by describing the problems that people are facing on the ground.

The police establishment, as the Minister pointed out, is now a matter for the police forces themselves, since the Police and Magistrates' Courts Act 1994, which the Minister was then happy to criticise. He told us that the change to locally decided establishments was the result of constant scrutiny by his vigilant Opposition, and that the Conservatives had introduced it as a smokescreen to cover up cuts in police numbers.

I hope that the Minister will be able to rise above the low motives of the previous Government and not simply dismiss concerns about police numbers as someone's else's problem. We have enough "blame someone else" disease in agriculture, without bringing it into the Home Office as well.

It is common sense that the principal factor in deciding the police establishment is the level of funding, and that remains the Government's problem.

Police effectiveness is not just a function of resources. The recent Audit Commission report is a timely reminder that effectiveness is about management and how we use those resources. I shall single out from the report the performance of my local force, the South Yorkshire constabulary, which achieved very good results in spite of a relatively low level of funding for a metropolitan force.

My experience from talking to the South Yorkshire force and from colleagues in other areas is that important changes are taking place and are bringing improvements. Local policing plans are helping to set clear targets and priorities. The devolution of responsibility to divisions is helping. Investments in community policing are reinforcing our tradition of policing by consent—a tradition that may have suffered in the past from the perception that the police were remote agents who arrived by car only at a time of crisis.

The Liberal Democrats support those moves. We want to see a police force firmly based in our local communities and working with other agencies. We believe that the best way to help potential victims is to prevent crime in the first place.

In accepting the broad outcome of this year's settlement, we want to raise with the Minister certain points that give us concern about future settlements. The first is the issue of police pensions, which the Minister mentioned. The time bomb has been ticking away for some time. We look forward to a Government announcement on when they will issue a consultation paper setting out the possible reforms.

The second key concern is the cap on the Home Office budget in general—the set of handcuffs that the Government have placed on themselves by sticking to the Tory spending plans.

The criminal justice system, by its nature, is demand-led, and there is growth in particular areas, such as prison populations. If we are able to increase police effectiveness, we can expect to see that demand grow further still: more prisoners will come on stream as more criminals are caught by an increasingly effective police force. The Home Secretary has said that he can deal with that increase only by moving resources within the capped budgets. We seek the Minister's reassurance that police budgets will not be damaged by the demand for extra spending elsewhere.

Thirdly, we hope that the Minister will address capital funding. While it is not covered specifically by the report, the 12.7 per cent. cut—down from

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£205 million to £179 million next year—will place further pressure on police budgets. The cost of supporting older plant will be higher, and investment priorities may divert funds from front-line resources.

Finally, I hope that the Minister will take on board the new demands that the police will face. There is a welcome trend towards community policing, and a series of measures in the Crime and Disorder Bill will require the police to put in place and enforce orders. Speeding up the youth justice system will mean the devotion of considerable police resources to joint working with the courts and other services. We hope that that fresh officer time will be funded through police settlements, and the fall in police numbers is extremely worrying in that context.

The Liberal Democrats do not seek to obstruct the settlement today, but I hope that the Minister will take our concerns on board and enter a constructive dialogue that leads to greater support for our first-class police forces, which provide a public service of which we can rightly be proud.

5.40 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I shall do my best to present the main points of my speech in the short time available—as usual, the speech that one does not deliver is the best.

On 2 November, the Minister wrote to all north Wales Members of Parliament, saying that money was tight and that the Government had inherited a very difficult and challenging situation. I shall give him some free legal advice: if one inherits a burdensome bequest, one can always relinquish it. The Minister could start by re-examining spending limits. I agree that Government money is tight—it always will be. I know that the Minister will fight his corner with the Treasury—the people who control much more of Government than is apparent at first glance.

The settlement offered to the North Wales police is disappointing. The North Wales force is extremely efficient and well run, but the money that it has been offered is clearly insufficient. The Home Office expenditure forecasting group reported an unavoidable need for growth of about 3.9 per cent. plus inflation. Therefore, there is a considerable funding gap between what is needed and what has been offered—in short, there is an unavoidable shortfall of £1.7 million or 2.5 per cent. That will mean further cuts, and more internal efficiency savings.

The North Wales police force is very well managed. A major restructuring exercise undertaken in recent years found that some senior ranks were not necessary, as the hon. Member for Ryedale (Mr. Greenway) said. The "flattening out" process has gone well in north Wales, and has produced substantial savings in many areas.

I urge the Minister to re-examine the settlement for the north Wales force. The cuts cannot go on for ever. Rural police stations have been told that officers may travel only 15 miles in their motor vehicles. That absolutely incredible position is one result of the yearly squeeze on resources.

The current approach must change. All hon. Members are concerned about policing: it is a core service. Some people claim that crime is not a major issue in rural areas, but unfortunately that situation is changing. Therefore, the sparsity and rurality elements of the settlement must be re-examined. The day population of north Wales is hugely inflated during the summer months, and perhaps the settlement does not sufficiently recognise that fact.

I do not want to be too grudging: I welcome the Minister's opening remarks and his reference to research into the sparsity issue and policing in our inner cities. I hope that that research will bring forth some urgent changes, as the annual squeeze on police authorities is making life well nigh impossible. As a result of the review, I hope that we can look forward to a change in the rules that govern the calculation of the formula. It is vital to maintain rural services. The police in rural and inner-city areas must be able to perform their duties adequately.

I welcome the review, and I hope that the Minister will press it forward, so that we may be sure of adequate policing throughout the United Kingdom.

5.44 pm

Mr. Michael: I congratulate all hon. Members who have participated in the debate on packing a great deal into a short space of time, and on raising many issues. It is impossible to answer all the questions, but I shall reply to specific points—particularly regarding local issues.

My hon. Friend the Member for Lincoln (Gillian Merron) was the first to make representations to me—so it was a first for us both. She pressed the case for Lincolnshire vigorously. The Lincolnshire force is caught by the inevitable consequences of the needs-based formula introduced by the previous Government, which, to be fair, commands general support among police and police authorities across the country.

The former Home Secretary made the mistake of awarding a grant that appeared to provide additional money over a period of years, but was intended to ease the situation for only a single year. As I said initially, we shall curtail the use of the special rules in order to remove that distortion. It is better to know exactly where one stands—even if that creates difficulties—so that one can predict future problems.

My hon. Friend referred to a nightmare family who have harassed a particular community for seven years. That is precisely why we are introducing the antisocial behaviour order in the Crime and Disorder Bill. One can imagine the amount of time and effort that police, local authorities, local councillors, Members of Parliament, and perhaps other agencies have devoted to that problem in the past seven years. The new order will give authorities the power to prevent a repetition of that sort of behaviour. That is important.

One may control the water level in a bath by turning off the tap as well as by pulling the plug—I hope hon. Members can follow my analogy. We must provide police with the resources and the tools to do the job in terms of legislation, powers to the courts and so on.

The hon. Member for Basingstoke (Mr. Hunter) acknowledged that we have increased the settlement to the Hampshire force by 3.8 per cent. I appreciate the

fact that specific events, such as finding asbestos in a police station, can cause unexpected problems—as do certain revenue pressures, such as a major incident, a new road or pursuing serious inquiries.

There is no way in which we can provide resources to deal with such problems without allowing for incredible variations in the settlement—not least because we would have to predict what might occur. We shall examine the specific points that the hon. Gentleman raised, but I cannot make any promises about what assistance we might provide. It is worth mentioning that we shall support four capital building projects in Hampshire in 1998–99.

The hon. Member for Sheffield, Hallam (Mr. Allan), the Liberal Democrat spokesman, offered to provide a translation service. I was tempted to respond by saying that his comments should be translated as, "I was not in power then and I am not in power now, so don't take anything I say seriously." However, I do take the hon. Gentleman seriously, and he made some important points.

The hon. Gentleman described the criminal justice system as demand-led. One problem is that we have allowed the criminal justice system to be completely demand-led. It is a fact that incidents occur when they occur, and people commit crimes when they commit crimes.

However, we can do something about crime levels—for example, we can nip problems in the bud with young offenders. I know that the hon. Gentleman and I agree about that—as we discovered in a debate a few months ago. We are not only providing the police with the resources that enable them to do their job properly, but are creating an environment in which, with other partners, they can tackle crime and the causes of crime. We have introduced measures that enable the police to do their job much more efficiently.

The hon. Member for Hazel Grove (Mr. Stunell) intervened briefly. It is worth pointing out that, up to now, any cuts have been the result of the previous Government's financial settlements. This year, we are giving the Greater Manchester police an increase of 3.8 per cent., slightly above the national average.

To the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) I would say that we would all like more, but 3.8 per cent. is the increase in spending power that we are giving the North Wales police. I visited the force recently, and a number of partnership developments are bearing fruit, such as the prevention of crime in Rhyl, or the work done with the local authority in Colwyn Bay and Llandudno. They are positive measures.

My hon. Friend the Member for Brigg and Goole (Mr. Cawsey) brought to bear his insight as an experienced chair of a police authority. He was right in what he said about the efficient use of money. That, rather than the distortion offered by the hon. Member for Ryedale (Mr. Greenway), was the point of my right hon. Friend the Home Secretary's comments in announcing the settlement. It is a general settlement, but we also need to consider the efficiency with which the police use the resources available to them. I urge the hon. Gentleman to re-read my right hon. Friend's press release.

Last year, for the 1997–98 financial year, there was a settlement of 3.7 per cent. This year, there is a settlement of 3.7 per cent. The difference is that last year's settlement was based on an inflation rate of 3.1 per cent., but this year's is based on an inflation rate of 2.7 per cent. That is the difference, and that shows the greater generosity of this Government compared with that of the previous Government.

The hon. Member for Ryedale said that the settlement will mean that council tax payers in London will have to pay more than in previous years. That is fair, given that the Government will still meet between 80 and 85 per cent. of police expenditure in the capital. The percentage of police spending raised from council tax in the Metropolitan Police district is estimated to be 12.9 per cent. in 1998-99. That is lower than the English average of 14.5 per cent., and a lot lower than that for any other force in the south-east of England.

Therefore, the hon. Gentleman should compare like with like, looking at fairness and not just where the increase applies. If he does so, he will see that the people of the Metropolitan Police area have received a fair settlement.

The hon. Gentleman said that criticism is easy, although he managed to make it sound difficult. We need only compare the previous Government's promise in 1992 to increase police numbers by 1,000—their choice, not ours—and their promise later to increase them by another 2,000, a total of 3,000, with their delivery of a cut of 469. The hon. Gentleman may say, by their deeds shall we know them, but we certainly know the Conservatives by their failure to deliver on their promises during the many years that they had the opportunity to deliver.

The Conservatives had the opportunity to put their money where their mouth was, and they failed. They failed to deliver their promises. They failed to be tough on crime and the causes of crime. They failed the British police and the British people. In contrast, this Government have made a good settlement, at a time of considerable financial restraint.

We are also taking other steps to work in partnership with the police, and to enable the police to work in partnership with local authorities and the community to deliver a high standard of policing and to improve it, so that we can see the problems of crime, which have bedevilled our communities for far too long, tackled efficiently by a partnership between Government and the police.

Question put and agreed to.

Resolved,

That the Police Grant Report (England and Wales) 1998–99 (HC 492), which was laid before this House on 2nd February, be approved.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

DEFENCE

That the draft Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1998, which was laid before this House on 13th January, be approved.—*[Janet Anderson.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONTRACTING OUT

That the draft Contracting Out (Functions in relation to the Management of Crown Lands) Order 1998, which was laid before this House on 15th January, be approved.—*[Janet Anderson.]*

Question agreed to.

SCOTTISH GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Order No. 100 (Scottish Grand Committee (Sittings)),

That the Scottish Grand Committee shall meet on Monday 2nd March at half past Ten o'clock at New Parliament House, Edinburgh, to take questions for oral answer pursuant to Standing Order No. 94 and to consider a substantive Motion for the adjournment of the Committee pursuant to Standing Order No. 99.—*[Janet Anderson.]*

Orders of the Day

Public Processions (Northern Ireland) Bill *[Lords]*

As amended (in the Standing Committee), considered.

New clause 3

ADVANCE NOTICE OF PROTEST MEETINGS RELATED TO PUBLIC PROCESSIONS

'.—(1) Where notice has been given under section 6 in relation to a public procession, a person proposing to organise a related protest meeting shall give notice of that proposal in accordance with subsections (2) to (4) to a member of the Royal Ulster Constabulary not below the rank of sergeant by leaving the notice with him at the police station nearest to the place at which the meeting is to be held.

(2) Notice under this section shall be given—

(a) not later than 14 days before the date on which the meeting is to be held; or

(b) if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice.

(3) Notice under this section shall—

(a) be given in writing in such form as may be prescribed by regulations made by the Secretary of State; and

(b) be signed by the person giving the notice.

(4) The form prescribed under subsection (3)(a) shall require a person giving notice under this section to specify—

(a) the date and time when the meeting is to be held;

(b) the place at which it is to be held;

(c) the number of persons likely to take part in it;

(d) the arrangements for its control being made by the person proposing to organise it;

(e) the name and address of that person;

(f) where the notice is given as mentioned in paragraph (b) of subsection (2), the reason why it was not reasonably practicable to give notice in accordance with paragraph (a) of that subsection; and

(g) such other matters as appear to the Secretary of State to be necessary for, or appropriate for facilitating, the exercise by the Secretary of State or members of the Royal Ulster Constabulary of any function in relation to the meeting.

(5) The Chief Constable shall ensure that a copy of a notice given under this section is immediately sent to the Commission.

(6) A person who organises or takes part in a protest meeting—

(a) in respect of which the requirements of this section as to notice have not been satisfied; or

(b) which is held on a date or at a time or place which differs from the date, time or place specified in relation to it in the notice given under this section,

shall be guilty of an offence.

(7) In proceedings for an offence under subsection (6) it is a defence for the accused to prove that he did not know of, and neither suspected nor had reason to suspect, the failure to satisfy the requirements of this section or (as the case may be) the difference of date, time or place.

(8) To the extent that an alleged offence under subsection (6) turns on a difference of date, time or place it is a defence for the accused to prove that the difference arose from—

(a) circumstances beyond his control;

(b) something done in compliance with conditions imposed under Article 4(2) of the Public Order (Northern Ireland) Order 1987; or

(c) something done with the agreement of a member of the Royal Ulster Constabulary not below the rank of inspector or by his direction.

(9) A person guilty of an offence under subsection (6) shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.'—*[Mr. Ingram.]*

Brought up, and read the First time.

5.55 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss Government amendments Nos. 15, 17 to 19 and 24 to 26.

Mr. Ingram: New clause 3 and the amendments grouped with it deal with introducing a new notice requirement for related protest meetings. New clause 3 introduces the requirement itself, Government amendment No. 24 introduces the definition of a protest meeting, Government amendment No. 25 defines a related protest meeting and Government amendment No. 26 is consequential.

In addition, Government amendment No. 15 would put a duty on the Parades Commission to keep itself informed of the conduct not only of those taking part in public processions but of those taking part in a related protest meeting. Government amendments Nos. 17, 18 and 19 would put a duty on the commission to draw up a code of conduct for protest meetings.

The Government have been acutely conscious of the need to ensure that the legislation is both balanced and seen to be balanced. We recognise that some have felt that the legislation and the North report focused exclusively on parades as the problem and did not take sufficient account of sometimes violent protests against parades. That criticism is mistaken, but we have recognised the need to address such perceptions.

A number of amendments were made to the Bill in the other place. Those included measures to harmonise penalties in the Bill, to ensure that comparable penalties could be applied to protesters and marchers who broke the law. Today, we are introducing a number of further Government amendments, which similarly aim to ensure balance in the Bill.

The North report considered whether there was a case for introducing a notice requirement for open-air public meetings. Paragraphs 12.76 to 12.81 of the report concluded that a notice regime for all open-air public meetings would not be appropriate, particularly given the number of uncontroversial public meetings, such as open-air preaching, which would unnecessarily be caught by a notice requirement. The North report considered whether it might be possible to cover protest meetings only, but thought that that would not be practicable.

In Committee, amendments were proposed by the hon. Members for North–East Cambridgeshire (Mr. Moss), for West Tyrone (Mr. Thompson) and for East Londonderry (Mr. Ross), which dealt specifically with the concept of protest meetings. In some cases, they were described as counter-demonstrations or counter-processions. Of course, if protesters choose to arrange a procession of their own, that will fall to be dealt with by the Parades Commission in the usual way.

In Committee, I explained that it would be important to get the definitions right, and I also set out some of the difficulties that there might be in defining a counter-demonstration. I did, however, say that I would consider the matter further.

I have taken considerable time to consider the issue and I have read our detailed debates in Committee. We have now come up with a workable definition. The definition of related protest meetings will ensure that the vast majority of open-air public meetings will continue to be able to take place without a notice requirement. That helps to satisfy the concerns expressed in the North report. But equally, the definition is tight enough to ensure that all related protest meetings are covered. The notice requirement will provide valuable new information for the police and the Parades Commission. We did not want to overburden the commission with extra work, but what we have set forth will provide it with additional and valuable new information.

None the less, the police will be obliged to pass notice of protests on to the Parades Commission, and it obviously makes sense for the commission to have as much information as possible about the likely reaction to a parade from which it has received an application.

Another important feature of the amendments is that the notice requirement for protest meetings is rather shorter at 14 days than the 28 days required for a procession. I believe that to be a sensible measure. It would clearly not be possible to demand the same notice requirement for protest meetings as that which applies to a procession. By definition, a protest meeting cannot be organised until it is known that the procession has been planned and is likely to go ahead.

Let me explain some of the mechanisms that will operate as a consequence of the amendments. Some might argue that there is a problem of conflicting responsibilities if a public procession is governed by the Parades Commission, while the related protest meeting is governed by the police. In addition, the criteria on which conditions can be imposed will differ slightly. Protest meetings that are largely public order based will continue to be dealt with under the Public Order (Northern Ireland) Order 1987. However, processions will be dealt with under the provisions of the Bill, which include the factor of impact on relations within the community.

The North report considered whether it would be helpful for parades and protests to be dealt with by the same authority. It concluded in paragraph 12.96 that there was no particular difficulty, and recommended leaving open-air public meetings under the control of the police, using their existing powers in the order, if necessary. I agree entirely with the report's findings on that point. We anticipate the closest possible communication between the Parades Commission and the Royal Ulster Constabulary. I am certain that that co-operation will continue, and both will ensure that the combined effect of any measures imposed minimises any difficulties that might result from the procession or the related protest meeting.

Mr. William Ross (East Londonderry): We on the Ulster Unionist party Bench have read new clause 3 with

[Mr. William Ross]

considerable interest. Exactly where in the Bill is it intended to insert the words that appear on the amendment paper? Why is it intended to continue article 5 of the 1987 order? Is it still necessary, or do the Government intend to repeal it?

Mr. Ingram: I shall come back to article 5.

The new clause would be placed appropriately within the Bill, according to the structure of the legislation. That was not a serious point. The important point is what the new clause contains and where its powers lie with regard to related protest meetings.

Rev. Ian Paisley (North Antrim): Will the Minister make it clear that the order has draconian powers on open-air meetings? For example, a police officer can say to a person addressing an open-air meeting, "I don't like what you're saying; you've got to stop speaking." He also has the power to keep people from attending meetings and listening to what is being said. He can say, "I don't want you to stand here and listen." The order has tremendous power on open-air meetings.

Mr. Ingram: That is indeed the case. If I heard the hon. Gentleman correctly, he referred to draconian powers. Those are appropriate powers to deal with public order. That is why the legislation was passed in the first place. I appreciate that he may not like legislation to deal with public order problems relating to open-air meetings that could possibly constitute public disorder, but all sensible people recognise the importance of the powers that reside with the RUC.

In Committee, I promised to consider a code of conduct for protest meetings. Government amendments Nos. 17, 18 and 19 deal specifically with that issue. They address—as recommended in the report—the perception that the Bill is unbalanced. As I said, new clause 3 introduces a notice period for protest meetings.

I maintain, however, that to make the commission responsible for making determinations on protest meetings is unnecessary. Going beyond North in that respect would impose a major burden on the commission in what will already be an extremely busy period, certainly in the year ahead and, perhaps, beyond that.

The commission will not deal with protest meetings directly, but it will have the power to take into account the behaviour of protesters. The amendments will enable the Parades Commission to recognise, for example, the extent to which the past misbehaviour of marchers at parades was provoked by similar misconduct on the part of protesters. The commission will thus be able to take into account the extent to which those parading or those protesting have breached the codes of conduct. That will be a useful contribution to the material that the commission will have at its disposal in coming to final decisions.

I believe that those measures are useful and proportionate. I hope that they demonstrate the Government's recognition that the problem of marching is not simply with the marchers, and that we are not looking to create structures to bear down on the overall number of public processions. As a consequence of the debate that took place in the other place and in Committee, further consideration has been given to the issues that were raised about a code of conduct and a notice requirement for protest meetings. I hope that the House finds the new clause and amendments that I have proposed sensible. I urge that they be accepted.

Mr. Malcolm Moss (North-East Cambridgeshire): I am grateful to the Minister for taking away the recommendations that we made in Committee and coming back with the new clause and the amendments, most of which were tabled by me and my hon. Friends. New clause 3 is very much in line with the wording of new clause 1, which I tabled in Committee, but there are some additions. As I develop my argument, I shall focus on some of the changes.

Principally, we tabled our amendments to try to get more balance into this important measure. I say important because only today, from a radio phone-in programme that I listened to, it was obvious that there is tremendous resistance in the Province, particularly from Unionists, to the thrust of the Bill. It is vital that we in this place are seen to be even-handed as we write legislation for the first time to deal with what is accepted as a protracted problem, but, in forming the legislation, we might exacerbate rather than improve the position.

In that context, it is vital that the public in Northern Ireland—particularly one side of the public—consider the legislation to be even-handed, balanced and a genuine attempt to accept and tolerate marches and parades that have been going on for many years. We must ensure that it is not heavy-handed and that it does not make those who organise and take part in parades and processions leap through too many hoops, with some of their activities becoming almost criminal.

I now deal with the specifics of new clause 3. I should like the Minister to comment on them as best he can. Subsection (1) refers to the organiser of a protest meeting having to submit notice of such a proposed protest meeting

"to a member of the Royal Ulster Constabulary not below the rank of sergeant by leaving the notice with him at the police station nearest to the place at which the meeting is to be held."

That wording differs markedly from that in the provision that relates to the notice that needs to be given by organisers of a public procession, who have to leave notice at the police station nearest the procession's proposed starting place. That could mean two different police stations.

I accept that some processions and parades may cover several miles. The protesters might organise a protest at one position along the route of a parade or decide to protest at the start or finish. The notice that must be handed in will in many cases go to different police stations. Given the 14-day time scale for giving notice and the vagaries of the post and administration, I fear that proper and due notice will not be given, particularly to the Parades Commission, whose principal job in this context is to facilitate mediation between the two factions. Perhaps the Minister could give reasons for the different wordings.

My amendment left out the wording in subsections (2)(b) and (4)(f), which are linked. Subsection (2) provides that notice shall be given not later than 14 days before a meeting, and that, if that is not reasonably practicable, it should be given as soon as it is reasonably practicable. If notice is given later, reasons must be given for the notice being late.

I omitted that on purpose. The 14 days was my recommendation in my original new clause 1; I suppose that I should be grateful to the Minister for accepting that time scale. It seemed a reasonable length of time, given that the parade organisers would have to give 28 days' notice. The provision would give a clear 14 days for those who wished to protest to get organised and to submit their notice of intention to protest.

Keeping the two paragraphs gives a green light, if not a licence, to those who wish to be mischievous to delay handing in their notice. As long as they give a reasonable explanation, it comes under the term "reasonably practicable". The shorter the time scale, the more difficult it will be for the commission and its facilitators to do their job. What would happen if, for example, notice were given with only six days to go?

Mr. Robert McCartney (North Down): On the hon. Gentleman's first point about two different police stations, does he agree that the 28 days' notice will presumably be made public, and made public with reference to the police station at which it was given? People organising a counter-demonstration could reasonably be expected to serve notice at the place from where the notice of procession emanated. That supports his first point. Secondly, on his valid objection in respect of the term "reasonably practicable", most counter-demonstrations will almost certainly be argued to be extemporary or spontaneous protests. They will rarely be accompanied by people who accept that they are the progenitors. To put in the "reasonably practicable" escape clause will be no more than an encouragement to give notice at the last minute and disclaim responsibility.

Mr. Moss: I am grateful to the hon. and learned Gentleman for supporting my arguments. It is indeed the case that, if 28 days is the notice required from the organisers of a parade, it gives plenty of time for the parade to be publicised, for the commission to be notified, and even for the commission and its facilitators to make approaches to the groups in the community which they know, for historical reasons, might wish to organise a protest. I suggested 14 days as a reasonable time, bearing in mind the 28 days' notice for the parade organisers.

However, I am concerned that the two paragraphs that introduce the term "reasonably practicable" give a green light, an encouragement, to people to delay putting in notice, to force the commission between a rock and a hard place. If it has only a few days to make a decision, does it suspend the parade to allow greater time for discussions or come to a rushed decision? It would be pilloried either way, by the protesters or the march organisers, for not giving proper and due consideration to the proposal. I should like the Minister to address those questions.

6.15 pm

New clause 3 raises another question that the Minister could helpfully clarify. We are talking about giving advance notice of protests about public processions. If, within a short time scale, it is obvious to the commission and the police that serious disorder could ensue and the protesters are not looking to give way—they may or may not have given proper notice, but they may have given reasons why they could not do so—who is going to ban or prohibit the protest meeting?

Some of the amendments tabled by me and by Northern Irish Members that we discussed in Committee sought to give powers either to the Secretary of State or to the commission to prohibit what we then called counter-demonstrations—I am more than happy to go along with protest meetings—if there was going to be serious public disorder. In amendment No. 24, the Government have tied the definition of a protest meeting to an open-air public meeting. It may be that the powers to prohibit come under paragraph 5 of the Public Order (Northern Ireland) Order 1987.

Can the Minister confirm that the power to ban a protest meeting if the situation is getting out of hand remains with either the Secretary of State or the RUC under the open-air public meeting paragraph of the 1987 order?

On amendments Nos. 15, 17 and 18, once the Minister had accepted the need to be more even-handed in the legislation and offer more balance to the two communities, it was obvious that he had to consider bringing in protest meetings at various places in the Bill. That is in keeping with some recommendations in the North report, which I think was balanced in its approach and attempted to find a way through this difficulty by being as even-handed as possible. I am grateful to the Minister for adding "and protest meetings" to clause 2(1)(c), where the duties of the commission are spelled out. The commission now has to keep itself generally informed as to the conduct of public processions and of the protest meetings that have often gone alongside parades or processions.

On clause 3, amendments Nos. 17 and 18 again follow the recommendations of the North report that a code of conduct should be issued by the commission, to provide guidance not only to persons who are organising public processions but to those persons who intend or hope to organise protest meetings. I have two questions on that for the Minister. Before coming to his decision to include the new wording in those amendments, did he seek the views of the Parades Commission and in particular of Mr. Graham? If so, what did Mr. Graham have to say? Does the Minister intend to recommend to the commission that it follow the suggestions in the North report on a possible code of conduct for those making a protest against a legally held parade?

It would be churlish of me not to acknowledge that the Minister has thought carefully about the reasoned amendments that we tabled in Committee. He was obviously persuaded by the power of our argument. I think he will agree with the Opposition that the new clause and the amendments strengthen the Bill and go some way towards redressing the imbalance that is perceived by one side of the community in Northern Ireland.

Mr. Eddie McGrady (South Down): New clause 3 and the amendments grouped with it show a significant change in the ethos of the Public Processions (Northern Ireland) Bill, which should perhaps now be called Public Processions and Protest Meetings (Northern Ireland) Bill.

I have great sympathy with the Minister. In Committee, he was subjected to arguments about the alleged imbalance in the Bill. The propaganda outside the House was that the Bill was intended not to regulate processions and parades but to deny people the right to hold them. That is a great pity, because in Committee the Minister

[Mr. Eddie McGrady]

strongly rebutted that argument. He rightly claimed that the Government were trying to be even-handed in their attitude to parades and events that flow from them. I hate quoting the Minister's words back at him, but in Committee he said:

"We demonstrated at length during the Bill's consideration in the other place that there is no need for the extension of the Secretary of State's banning power to cover counter-demonstrations because she already has the power under the public order order to ban all open air meetings. That power will remain when the Bill comes into effect."—[*Official Report, Standing Committee B*, 15 January 1998; c. 52.]

That was the point of the intervention of the hon. Member for North Antrim (Rev. Ian Paisley). The Public Order (Northern Ireland) Order 1987 contains provisions to deal with counter-demonstrations and protest meetings, so the necessity for the new clause must be called into question.

The wording of the new clause will create considerable difficulties for those whose duty it will be to implement and abide by the regulations that will flow from the Bill. My interpretation of the North report is that it came down against the extension of the notice requirements to what it called open-air public meetings, but which we are now calling protest meetings: they are the same. I cannot understand why North has been quoted as an authority for the introduction of new clause 3, given that it says that the requirements should not be extended to open-air meetings—or protest meetings.

Subsection (4)(g) is almost the same as clause 6 as it appears in the Bill, but there are two words missing. The subsection refers to

"such other matters as appear to the Secretary of State to be necessary for, or appropriate for facilitating, the exercise by the Secretary of State or members of the Royal Ulster Constabulary of any function".

The words that have been left out are "the Commission". A definite decision was made to exclude the commission from any duty to consider public protests.

Mr. Moss: That is one of the strong recommendations made by North. Page 181 of the report states:

"we recommend that a Code of Conduct should be introduced covering the behaviour both of participants in a parade and of protesters."

Mr. McGrady: I thank the hon. Gentleman for his intervention and for that correction. It was my interpretation that North did not want an extension of the legislation to open-air meetings. There may be a difference between open-air meetings as he conceived them, and what we now call protest or anti-march meetings. I will let that go for the time being.

By omitting the word "Commission", the Government are establishing two structures: parades and processions will be governed by the commission, and protests or anti-march demonstrations will be dealt with solely by the police and the Secretary of State. That will lead to a great deal of confusion in Northern Ireland, and to claim and counter-claim.

The presumption is that a parade should go ahead, unless there is the threat of public disorder. If the commission makes a determination that a parade should go ahead, and notice is given to the police and to the Secretary of State of a counter-demonstration, will the police or, ultimately, the Secretary of State decide that, because the commission has allowed the parade, they must, willy-nilly and to be consistent, ban, restrict or abolish the right of peaceful protest? The people who will enforce the Bill have been given a difficult task. The two-tier structure that the Minister is creating will be exploited, and it will confuse the issue in the public's mind.

People who genuinely want to protest, be it by holding a parade or some other event, have the right to do so in a peaceful and orderly way. New clause 3 and related amendments will make it much easier for certain elements to utilise the new requirements of the Bill to orchestrate protests that are not genuinely peaceful, do not genuinely reflect local concerns, and could be exploited by any number of people.

If a disruptive element at a peaceful local protest meeting gets out of control, does that damn the peaceful local protest for all time? Given the definition of a public protest and the other amendments dealing with locality and vicinity, will people not be able to make a peaceful public protest outside their own homes unless they have registered their intention to do so? We are going a long way towards withdrawing fundamental human rights.

My main fear, however, is that people wanting to create public disorder may use the new clause and amendments for their purposes. I know that that was not the intention, and that the Minister was trying—legitimately—to deal with improper accusations that the Bill was unbalanced; but he risks creating a two-tier system, and introducing a whole new range of provisions in Northern Ireland.

6.30 pm

Mr. Ingram: The hon. Gentleman may have misunderstood the purpose of the new clause—as, I suspect, did the hon. Member for North-East Cambridgeshire (Mr. Moss). Does the hon. Gentleman accept that we are simply trying to require protesters to give notice of their intention? Can he tell me what is wrong with that concept?

Mr. McGrady: I have no problem with the concept of giving notice of a protest, but we are talking about giving notice to an entirely different body from that envisaged in the Bill as it stands. The Bill states that notice of parades, assemblies or whatever must be given to the police and then to the commission, but the new clause specifically and deliberately excludes the commission.

Mr. Robert McCartney: Will the hon. Gentleman give way?

Mr. McGrady: I was about to sit down.

Mr. McCartney: I am grateful to the hon. Gentleman—

Mr. Deputy Speaker: Order. Has the hon. Member for South Down (Mr. McGrady) finished his speech?

Mr. McGrady: I should like to hear what the hon. and learned Member for North Down (Mr. McCartney) has to say, Mr. Deputy Speaker.

Mr. McCartney: I thank you, Mr. Deputy Speaker, and the hon. Gentleman.

I entirely understand the hon. Gentleman's difficulty. Does he agree that the commission's function is to determine whether the procession, and those who may wish to protest, will cause a breach of public order? If that is so, the commission should presumably be considering both the procession and the protest. I think that the hon. Member for North–East Cambridgeshire (Mr. Moss) was making the point that, if the words "reasonably practicable" were retained, the commission might not know whether a protest was to take place until the last moment.

Mr. Deputy Speaker: Order. The hon. and learned Gentleman's intervention is becoming more like a speech.

Mr. McGrady: I thank the hon. and learned Gentleman, who has greatly assisted my argument. I was not sure that he would do that when he rose to speak.

According to the Bill, the commission will have to consider all the aspects of proposed parades, processions and protests in order to make a determination. As I understand it, a determination on parades or processions will be made by the commission, while a determination on protests will be made by the police or the Secretary of State. That is a recipe for very difficult circumstances.

Rev. Ian Paisley: I am glad of the opportunity to speak about the Bill today, because the House saw fit to exclude my party from the Standing Committee, although we represent a sizeable part of Unionist thinking and although there are three Unionist Members outside the Official Unionist party. That was intolerant. Excluding people who, having been elected Members of Parliament, took part in the Second Reading debate on the Bill does not serve the purposes of democracy, and does not enhance the democratic image of the House in Northern Ireland. I shall say no more about that, except that I understand that the arrangements have been altered in regard to the Police (Northern Ireland) Bill. I am glad about that, but I should not have had to stand up in the House and say what I have said.

I am afraid that the Minister is not prepared to get to grips with one fact—the fact that what caused the current trouble was the Public Order (Northern Ireland) Order 1987. Hon. Members shake their heads, but I have sat here for many years, and I sat through public order debates relating to England, Scotland and Wales. I know that it would be impossible, under the same arrangements, to get the proposals in that order through the House.

Let us imagine that a police officer who decided that he did not like what a man in the street was saying could say, "You must stop your open-air meeting." No other order allows that. Let us imagine that that officer could say to the Opposition spokesman, the hon. Member for North-East Cambridgeshire (Mr. Moss), "I do not like you listening to that man. You must move on." Such measures are draconian. We must accept that the 1987 order sowed the seeds of the current situation in Northern Ireland.

It does not often happen that all but three Northern Ireland Members go to prison over such an issue, but that is what happened. Those Northern Ireland Members realised what the order would bring about. Many people are groaning and crying and saying that what has happened is terrible, but it was bound to happen. The south of Ireland gloated, and said, "We now have an order that will deal with the Unionist population in Northern Ireland." We have seen how that has come about. What is more, we know from the words of Gerry Adams that he and the provisional IRA worked for three years to bring it about.

It is sometimes said that Unionists in the House are much too outspoken—that they say far too much, and express themselves far too strongly. Yesterday, I picked up a paper and read the comments of a young lady journalist from the bogside, a Roman Catholic. She had something to say about Martin McGuinness, something to say about Gerry Adams and something to say about the type of people with whom we have to deal. Addressing Martin McGuinness, she said:

"How dare you, big chief republican, current killers' mouthpiece, former killers' colleague, clamour for prosecutions?"

She said that it was a pity that he would not be examined for what he had done. She said:

"Mrs. Rose Heggarty must long to know. You promised, on bended knee, that her son was safe to return from exile.

He was in hiding from the IRA who had threatened to kill him."

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We are discussing new clause 3, which is not related to the matters that the hon. Gentleman is raising. He must confine himself to the new clause.

Rev. Ian Paisley: I am confining myself to new clause 3. We are talking about the opportunity to protest against processions. The leader of the IRA-Sinn Fein has told us that he brought about the current position—along with his colleague Martin McGuinness—for that purpose. I am talking about a person who is responsible for bringing about the circumstances that have led to our discussing new clause 3.

Mr. Deputy Speaker: Order. The hon. Gentleman should not discuss what brought us to the situation. We are debating new clause 3 and the history of the matter is not before the House.

Rev. Ian Paisley: I am amazed by your ruling, Mr. Deputy Speaker, because I thought that we were entitled to put matters into their context. This is a serious matter and I regret that I am ruled out of order for stating what a Roman Catholic lady from Londonderry had to say about one of the prime movers in this matter. I shall relate her final statement, which is a simple one. She said:

"Sinn Fein should shut up . . . They have covered a dirty, murky, bloody past of their own in a way that makes Widgery look positively Godly."

Of course Mrs. Heggarty mourns the killing of her son who was brought to a house by Martin McGuinness and later killed despite promises that had been made. That is the background to the debate.

The Public Order (Northern Ireland) Order has to be taken with the Bill because the Minister has said that under the order the Secretary of State and the police are given certain powers. If we had approached the matter in the context of that order, which gave rise to the situation, perhaps we could have found a solution. We are not heading towards a solution because one of my political opponents, the hon. Member for South Down (Mr. McGrady), said earlier that the new clause is a recipe for more trouble. That is because the commission will deal with processions and a different authority will deal with protests against them.

[Rev. Ian Paisley]

The hon. Member for South Down is right. As the House knows, I am not holding up a banner for any commission but the hon. Gentleman and other hon. Members who know the situation are talking sense.

The Minister will not always be in Northern Ireland but we have to live with the situation there. I do not understand the Government's thinking on this matter. The Minister says that they want balance, but the new clause will not provide that. It does not deal with protests and processions on the same level and in the same way. To obtain balance they would have to be dealt with in the same way, but that is not being done.

It has been said that perhaps the Bill is not balanced, but there has been no acknowledgement of that imbalance. We said from the beginning that it was unbalanced but that has been forgotten. If a clause similar to the new clause had been in the Bill on Second Reading we could have dealt with it in the context of the whole Bill, but the new clause appears after the Bill has passed the other place. That is not fair on such an important matter.

6.45 pm

Some people have asked me tonight, "Do you think that the debate will be long?" That is an amazing question. We are dealing with one of Northern Ireland's most protracted problems. There were cries of outrage throughout the House after Drumcree, and hon. Members ruthlessly condemned people who should have been commended, yet in a debate on this matter, people want to get home early. The House must realise that we are discussing a serious matter and if we do not get the legislation right, hon. Members, Roman Catholic and Protestant people and people in the rest of the kingdom will reap the consequences. Northern Ireland Members must have answers from the Government to some disturbing questions.

The protests issue is serious. Open-air meetings are entirely different from protest meetings against processions. It cannot be said that all open-air meetings are in the same category. The public order legislation refers to such meetings as religious, social or political. We are discussing meetings that have been organised for the one purpose of stopping those who for years have walked along a particular road. The Bill was born out of Drumcree. Protests and how they are to be handled must be tightly defined.

Mr. Adams said that they worked for three years organising protests. They will not give up, because they have made great headway. We must examine the public order part of the Bill and define protests instead of lumping them in with ordinary open-air meetings. That is entirely unfair.

Mr. Ingram: The hon. Gentleman is presenting a vigorous argument. Why did he not table any amendments?

Rev. Ian Paisley: Because I was not allowed on the Committee: I was kept off it. I have been in the House longer than the Minister and I know that if I had tabled amendments they would not have been called. Almost all the amendments that have been called by Madam Speaker are Government amendments. Who does the Minister think he is talking to? Does he think that I came here yesterday? I know a little about the workings of the House.

The Government would not have liked 100 amendments from me on the amendment paper. They would have laughed at that, and yet the Minister asks why I did not table amendments. I did not need to table any because good ones have already been tabled and I shall address them when we come to them. If that is all that the Minister can say in a serious debate, it shows what will happen in Northern Ireland in future when his hand is on the tiller and difficulties arise.

A proper period must be set for a protest notice; we must leave the loophole of "if practicable". If the legislation does not contain a specified period of time for submitting the notice, people will get out of the requirement by leaving the submission of the notice to the last minute. A protest will be held only when it has the best effect. The hon. Member for South Down raised another important issue when he asked whether the new clause would cut out a spontaneous protest. If an event is taking place outside someone's door, he may protest, but if he has not given notice of it he will be in serious trouble. No Government could enforce that law, because there are protests every day about something or other.

Let me deal with the issue of responsibility. We attended a big meeting on Friday at the city hall, and I am sure that the trade unionists who organised it wanted it to be peaceful. It was far from peaceful, though, because elements came with banners that were insulting to one part of the community. A woman came down and said that she represented the politics of West Belfast. She was told by the trade unionists that she was not going to be allowed to speak and they had a whole row among themselves.

Were the meeting organisers responsible for the trouble that ensued at the city hall on Friday? Not at all. They called the meeting in good faith. They were not protesting about anything, but there were elements—Gerry Adams was there—to ensure that the republican view would be brought to the fore and that the banners would be carried. The whole thing was supposed to be about peace, but ended in a charade.

We need to handle these matters with great care and to reflect on them closely, because there are great difficulties with regard to these protests. I do not understand why the House is setting up a commission to examine parades because those parades are largely Orange, Apprentice Boys and Royal Black Institution parades. We know that the Bill is largely aimed at the parades, yet the people who protest about those parades are going to be treated differently. Why is that? Instead of balancing it out, the Bill balances things in their favour.

With all due respect to them, the police do not operate in the same way in every district in Northern Ireland. We have a clamping law that says that, if people do not pay for their car tax disc, the car will be clamped, but that law does not work in the republican areas, because people who are employed to put on clamps dare not go into those areas. If they sat down outside a republican's or a leading IRA man's home and put a clamp on his wheel, they would probably be knee-capped before they got up from the bending position. So who is going to carry out this legislation? Will it be carried out freely?

I challenge the Minister: in the past year, how many illegal parades have been held in Northern Ireland of which he had no notice and where nothing was done? Why was nothing done? Because they were in republican areas. Those people gave no notice to the police. They had their parades, and nothing was done.

We are back to the same situation with the new clause. Therefore, it is not a solution. We will not have one until we are prepared to consider the Public Order (Northern Ireland) Order, which the Government have set their mind on not examining, because I think they want the power to be invested in the Secretary of State and in the police. However, we are not going to find a solution until we have legislation that can be lived with by the majority population and by the minority population.

This Bill has been rejected by the people who are going to walk on these parades. They have already said that they will not talk to the commission. If they are not going to talk to it, how will it do its work? The Government need to think long and hard about what they are doing and about the new clause in particular.

Mr. Robert McCartney: I shall develop some of the points that the hon. Member for South Down (Mr. McGrady) made on new clause 3. There is a curious dichotomy in the proposal that the commission should decide whether a parade should be permitted, but some other body—the Secretary of State or the police—should decide on the protest meeting.

As the hon. Member for South Down said, that will give rise to much difficulty. The problem arises from the Public Order (Northern Ireland) Order 1987, which in effect became a protester's charter. If protesters opposed a parade that was to be conducted perfectly lawfully—and it was accepted that it would be so conducted, with proper notice given—so forcefully that the likely outcome would be a breach of the peace, the parade would be stopped. In effect, if people wanted to stop a lawful parade, and they mounted such violent and unlawful opposition that public disorder could be guaranteed, whereupon the parade would be banned.

I understand that the purpose of the Bill—and, indeed, of the commission—is to assess the overall situation in relation to any parade, balancing various considerations on both sides and considering the likelihood of whether, in the circumstances, it would cause such local protest that it merited being banned, or whether it should proceed.

The people who will organise a parade—it is accepted that most of the parades will be of a pro-Unionist, Orange, Royal Black Institution or Apprentice Boys variety—are known and recognised. In most cases, they have paraded on traditional routes on many occasions. They can be identified, they are responsible citizens and they can all be made amenable to the law. They are the sort of people who will put in a notice within the prescribed time, fulfilling all the requirements of the legislation, so that the commission, from the day that that notice is filed, will be aware of who is organising the parade, where it is to start and finish, and what its composition will be.

The commission will be charged with the task of assessing the entire situation, but the new clause says that people who intend to organise some form of protest or opposition demonstration should give 14 days' notice. Does that mean that the commission will be unable fully to assess the situation until it receives notice of a counter-demonstration?

For example, if no notice is given until the required 14 days before a public procession is to be held, what will the commission do during those 14 days—the first 14 days of the 28-day notice? Will it assess the position on the following basis: this parade is being organised by recognised, reasonable and lawful people on a traditional route that, in the past, has not had any objection? It could make a decision possibly within two or three days, but, under the new clause, it could not conceivably make a decision for at least 14 days—because 14 of the 28 days can elapse before counter-demonstrators must give their notice.

That situation is bad enough, but then we come to the provision that was mentioned by the hon. Member for North–East Cambridgeshire (Mr. Moss), which deals with a late notice. Someone may offer the defence that it has not been reasonably practicable to give an earlier notice of a protest demonstration. Will the commission have to wait until the eleventh hour before it gets the final, vital information that is necessary for it to make an overall decision on whether the counter-demonstration is likely to give rise to such a breach of public order that the procession should not go ahead?

That is but one of the anomalies that will arise unless the commission is seized of the overall situation and is in a position to decide that the procession can go ahead, taking into account all the information that is available to it from anyone who may possibly be organising a counter-demonstration.

To assess the situation, the commission would have not only to take into account all the information that would be available on the 28 days' notice required from those organising the procession, but to have all the information about the nature and type of the people and the nature and place of the counter-demonstration. It would be in the interests of those who are going to parade and those who are going to protest—and it would certainly be in the interests of the commission—that the commission should know at the earliest possible date just what will happen, so that it can make a sensible and valid decision one way or the other.

7 pm

If the 28 days' notice—the notice to be given by those organising the parade or procession—is to be kept, the appropriate time for notice to be given by those who are organising the counter-demonstration is 21 days in advance. That would enable the commission to remove itself from the uncomfortable position of being between a rock and a hard place. It would know 28 days before the proposed date what the paraders were going to do, the nature of their procession and where it was coming from and going to, and it would also know within 21 days the sort of opposition that the procession was likely to engender. It would have three weeks in which to consider the whole matter and, we hope, make a decision.

If we proceed as suggested, the commission could consider the circumstances of the procession and decide that nothing appeared to be wrong with it but have to withhold its decision to allow it to go ahead until it found out whether there was to be a counter-parade—and it would not know that for at least another 14 days. Indeed, it might not know until two or three days before the actual date of the procession should the House accept the notion of giving notice only

"as soon as it is reasonably practicable"

to do so.

There is a great deal of good sense in what the hon. Member for South Down suggested. The commission should be seized of the entire situation in

[Mr. Robert McCartney]

relation to the paraders and those who intend to bring the counter-demonstration. Unless one body has that information reasonably in advance of the given date of the procession, it cannot conceivably, in practical terms, be in a position to make any valid or worthwhile decision.

Mr. William Thompson (West Tyrone): We welcome the Government's conversion to the notion of taking counter-demonstrations into consideration.

The Government were bound to have known all along that the problem lay not with legal processions but with illegal opposition to them. We do not object to protests, provided they are within the law and do not go out of their way to stop a lawful parade. Unfortunately, that is what has been happening in Northern Ireland. People who are opposed in principle to parades not only protest but go out of their way to try to stop them. Of course, they have been encouraged in that by the failure of the Royal Ulster Constabulary leadership to deal properly with them under existing legislation. We therefore welcome the new clause.

One question that arises relates to the 14 days' notice. I understand that the commission has announced that it will make a determination five days before a parade is due to be held. It therefore seems more likely that it will be after the determination is known that the protest will be held. It is more likely that notice will be given not under subsection (2)(a) of the new clause, which refers to

"not later than 14 days",

but under subsection (2)(b), which stipulates

"as soon as it is reasonably practicable".

The Minister has spoken a great deal about balance and said that the new clause will provide it. I disagree entirely. The new clause certainly goes some way towards balancing the situation, but it does not go the whole way. The criteria that will be used to judge a protest will to some extent be different from those used to judge a proper parade.

For example, we are told that, when judging a parade—that is, judging whether a determination should be issued in relation to it—the commission will have to take into consideration

"any impact which the procession may have on relationships within the community",

as stated in clause 7(6)(c). As we are talking about parity, perhaps the Minister will explain why, when it comes to a protest in a similar situation, the impact on relations within the community should not be taken into consideration as well. It may well be that in certain circumstances and in a certain community protesters from the other community will come and create havoc, so surely the impact of a protest on relations within the community should be taken into consideration, too.

There is also a lack of parity in the Secretary of State's powers in relation to a protest and to a procession. Under the order, the Secretary of State does not have the power to ban a protest. She can ban all protests for a time, yet under this Bill she can ban a particular procession. That means that there is disparity in this instance, too. The whole thing is still unbalanced. I think that the Minister should consider that imbalance.

As far as it goes, we welcome the Government's conversion. Unfortunately, the proposal is very late and has only been dragged out of them, whereas it should have been included in the Bill at the very start. In fact, had they added something simple to the existing legislation, it would probably have been more helpful than what they are trying to do now. In any event, we welcome the Government's conversion and hope that the imbalance will be removed. We shall certainly recommend how that can be done.

Shona McIsaac (Cleethorpes): I am glad that hon. Members are welcoming the new clause; I think that shows that the Government are listening to the concerns of people in Northern Ireland.

Central to the Bill is the philosophy that people have a right to march and a right to peaceful assembly. With those rights come responsibilities; everyone must recognise that. The key responsibility is to recognise the freedom of others and the right of everyone to live his life without fear and intimidation.

I agree with what was said in Committee to the effect that the majority of the approximately 3,000 parades held in Northern Ireland every year pass off peacefully. Only a few are contested, but it is those contested parades that cast a shadow over Northern Ireland. If we do not deal with those parades, I do not think that there will ever be real peace in Northern Ireland.

I know from experience that a contested parade can be intimidating and cause much fear. I am part of what is wonderfully described in Belfast as a mixed marriage—I am Presbyterian and my husband is Catholic. I have visited my in-laws in north Belfast, which, as those who are familiar with the area know, is a very mixed community where there has always been much tension. I have been there when marches have taken place and I, too, have felt fear and intimidation. No one, from whichever community, should have to put up with the taunts and insults that I heard.

The new clause will enshrine in the Bill rights and responsibilities. It recognises the right to march and the rights of people to protest peacefully, and I am glad that hon. Members have welcomed it.

I have seen many marches in Northern Ireland. As a Presbyterian girl I have accompanied my husband to some spectacular Easter parades—they are part of history and tradition. Similarly, in the countryside in the summer, we have seen Orange Lodge parades, which are likewise part of history and tradition. The few processions that cause the problems—Drumcree is the most recent flash point—are the reason we are discussing this subject. I hope that the new clause will ensure that the protests, aggression, fear and intimidation cease.

Mr. Thompson: Does the hon. Lady acknowledge that, in the areas where there has been trouble, that trouble has been caused mainly by the attempts of Sinn Fein-IRA to stop parades, and that the vast majority of parades pass peaceably because there is no threat from that quarter?

Shona McIsaac: I do not agree. I have seen nationalist as well as Orange parades disrupted in Belfast. Unfortunately, a minority on both sides cause trouble.

Mr. William Ross: The hon. Lady will be aware that a number of my colleagues live in Belfast. She has said

that she has seen nationalist parades disrupted, but can she tell us time and place, as we would be very interested to know?

Shona McIsaac: I am afraid that I cannot give an example from my own experience, but my mother-in-law and father-in-law told me about a parade in north Belfast from Eia street, through Duncairn gardens and into Tigers bay that caused much fear for the Catholic community in the New Lodge.

Rev. Martin Smyth (Belfast, South): I have had parishioners who live in Eia street and I know where Tigers bay is, and I have to tell the hon. Lady that the parade that was impeded was not a nationalist one. It is tragic to mislead the House in any way.

Shona McIsaac: I apologise if I have misled the House. The hon. Gentleman is right, but I am sure that he will agree that the community in the New Lodge area is very mixed and there has been much tension over the years—it has suffered more sectarian killings than most parts of Belfast. I am sure that both communities there want the killings to stop and want once again to live in peace.

As I said, I am glad that hon. Members welcome the new clause. It was not dragged from the Government; the Government listened to the debates and acknowledged much of what was said, and I hope that the House will support the new clause.

7.15 pm

Mr. Lembit Öpik (Montgomeryshire): The new clause requires those who want to participate in a counter-demonstration to notify their intentions 14 days in advance. It represents a substantial response to many people's concerns, so Liberal Democrats support its fundamental aim. Indeed, this group of amendments is probably the most important that we shall discuss tonight.

The purpose of the Bill is to balance the rights of people to march against the rights of people to object to those marches. That will create a more level playing field, which will make parades much less of a sticking point and a cause of friction in the community.

I agree that it would be iniquitous if one group had to notify the police of its intentions 28 days in advance whereas others could arrange protests on the spot. Some counter-demonstrations seem to have become as traditional as the marches against which they protest. It would be grossly unfair if the original march were regulated but the counter-march were not. The new clause and the amendments will go a considerable way to addressing the bitterness that such an iniquity could cause.

I assume that the RUC was consulted on the new clause and that it will be pleased with it, as it should make it easier to police the contentious marches, which, as others have said tonight, represent only a tiny minority of the marches that take place each year in Northern Ireland.

I have a few concerns, which I shall briefly relate. The Minister should explain why different authorities will assess the cases for the counter-demonstration and the demonstration. I can see some logic to that, but there is a danger of creating unmatched messages and different interpretations of the validity of the two marches.

Subsection (2) of the new clause creates a loophole by requiring that people who propose to organise a counter-demonstration should give notice not later than 14 days before the meeting is to take place or,

"if that is not reasonably practicable, as soon as it is reasonably practicable to give such notice."

We all know that there are trouble-makers; as other hon. Members have said, this provision is a licence to cause trouble. In what circumstances will 14 days after notice of the march give insufficient leeway for those planning a counter-demonstration? They will have a full two weeks in which to get their act together and formally make their intentions clear.

The hon. and learned Member for North Down (Mr. McCartney) expressed his concern about civil liberties. He made an important point. In theory, if the measures are mishandled, they could restrict civil liberties. It almost goes without saying that they have to be handled sensitively; if they are handled too strictly and restrictively, people will have a right to complain. Clearly, those issues are not absolutely clear-cut. A great-deal of sensitivity is needed in balancing things that we may feel uncomfortable in permitting against concern that banning such things would simply restrict too much people's right to demonstrate or counter-demonstrate.

Rev. Ian Paisley: I think that I heard the hon. Gentleman say—I might have been wrong—that some of the counter-demonstrations were as old as the parades. I do not know of any recent counter-demonstration that has caused trouble which was not a new counter-demonstration, carrying out the programme of IRA-Sinn Fein.

Mr. Öpik: To correct the hon. Gentleman, I said that some counter-demonstrations were as traditional as the parades—certainly not as old. In that sense, I completely agree with him. It would be rather strange to suggest that counter-demonstrations were set up on the same day as the original demonstrations. I was referring simply to a question of traditionality. By that I mean that communities have, in some cases, taken as a traditional element of the marching season participation in certain counter-demonstrations. I note his other point, which is valid.

Despite all our concerns about potential weaknesses, the new clause would tighten up something that needed to be addressed. In effect, it prevents or reduces the danger of allowing some people to exploit the law for narrow party political purposes. It will not eliminate exploitation, because some situations will always lend themselves to such political exploitation. However, it will hopefully strike a fairer balance. With the proviso of the Minister's explanations about the concerns that I and others have expressed, the Liberal Democrats will support the changes.

Mr. William Ross: This matter came before the Committee at some length. We had a long and interesting series of exchanges on the theme. Afterwards, one of my hon. Friends said to me that the question of people assembling for peaceful purpose and being thwarted by others in carrying out that purpose had been thoroughly explored a long time ago. So I did some checking up.

It is of note that, as long ago as 1882, the Salvation Army, which enjoys a favoured position under this legislation, had a certain amount of trouble. The position

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taken by the mayor of the town at the time was that order could be easily maintained if the Salvation Army would simply stop parading. The account of events describes a

"melée involving thousands, including Mayor Blatch, the largest brewer in town."

It continued:

"Despite much superficial bloodshed, there were no injuries more serious then broken limbs."

The magistrates who considered the issue said that the ban that the mayor had tried to impose was "an interference with liberty". They

"placed the blame for the riots squarely on a band of young roughs, paid agents of the liquor interests of Basingstoke."

Those events occurred in 1882, in the south of England. What has changed? All one has to do is take away "Mayor Blatch" and the "liquor interests" and insert "IRA", and take away "the Salvation Army" and insert "loyalist institutions", and one has the exact same set-up that we have seen in recent years in Northern Ireland.

The issue in Basingstoke—the same as the one that we are facing tonight—went to the Queen's Bench Division on 12 and 13 June 1882. The issue considered was:

"The appellants assembled with others for a lawful purpose, and with no intention of carrying it out unlawfully, but with the knowledge that their assembly would be opposed, and with good reason to suppose that a breach of the peace would be committed by those who opposed it".

That goes rather further than anything that could be levelled against the Orange institution concerning any procession. The matter was

"Held by Field and Cave, JJ., that they could not be rightly convicted for an unlawful assembly."

If the Minister is really looking for background and a solid foundation on which to base the changes that he is introducing, perhaps that is where he should start. If he starts from that solid foundation of more than 100 years since, he will come to the conclusion, as we have, that the Bill is fatally flawed, because it builds on a sandy foundation rather than a solid rock of reason.

I welcome the Government's limping conversion towards reality, but it is too little, too late. Far more should have been done and far more sense should have been injected—not only under this Government but under the previous Administration 11 years ago. If it had, we might have been in a happier position today.

That matter was the subject of many amendments in Committee. The Government, to some extent, have been converted to our point of view. We believe—the Government now accept our point—that those who assemble intent on disruption and confrontation and who are prepared to use violence to stop a customary legal procession or any procession to which they choose to object should come under the same rigorous conditions as those who are going about their peaceful business in the first place.

The hon. Member for Cleethorpes (Shona McIsaac) got it wrong in believing that there have been only a few such examples. We have always maintained that there are as many as the IRA wish to create, and can create, at a given time. As soon as it has finished with one area, it moves to the next. There are not just a few; there are as many as it can manage. There is no comparison between the crowd of thugs that we often see in the street, carrying petrol bombs, bombs and iron bars, with those who simply want to go on a customary parade of whatever type, usually to a church. I do not see how both groups can be placed on exactly the same footing.

What will the commission do as soon as it is informed? We were told in Committee that 28 days' notice was needed for the commission to manage to work its way through all the various steps that it has to take. Fourteen days is a lot shorter than 28 days, so, it will have only eight or nine days to reach a decision after it has received notice—provided that it is served with notice in the first place. I suspect that protesters will say, "Oh, but we did not know," and will go along at the very last minute. Instead of two weeks' notice, it will be two days—although the protesters will have spent a month preparing.

The Government have a problem, and the police will have a problem. I assume that that is the reason why the police will have to take the primary decision rather than leaving it with the commission, which I think will be informed, in practice, as a matter of courtesy.

What will the commission and the police do? Let us say that the commission is given 14 days' notice. Will it try to persuade the objectors to withdraw their objections? Will it try to persuade them to call off the protest? Will it try to persuade the organisers of the original procession to call off the procession? Will it meet representatives of IRA-Sinn Fein or send somebody else to meet it? Or will it begin to recognise just exactly what it is up against: an armed, criminal, murderous conspiracy to overthrow the United Kingdom's constitution? How will the commission operate?

Mr. Moss: Has the hon. Gentleman given any thought to what might happen in relation to the giving of notice? We know that only one parade or procession will be involved in giving 28 days' notice, but how many protest notices could be given relating to that one procession before somebody decided that they must be taken as a whole? Or will they have to be considered individually?

Mr. Ross: That opens up the can of worms—not one relating to objections but the one constituted in the Bill. We believe that the whole arrangement is built on the wrong foundations, and can therefore do nothing but create more problems than it resolves. That is why I am asking questions. I hope that I shall get answers to them, but I have some doubts.

When the 28 days' notice is received, the commission will go out and ask people in the villages, "Do you object to this procession?" I know that that is not on the face of the Bill, but the guidance booklet that we were given says that that will be the procedure.

7.30 pm

The commission will go around to all those folk and say, "There is a procession coming down"—it may be the Ancient Order of Hibernians, an Orange procession, or something else—"Do you object to it?" Two days later, there will be a full-blown campaigning group trying to stop that procession. That is one of the craziest aspects of the Bill, and the same situation arises repeatedly within it.

Until now, the protest groups have simply been groups of people with no particular entity, whereas now they will have an entity. As soon as they submit an application,

it will have to say that there is an organised body of people with a name. I think that that is a good thing, because it will tell us which individuals are organising the action. There must be a name on the application, so the police will start seeing who is actively involved and who is the person allegedly running things.

Can the Minister assure me that the Government's proposed changes will cover counter-processions? I thought that, in his opening remarks, he distinguished between counter-processions and sit-down demonstrations—"protest" implies a static protest, a crowd in the street. Apparently, such events are not processions but counter-demonstrations, because they have been arranged for the same time and place as something else. They would be caught under the rest of the legislation.

If that is so, the Minister has lifted and in some ways improved the provisions in the 1987 order, and is inserting them into the Bill. I welcome that. Those people have been getting away, literally without a scratch on them, for far too long. I welcome the fact that they are now being brought to the point where they will have to appear for what they are—organised groups out to stop processions.

There are a number of ill-intentioned people out there who will try to disrupt the processions. What then? Who will be responsible for making them amenable? Will the commission go and talk to them? Will the police? We should like to know who will do that.

Several aspects of new clause 3 cause me a certain amount of concern. The notice given to the police has to be handed to someone

"not below the rank of sergeant".

In Committee, we had a long debate on the other aspect of that—the fact that the processional notice has to be given to a police officer not below that rank. The implication in that case was that, if there was no one of that rank present, people would have to come back the next day and the next day, and so on, until they found a sergeant.

The same words appear in new clause 3. I tabled an amendment that would have covered the point, but unfortunately it has not been selected. We have pointed out that in England and Scotland it is good enough for notice to be posted to the police, but that in Northern Ireland one has to take the notice to the police.

We debated the matter for some time in Committee, but the amendment that I tabled for Report stage—as I said, sadly, it has not been called—was to the effect that the notice could be left for the sergeant, by giving it to any police officer at the station. That is not being acted on, so new clause 3 has the same shortcomings in relation to giving notice as does the main body of the legislation. That point needs to be addressed, and if there is any opportunity to deal with it, the Government should do so before the Bill passes into law.

The plain truth is that the Bill is trying to deal with the wrong problem. It is trying to tell people, "Look, there are certain processions that cause trouble." There may be—but I think that certain people are out to cause trouble about processions. I can think of several examples in places such as Belfast and Londonderry, where we have seen the Sinn Fein-IRA element processing year after year with every intention of causing offence to their neighbours, and behaving pretty badly, yet no action was taken against them. Whenever those people found that no action was being taken against them in that sphere, they turned the whole thing on its head and decided to go back into the protest business, the opposition and confrontation business, in an effort to stop the Orange processions.

The Minister talked about a perception out there. Well, that is the perception out there. I believe that, in taking a little step, he has done something to redress the balance, but he has a long way to go yet, and no one could be totally satisfied with new clause 3.

The smaller amendments consequential on the new clause are of considerable interest in their own right. Among other things, there is Government amendment No. 24, which will write into clause 16 a definition of exactly what a "protest meeting" means. It means a gathering,

"an open-air public meeting (within the meaning of the Public Order (Northern Ireland) Order 1987)—

(a) which is, or is to be, held—

(i) at a place which is on or in the vicinity of the route or proposed route of a public procession; and

(ii) at or about the same time as the procession is being or is to be held; and

(b) the purpose (or one of the purposes) of which is to demonstrate opposition to the holding of that procession on that route or proposed route".

The Minister may say that the proposed new paragraphs (a)(i) and (ii) are clear, specifying as they do a place that must be on or in the vicinity of the route at or about the same time as the other procession. How on earth can anyone prove that the purpose or one of the purposes is to demonstrate opposition? People could say that they were coming to that place for a totally different purpose. I suspect that all sorts of lies will be told. We are up against a fairly cancerous organisation, which does not worry about a few lies if it can get them on the road.

Let us hope that amendment No. 24 will be interpreted by the authorities and by the police in the widest possible way, so as to ensure that a planned protest meeting will not be allowed to take place on or near the route anywhere near the time of the other procession, or even on the same day—for proposed new paragraph (b) is probably impossible to prove.

I cannot do other than say that I give the provisions a certain amount of welcome. Some of the wording is pretty much like the wording that the hon. Member for North-East Cambridgeshire (Mr. Moss) and I tabled at an earlier stage. However, we are also coming close to the view that I expressed several times in Committee—that we would wind up by allowing all processions to proceed. We may hear more about that later.

It seems to me that, so long as some processions are stopped and others are allowed, there will always be people who protest. There will always be a way for the wicked and the violent to raise Cain, as they have been doing for some time. The Government will not be done with public order legislation when they have finished with the Bill; I believe that we shall have to come back to the subject within a year.

Mr. Ingram: We have had a very extensive debate, and I thank all hon. Members for their contributions. I shall do my best to deal with the many detailed points that were raised. First, I wish to thank my hon. Friend the Member for Cleethorpes (Shona McIsaac) for her helpful comments. It is useful to hear new and different voices in

[Mr. Ingram]

the House, and from people who have experience of events in Northern Ireland but do not necessarily represent any interests there. The greater and wider the knowledge of events in Northern Ireland, the better debates in this House will be.

I particularly thank my hon. Friend for her strong support of my position. She said that it was not the case that the new clause and the related amendments had been dragged out of the Government; far from it. Comments of that nature are ungracious. The hon. Member for North-East Cambridgeshire (Mr. Moss) claimed all credit for what is happening, as if it were his inspired thinking that had brought it about.

We said in the other place that these matters were worthy of consideration. I said in Committee—the hon. Member for North-East Cambridgeshire was present—that I wanted to hear the strength of the arguments. Clearly, an option was open to the Government to propose measures relating to these matters. I wanted to hear the full flavour and strength of the arguments in advance, and then reach a balanced position. Clearly, many varied points of view could be expressed. The new clause was not dragged out of me, nor was it a result of the inspired thinking of the hon. Member for North-East Cambridgeshire.

This is the benefit of the Committee and Report stages of a Bill—something which, in opposition, we never had the courtesy of from the previous Government, who were usually extremely discourteous in dealing with any substantive points on the Bills on which I was privileged to serve.

I say to the Ulster Unionist Members that I fully understand their overall view; they do not want this legislation at all. I recognise and welcome the spirit and the intent of their amendments. We can perhaps deal with the overall thrust of the Bill at Third Reading, but I have no doubt that we will hear many of the same points expressed again. I recognise that Ulster Unionist Members do not want the legislation, but I have to say that that is not the experience of those who have viewed what is required in Northern Ireland and who are trying to bring about a more balanced and reasonable approach to the Province.

Mr. Thompson: The majority of the elected representatives in Northern Ireland do not want the Bill—surely the Government should take notice of that. If the Conservative party were introducing a similar measure in Scotland, where there are no Conservative Members, there would be strong objections from the hon. Gentleman.

Mr. Ingram: I understand that argument entirely, but I am a representative of the United Kingdom Parliament, as is the hon. Gentleman. The responsibility rests with this House. We do not have a devolved assembly in Northern Ireland—something which many of us hope will come out of the current talks—and these matters must be considered by the UK Parliament. It may or may not become a devolved issue; that is a matter for the talks participants, and then for the people of Northern Ireland.

There is a fundamental misunderstanding of what the new clause and the associated amendments propose. Their purpose is simply to place within the Bill a requirement on those organising protest meetings to give notice of them. I ask the question—what is wrong with that? The amendments deal with a code of practice in relation to protest meetings which is consistent with North's recommendations. Again I ask—what is wrong with that? There is no change in the law as it stands relating to the public order aspects of open-air meetings.

7.45 pm

A number of hon. Members raised similar points in different ways, and I apologise if I do not mention them all in dealing with the substantive points. Clearly, hon. Members will have an opportunity to return to these matters if necessary. My hon. Friend the Member for South Down (Mr. McGrady), the hon. Member for Montgomeryshire (Mr. Öpik) and Ulster Unionist Members mentioned the commission in terms of processions, and the way in which protest meetings related to those processions would be dealt with by the police, and asked why these were to be dealt with differently.

My hon. Friend the Member for South Down said that the commission was not to be involved at all. Of course the commission is involved in the process, because, under new clause 3, the police are required to give notice to the commission of the fact that the organisers of a related protest meeting have given notice of such a meeting. The commission will take the behaviour of the protesters into consideration when making determinations in relation to future parades. It is wrong to imply or indicate that somehow the commission is not associated with matters relating to protest meetings.

Mr. McGrady: I thank the Minister for trying to explain this point, but the fact is that the commission will have been given notice through the police of a protest, and will have taken cognisance of the overall problem in terms of the procession and any possible protest. None the less, there is a definitive distinction, as the commission apparently cannot make a determination on the protest meetings. That is the point I was making.

Mr. Ingram: I was going to come to that, and I may have misheard my hon. Friend. I thought that he had implied or indicated that the commission was not associated at all with protest meetings.

The difference between that which relates to protest meetings and that which relates to public processions is quite clear. By their very nature, protest meetings have a tendency to become matters of public disorder. That view has been expressed. It does not happen at all protests—nor should it happen at all—but we have seen examples of it. As it is a public order issue, it should rest with those who have direct responsibility for dealing with the matter—in this case, the RUC. Of itself, it does not create a new distinction, as it is dealing with the reality of the situation.

Another fundamental issue is at stake in dealing with protest meetings. If the matter were to be given to the commission to deal with, my best judgment—after consultation with the commission—is that an incredible burden would be placed on the commission, which has to deal with a wide range of issues. We are dealing with a

difficult enough set of circumstances without giving the commission a much more contentious area to deal with. That is why we have dealt with it separately.

Mr. Öpik: If my understanding is correct, the Minister is suggesting that the commission will take account of the performance of the counter-demonstration in future assessments of the procession. If that is correct, is there not a built-in temptation for the counter-demonstration to work in such a way as to prompt the commission to rule that the procession would be unacceptably dangerous in terms of public order? That could be counter-productive, by giving the counter-demonstration an unreasonably high incentive to misbehave.

Mr. Ingram: All those things are a possibility, and the Parades Commission has been given a difficult job. As the hon. Gentleman recognised in his speech tonight and on Second Reading, we have consistently spoken about the difficult nature of the commission's job. It will not be easy to make those judgments, and in future years fine, precise decisions will have to be taken based on past years' experience.

I know that the hon. Member for Montgomeryshire was not on the Standing Committee, but we dealt with a wide range of matters relating specifically to ways in which the commission will have to deal with those complex matters. The hon. Gentleman will have had the opportunity to read the Committee *Hansard*—if not, I suggest that it should be his bedtime reading tonight, assuming we get home to bed tonight. I have dealt with that issue generally; if hon. Members are dissatisfied, they have the right to vote accordingly, but the judgment was based on the parameters and issues I have described.

The hon. Member for South Down implied that a requirement to give notice of protest meetings is somehow restrictive of people's civil liberties, but that requirement is no more restrictive than the notice requirement on parades and processions. We have to take into account the rights of those who wish to parade and march, and those who wish to make a peaceful and lawful protest.

There is no threat in the legislation to the latter group—that is an important aspect of the Bill. The right to peaceful and lawful process is a fundamental right of all UK citizens, but sadly we have seen examples of protests that have gone beyond that limit, for a variety of reasons. By no stretch of the imagination can the new clause be described as a denial of the fundamental right to peaceful and lawful protest.

The hon. Member for North-East Cambridgeshire raised issues relating to subsections (2)(b) and (4)(f), and asked about the words "reasonably practicable". There is a need for flexibility in legislation, which is why those subsections appear in new clause 3. The use of the word "reasonably" precludes deliberate manipulation by protest organisers of the sort described by the hon. Gentleman and other hon. Members.

There might be circumstances in which 14 days notice is not practicable, and we could spend all night thinking of examples of that—problems with the post or other reasons. We also have to remember that parades and processions can be notified less than 28 days in advance if prior notice in their application was not practicable, either. Flexibility is built in for processions, and similar provision is required for protests.

At the end of the day, the judgment on whether those who are protesting are in breach of the legislation and whether they acted in an reasonable way will be made by the courts, if the matter is referred to them by the RUC. It will not be a matter for political judgment or intervention. It is reasonable to have those subsections in new clause 3.

In an intervention, the hon. Member for East Londonderry (Mr. Ross) asked about article 5 of the Public Order (Northern Ireland) Order 1987. Article 5 gives the Secretary of State the power to ban open-air public meetings. It has been amended by schedule 3 to the Bill, but the power continues to apply to all open-air meetings, including protest meetings. There are amendments consequential to the provisions of schedule 3, but the specific application of article 5 to open-air meetings continues.

The hon. Member for North-East Cambridgeshire asked about the police station where notice is to be given. A meeting is "a related protest meeting" when it is to be held at a place which is in the vicinity of the route, or proposed route, of a public procession. Therefore, as new clause 3 requires notice to be given at the police station nearest to the place at which the meeting is to be held, that will almost certainly be the same power station—sorry, police station: although the police have the power to take action; sometimes one cannot read notes scribbled down as points were made—as that which is nearest to the proposed starting point of the procession, but that will not necessarily be the case; hence the difference in the wording.

The hon. Member for North Antrim (Rev. Ian Paisley) raised points about parades being dealt with by the commission, and protests by the police. I hope that I dealt in my earlier explanation with the reasons why it is set out as it is in the Bill. I reiterate that any problems resulting from protest meetings are almost exclusively—albeit not wholly—public order-related.

By definition, a protest meeting will be held on what can be classified as home soil, so the criterion of the impact on relationships within the community would not be relevant. However, by their very nature, parades will go through areas that might be described as opposition or hostile areas, or not home territory, which is why conflict arises. Therefore, it is relevant and appropriate that that issue should be taken into account by the commission in making its determination. North came to the view that there was no practical difficulty in dealing with the issue in that way.

The hon. Member for North Antrim also spoke about spontaneous protests, and about how, for example, a trade union dispute or other public demonstration would be inhibited by the need to give notice. He is wrong in his understanding of what we are trying to achieve, because new clause 3 applies only to protest meetings relating to a public procession. A meeting for the purpose of a trade dispute or some other public protest issue would not fall foul of the notice requirement, and would not be inhibited.

Mr. William Ross: Will the hon. Gentleman give way?

Mr. Ingram: I shall first deal with one more point; then I shall come back to the hon. Gentleman.

The hon. and learned Member for North Down (Mr. McCartney), who is not in his place, made the point that the commission could not fully consider the situation

[Mr. Ingram]

relating to a parade until it had received formal notice of a protest, and that it would have to wait until the eleventh hour until it knew of that. Without new clause 3, there would be no notice requirement for a protest meeting, so the new clause obviously improves on that which was there before. We have an improvement in the legislation, not a reining back of the legislation.

In addition, as the hon. Member for East Londonderry said, authorised officers, and possibly even the members of the Parades Commission, will go out into the community when a potentially contentious parade is to take place so as to see what is happening on the ground. The responsibility rests with them to try to find out what is happening, so they will probably—although it is not certain—pick up on the possibility of some protest against the procession or the parade ensuing from the application going ahead. They would have knowledge of it before the 14-day period was triggered.

However, it was judged that it was reasonable to impose a 14-day notice period, because it would give people the right to know that a procession was to go through their area, and enable them to consider whether they were agreeable to its doing so. People have the right to consider what is happening in their area and the right to lawful and peaceful protest, and those rights should not be taken from them. That right should not be removed from them.

We could debate the number of days to a standstill but there must be a balance. We have 28 days for an application for a procession, and 14 days for a protest. The point made by the hon. and learned Member for North Down does not hold much substance in the way in which he presented it.

8 pm

Mr. William Ross: Trade union disputes are a case in point, and trade union peace rallies are another. Those are events that we all applaud. We know what happened recently when there was a hijacking by the IRA in front of Belfast city hall. The Secretary of State for Northern Ireland turned up, and was happy to beat a hasty retreat. How will the Government, the police or the Parades Commission deal with such a situation?

Mr. Ingram: My right hon. Friend turned up at the event to which the hon. Gentleman referred, but she did not beat a hasty retreat. The hon. Gentleman should not believe everything he reads in *The Newsletter*. I accept, of course, that sometimes *The Newsletter* can be accurate.

My right hon. Friend's intention was to see the turnout. She wished to get a feel for it and then go on—*[Interruption.]* I am trying to explain the background. I seem to have created some hilarity, but I understand that some honest assertions or statements are not always accepted by some members of the Ulster Unionist party. I have outlined the circumstances relating to my right hon. Friend's presence.

The hon. Member for East Londonderry talked about a trade union peace rally, but that was not a public procession. There was no need for it to comply with new clause 3, because it did not relate to a public procession. Therefore, this point has no substance.

I have tried to deal in a structured way with the many points that have been raised during the debate. Some have been raised in different ways by different hon. Members, but I have tried to condense the issues into key elements.

New clause 3 and the associated amendments represent a genuine attempt to take on board what has been said in Committee about the need to amend the Bill. The same or similar expressions were raised in another place. We are trying to achieve a balance. There was always a possibility that the Government would proceed as we have.

Although members of the Ulster Unionist party may object to the Bill in its entirety, I am glad that they recognise that movement has been made, as shown by new clause 3 and the related amendments. I hope that this movement will be of benefit to the community generally, which is involved in participating both in processions and protests and upon which protests and processions impact. The Bill will be better as a consequence of the new clause and amendments, and I commend them to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

THE COMMISSION'S POWERS TO IMPOSE CONDITIONS ON PUBLIC PROCESSIONS

'.—(1) If the Commission, having regard to the time or place at which and the circumstances in which any public procession is intended to be held and to its route or proposed route, reasonably believes—

(a) that the likely actions of those taking part in the parade may result in serious public disorder, serious damage to property or serious disruption to the life of the community; or

(b) that the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or do an act they have a right not to do,

it may issue a determination imposing on the persons organising the procession such conditions as appear to it to be necessary to prevent such disorder, disruption or intimidation, including conditions as to route of the procession or prohibiting it from entering any public place.

(2) The Commission may amend or revoke any determination issued under this section.

(3) A person who knowingly fails to comply with a condition imposed under this section shall be guilty of an offence, but it is a defence for him to prove that the failure arose—

(a) from circumstances beyond his control; or

(b) from something done by direction of a member of the Royal Ulster Constabulary not below the rank of inspector.

(4) A person who incites another to commit an offence under subsection (3) shall be guilty of an offence.

(5) A person guilty of an offence under subsection (3) or (4) shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.'.—*[Mr. Thompson.]*

Brought up, and read the First time.

Mr. Thompson: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss the following amendments: No. 13, in clause 7, page 4, line 24, leave out from beginning to end of line 27 on page 5.

No. 3, in page 5, line 14, leave out from 'procession)' to end of line 16.

Mr. Thompson: Those who know the Bill will understand that clauses 7 to 10 represent its substance. We know, of course, that the Bill deals with important issues, such as law and order and the rights of people to process and to object. My hon. Friends and I do not accept that those matters should be decided by a commission, especially a commission that is a new quango in Northern Ireland, the members of which will be nominated by the Secretary of State. Our experience is that those who are nominated by the Secretary of State to quangos are placed to carry out the Government's business.

We believe that, as with protests, decisions on parades should be taken by the police. We believe also that when public order is at stake, it is the responsibility of the police to be involved. To seek to pass the responsibility over to an unelected lay body seems to my colleagues and me to be completely unacceptable.

The Parades Commission has been given significant powers under clause 7. They enable a determination to be made as the commission considers necessary. Guidelines provide for the commission to have regard to various factors, such as

"any public disorder or damage to property which may result from the procession . . . any disruption to the life of the community".

Two additional paragraphs refer to the

"impact which the procession may have on relationships within the community; any failure of a person of a description specified in the guidelines to comply with the Code of Conduct".

We believe that the two additional conditions are completely unacceptable. Furthermore, we believe that they are contrary to the provisions of the European convention on human rights. If the provisions were voluntary, they might be more acceptable. If the commission wishes to have guidelines and a code of conduct, that is up to it, but the idea that such provisions should be statutory and should be used to impose conditions on a parade is to us completely unacceptable.

We believe also that the Bill, in many instances, is a contravention of the European convention on human rights. In another place, the Government are putting through a measure entitled the Human Rights Bill. In the White Paper, there is a wonderful photograph of—guess who?—the Prime Minister. What does the right hon. Gentleman say? He says:

"We believe it is right to increase individual rights".

Yet the Bill is taking away individual rights. These are the rights that are set out in the convention. Article 9 states:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance."

As the Orange institution is a religious organisation, we believe that we have every right to march the Queen's highway and to proclaim our religion in that respect.

Article 10 states:

"Everyone has the right of freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers".

yet the Bill seeks to restrict the freedom of marchers to express their culture and beliefs.

We read under article 11:

"Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests."

Again, the right of freedom of peaceful assembly is under grave attack in the Bill.

Article 14 states:

"The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

The Bill will give rise to instances of discrimination, because certain classes of organisation will not be required to comply with the requirement to indicate their intention to hold a parade, yet other organisations such as Orange and other institutions will be required to do so. That, we argue, is discrimination, in contravention of the European convention on human rights.

A number of human rights cases have gone through the European Court of Human Rights. Two of those cases are relevant to public order and the right of peaceful assembly. One was the case of Plattform "Ärzte für das Leben", an association of doctors that campaigned against abortion with a view to securing changes in the Austrian legislation. It complained to the court about violations of article 11. It is interesting to read about those demonstrations, because it is amazing how they compare with the situation in Northern Ireland.

We read that the applicant association decided to hold a religious service at Stadl-Paura church in upper Austria on 28 December 1980, after which there would be a march to the surgery of a doctor who carried out abortions. As required by law, it gave notice on 30 November to the police authority for the district of Wels-Land. The police made no objection and gave the participants permission to use the public highway. The police did, however, have to ban other planned demonstrations that were announced subsequently by supporters of abortion, as those demonstrations were to be held at the same time and in the same place as the Plattform demonstration.

As the organisers feared that incidents might occur none the less, they sought to change their plans in consultation with the local authority. They gave up the idea of demonstrating outside the doctor's surgery and decided instead to march to an altar erected on a hillside quite a distance away from the church, and to hold a religious ceremony there.

8.15 pm

The police representatives pointed out to the organisers that the main body of the police officers had already been deployed along the route originally planned, and that, because of the lie of the land, the new route was not suited to crowd control. They did not refuse to provide protection, but stated that, irrespective of the route chosen

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or not to be chosen, it would be impossible to prevent counter-demonstrators from throwing eggs and disrupting both the march and the religious service.

During the mass, a large number of counter-demonstrators who it seems had not given the notice required under the relevant Act assembled outside the church and were not dispersed by the police. They disrupted the march to the hillside by mingling with the marchers and shouting down their recitation of the rosary. The same thing happened at the service celebrated in the open air. Some 500 people attempted to interrupt it using loudspeakers, and threw eggs and clumps of grass at the congregation.

At the end of the ceremony, when tempers had risen to the point where physical violence nearly broke out, special riot control units, which had until then been standing by without intervening, formed a cordon between the opposing groups, and that enabled the procession to return to the church.

Mr. McGrady: Harryville.

Mr. Thompson: We can see the parallel with Harryville and with Drumcree. However, to return to the case, we read that a second march was contemplated. The competent police authority gave permission for a second demonstration against abortion to be held in the cathedral square in Salzburg on 1 May 1982. An anniversary meeting was due to be held in the square by the socialist party on the same day, but it had to be cancelled because notice of it had been given after the applicant association had given notice of its meeting.

The demonstration began at 2.15 pm and ended with an hour of prayers inside the cathedral. At about 1.30 pm, some 350 people angrily shouting their opposition had passed through the three archways that provided access to the square and gathered outside the cathedral. A hundred policemen—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I can understand the hon. Gentleman citing cases in other countries, but to go into the detail of two cases that occurred in Austria is stretching the point. I do not mind a mention of those matters, but the full detail of the incidents should not be brought before the House.

Mr. Thompson: Thank you, Mr. Deputy Speaker. I am coming to the end of my remarks, but the incidents are extremely important because they relate closely to the situation in Northern Ireland.

To conclude the account of the second incident, other trouble was caused by sympathisers of an extreme right-wing party, the NDP, who voiced their support for Plattform. The police asked the association chairman to order those people to disperse, without success. In order to prevent the religious ceremony from being disrupted, the police cleared the square.

After the matter went to the court—

Rev. Ian Paisley: On a point of order, Mr. Deputy Speaker. I think you will admit that my reference was at least to Northern Ireland, and not far afield.

Mr. Deputy Speaker: I think that the hon. Member is raising a matter of history rather than a point of order.

Mr. Thompson: The decision of the court is extremely important in establishing European law in this instance. It is sad that we who live in Northern Ireland, who are part of the United Kingdom, must resort to European law to assert our rights, rather than being able to rely on British law, which we believed was better than European law.

Under this Government, the situation seems to have changed. Now we must appeal to the European Court. What it said was important. In its decision of 17 October 1985 on admissibility, the Commission dealt at length with the question whether article 11 implicitly required the state to protect demonstrations from those wishing to interfere with or disrupt them. It answered that question in the affirmative.

A demonstration may annoy or give offence to persons opposed to the ideas or claims that it is seeking to promote. The participants must, however, be able to hold the demonstration without having to fear that they will be subjected to physical violence by their opponents. Such a fear would be liable to deter associations or other groups supporting common ideas or interests from openly expressing their opinions on highly controversial issues affecting the community. In a democracy, the right to counter-demonstrate cannot extend to inhibiting the exercise of the right to demonstrate.

Genuine, effective freedom of peaceful assembly cannot, therefore, be reduced to a mere duty on the part of the state not to interfere: a purely negative conception would not be compatible with the object and purpose of article 11. The judgment of the court establishes the right of peaceful marching and peaceful assembly. Yet the restrictions in the Bill prevent the exercise of that right. Restrictions can be placed only on rights that are prescribed by law and are necessary in a democratic society. We supposedly live in a democratic society.

A second court case, the Ezelin case, establishes the right of peaceful assembly. The court found:

"the freedom to take part in a peaceful assembly . . . is of such importance that it cannot be restricted in any way . . . so long as the person concerned does not himself commit any reprehensible act on such an occasion."

They are the rights and the privileges that we should enjoy as citizens of the United Kingdom and as citizens of Europe. The restrictions outlined in clause 7 contravene our liberty. It is entirely unacceptable that a person's right to march, to process and to demonstrate should be negated by

"any impact which the procession may have on relationships within the community".

The court cases to which I referred negate that stupid argument.

It is also argued that, if people do not follow certain conditions and guidelines established under the code of conduct, their rights will be eliminated. That is a complete negation of our rights and our liberty. That is why we oppose clause 7 and why I have proposed new clause 1—a proper clause—to replace it. If accepted by the Government, it would go a considerable way towards making the Bill more acceptable to Unionists. The clause says that the powers of the commission to apply restrictions on a parade should be similar to those which the Government have now accepted should be applied in

relation to an objecting demonstration. In other words, restrictions should be based only on public order issues. New clause 1 says:

"the likely actions of those taking part in the parade may result in serious public disorder, serious damage to property or serious disruption to the life of the community; or

that the purpose of the persons organising it is the intimidation of others with a view to compelling them not to do an act they have a right to do, or do an act they have a right not to do".

We believe that those conditions, which are similar to those that apply in England and Wales, should be the only ones that the commission uses when making a determination and placing restrictions on a parade.

Mr. Roy Beggs (East Antrim): Does my hon. Friend agree that, if the absolute right to process as enshrined in European law is established and confirmed, protest will be less likely?

Mr. Thompson: I agree entirely with my hon. Friend. The problem is that the Government and police leaders have attacked those rights. That is what has caused all the trouble.

I refer also to the Human Rights Bill, which is currently in the House of Lords. Clause 19 states:

"A Minister of the Crown in charge of a Bill in either House of Parliament must, before the Second Reading of the Bill—

(a) make a statement to the effect that in his view the provisions of the Bill are compatible with the Convention rights"—

in other words, it is a statement of compatibility—

"or

(b) make a statement to the effect that although he is unable to make a statement of compatibility the government nevertheless wishes the House to proceed with the Bill.

This statement must be in writing and be published in such manner as the Minister"—

Mr. Deputy Speaker: Order. The hon. Gentleman is reading from clause 19, but we are dealing with new clause 1. We cannot range too widely on Report.

Mr. Thompson: You misunderstand me, Mr. Deputy Speaker. I am reading from clause 19 of the Human Rights Bill, which is at present in the House of Lords and which is relevant to the legislation that we are considering tonight.

Mr. Deputy Speaker: That makes the situation even worse. The hon. Gentleman should confine his remarks to new clause 1, which he has proposed. This is not a Second Reading debate; it is the Report stage. I must confine the hon. Gentleman's remarks to new clause 1.

Mr. Thompson: Thank you, Mr. Deputy Speaker. You will be pleased to hear that I am drawing my remarks to a close.

I ask the Government: have they fulfilled the requirements of clause 19 of the Human Rights Bill in relation to this legislation? I accept that this Bill will pass through the House before the Human Rights Bill. However, if the Government are keen to enshrine people's rights in legislation, they should produce a written statement explaining, in detail, how this legislation—which is so important to the rights of the people of Northern Ireland—complies with the European convention on human rights. I ask the Government to do that.

New clause 1, which is a substitute for clause 7 in the existing legislation, would retain the law in sympathy with the rest of the United Kingdom and would not contravene the European convention on human rights. Therefore, in the interests of peace, stability and balance, I ask the Minister to accept the new clause.

8.30 pm

Mr. McGrady: An explanation is required of my amendment No. 3 to clause 7, since the word "procession" appears twice in line 14. The amendment applies to the second "procession": in other words, it would delete subsection (6)(e), which deals with a preference—or an intention to give preference—to processions that are customarily held along a particular route. Subsection (6) states that the guidelines of the commission shall in particular have regard to five matters, including whether a procession is customarily held along a route.

The words "customarily held" mean traditional. It will be difficult for the commission or anyone else to define traditionality. In Committee, the hon. Member for East Londonderry (Mr. Ross) gave a perfect example of the problem of traditionality. He said that the structure of the Orange Order was such that demonstrations could move around in different areas in different years. In one extreme case, a traditional parade was held every 41 or 47 years—I am not sure which. Therefore, traditionality could mean intervals of 40 or more years. No reasonable person would accept that something which has not taken place for the best part of two generations could genuinely be deemed traditional.

I hasten to add that it is desirable that as many parades as possible, excluding those which impinge on the rights of others or cause distress or public disorder, should be allowed. There is no problem about that. But traditionality should not be one of the major bases on which a decision is made.

For example, in an area which I prefer not to name in case it exacerbates the situation, a parade was taking place on several Friday nights, as they are wont to do, until 11 pm or 12 pm, and it went into a mixed estate. There were some protests, but the police, in their wisdom, said that the parade could go ahead because it was traditional. The traditional parade to which they were referring was an extension of a parade into a new housing estate where the roads were not even made up. That parade had nothing to do with traditionality. The houses had not been there 24 months before. That was about extending the dominance of the traditional parade into a new community which happened to be particularly diverse.

I shall not press the amendment to a vote, but I hope that the Minister will say that, when the guidelines are being drawn up or reviewed, that element of traditionality will not be a major or primary factor in the decision-making process. As I have said, over four decades, the topography, demography and social structure of any given area can change. Traditionality is not only a bad basis in practice on which to make a decision but a difficult basis in terms of interpretation.

Mr. Thompson: If the hon. Gentleman were a member of such organisations, he would realise how a traditional

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parade could come about only every 41 years. More important, however, does he accept that, under European and British law, processions have the right to march on a public road which passes through or by a nationalist estate, even though there may be people there who do not like them or agree with them, and may object to them, provided that they do it peaceably?

Mr. McGrady: The hon. Gentleman raises the question of the right to march. In Committee, the hon. Member for Beaconsfield (Mr. Grieve), who sat on the same side of the Committee as the hon. Gentleman, and who I understand is a learned gentleman, said that he thought that, under English law, there was no right to parade, simply an entitlement under the common law to do that which is not forbidden. There is no automatic right to march—a concept which Ulster Unionist Members have consistently put across. I do not know whether the hon. Member for Beaconsfield is right in his semi-judicial assessment of the situation, but I put it forward for what it is worth.

My amendment simply asks that traditionality is not taken literally but is made subject to other matters which must impinge on any decision making. To have it as a primary and particular concern gives it a prominence which, owing to the difficulty of interpretation and explanation, could give it an undue influence in the decision making of the commission, or of the police, who deal with protest meetings rather than parades.

Mr. William Ross: I support new clause 1. It is very reasonable and will be found to be in keeping with the spirit and the letter of the Human Rights Bill which will complete its passage in the other place tomorrow and then come to this House for debate and amendment.

My hon. Friend the Member for West Tyrone (Mr. Thompson) read out the clear judgments of the European Court, which will override domestic law. We in the Ulster Unionist party have always opposed the concept of European law, but if the House decides to implement it, it will have to live by it. I suspect that the first Orange procession that is blocked will see the Government in court, and that will not be in the European Court, but in the domestic courts. If my understanding is correct, once the Government are found guilty, as they will be, they will find themselves having to pass through the House forthwith an Order in Council implementing the European law in that regard. If the Government are sensible enough to accept my hon. Friend's proposals and live by them, I suspect that they will never be in that unhappy position. New clause 1 is very important. It is the first of a number that my hon. Friend has tabled on the issue, and no doubt he will return later this evening to some of the matters he has raised.

New clause 1(1)(a) would make an issue of the conduct of those in the procession. It is a reasonable provision, and I believe that we would all like to see it included in the Bill. If people took part in a parade, they would have to behave themselves. No one in a loyalist order or organisation, such as the Ancient Order of Hibernians, would behave in the way described in the new clause. Given that fact, the law-abiding, decent elements of Northern Ireland society could live with and, indeed, would welcome the new clause.

New clause 1(1)(b) is an equally reasonable provision and would provide an excellent back-up to the Government's new clause 3, which the House has just accepted. Ministers should have the wit to welcome the sensible proposals in new clause 1. They are a much simpler statement of what is needed to control processions in Northern Ireland and could be implemented easily by the police. The new clause makes it plain that, if people do not behave when they are on procession, that will be a good reason for ensuring that they do not return.

The Bill as it stands is far too complex. It introduces elements that, as my hon. Friend the Member for West Tyrone vividly illustrated, will not stand up when the European human rights law is applied in the United Kingdom. Under the European laws, people will have the right to process, and to police and military protection when they do so. That is the point that I made in Committee: we will eventually reach a situation in which everyone will have the right to march more or less at will and to be protected while doing so.

The Government should pause and think again about the consequences of the Bill. They should consider ways in which it could be improved and made acceptable and compatible with European law. The Government could pre-empt a conflict with European law, and that would be a happy outcome of our proceedings. As the Bill stands, the Government will have to reconsider it in a year or so.

I am happy to support the proposals of my hon. Friend the Member for West Tyrone, and I hope that they find favour with the Minister. If the Minister thinks carefully about the new clause, he will realise that it is sensible and much superior to the proposals in the Bill. I hope that the Government will accept the new clause.

Rev. Ian Paisley: I rise to support new clause 1, tabled by the hon. Member for West Tyrone (Mr. Thompson). The Government cannot take an a la carte approach to Europe. They must either accept all that Europe says or none of it. I am not a fan of Europe, but I believe that the Government will be hoist by their own petard when the Bill to incorporate European civil rights provisions receives Royal Assent. What will happen then?

I do not agree with the hon. Member for South Down (Mr. McGrady) that the British people have no right to process. Everybody knows that common law gives people that right, and that has been argued in the courts of this land. This is not the first time that processions have been in the political arena in Ireland—or in England, especially Liverpool. It can be seen from the past that the right to march has been treated in the same way as the right to assemble and the right to free speech.

We are discussing public order issues tonight. I have already said this evening—I shall repeat the point—that the Government should have considered the public order order and dealt with the provisions in it that gave a lever to those who wanted to disrupt processions, and to disrupt them violently.

It seems entirely unfair for the authorities in Northern Ireland to tell the Portadown Orangemen that they cannot ever walk again in the Tunnel area. They have been walking to Drumcree for more than 100 years. They asked, "How do we get to it?" The authorities said, "This is the way you get to it." The Orangemen replied, "Will you guarantee us that we can get that way?" I was present. I know what I am talking about. The police

vowed that the Orangemen could go that way. Of course, when they started walking that way, the IRA decided that it would have to implement the orders of its leader, Gerry Adams, and take part in the agitation to stop the parade. The Orangemen were allowed to get to the church and were then suddenly told by the police that they would not be getting home.

Mr. Ingram *indicated dissent.*

Rev. Ian Paisley: It is not right for the Minister to say that it is untrue. That is what happened. They got to the church on the first occasion and were told that they could not get back. That is a matter of fact.

8.45 pm

Mr. McGrady: Does the hon. Gentleman agree that the facts were that the parade went to the church and could have gone back by the same way that it arrived without hindrance from the police or anyone else? As I understand it, it was going back by a different route that caused the problem and the counter-demonstration.

Rev. Ian Paisley: The arrangement made with the police was that the parade was to go one way and come back by another. That was the original agreement that the police made. The police cannot get away from that. I sat in a meeting with the police and they admitted that that was right. Let us get the facts right without having an argument.

Mr. William Ross: The hon. Gentleman knows that the police notification document, form 11/1, specifies the route and the return. As he says, the return route shown was different from the route to the church.

Rev. Ian Paisley: Portadown is not a nationalist town. Let us get that straight. It is one of the most Protestant towns in Northern Ireland, the very heart of County Armagh Protestantism. The road is a main road. In the past 20 or 25 years, houses have been built. They have not been built on the roadside. Not one lies on the actual road. They are in estates on either side. That does not produce what people in Northern Ireland like to call a particular coloured area.

The coloured areas came in when troops first came to Northern Ireland. The troops were given maps with green and orange areas. The Ravenhill road, where I have laboured in Church work for 52 years, is not a Roman Catholic road. From the bottom right up to Rosetta, it is a Protestant road. I was walking up that road when a police officer accosted me and said, "I don't think you should be walking here, Mr. Paisley." I said, "Why?" He said, "You are in a Roman Catholic area." I said, "No. 1, what would it matter if I was? What business is it of yours? Secondly, who told you that?" He showed me his map. The right-hand side of the road was coloured dark green. He said, "This is a republican area." I said, "Go away home. You don't know what you're talking about." On both sides it is a Protestant road. Even if it had been a Roman Catholic road, surely a minister, whether a priest in the Roman Church or a Protestant, is entitled to walk there and look after people who reside there. I find that attitude disconcerting.

The houses are back from the road. There was never any attempt by Orangemen in Portadown to walk through those estates, nor would they do that. That lie was spread all around the world. I do not know how many programmes I appeared on in the United States of America, but the first question I was always asked was whether Orangemen had walked through Roman Catholic housing estates. I was in America when a man said to me, "Of course, the Roman Catholics don't have any houses in Northern Ireland." I said, "That's interesting. They are now running a rent and rates strike, so if they don't have any houses, how can they successfully do that?" That strike was organised by the SDLP.

The Northern Ireland people, especially the Protestants, have been slandered. There is now a vicious campaign. The so-called loyalist terrorists are called Protestants—the Protestant Ulster Freedom Fighters and the Protestant Ulster Volunteer Force—but those people have no religion: they are the haters and revilers of religion. We never hear anyone referring to the Roman Catholic Provisional IRA. In fact, I tabled a question in the House using that expression and I was called into the office and told, "You don't use that language here." I said, "Here's one tabled by Gerry Fitt referring to the Protestant UVF. What about that?" and they said, "We'll get that off the Order Paper." A campaign is being waged to blacken the decent Protestant people of Northern Ireland. It is a scandal.

The people who walked down from Drumcree were not against their Roman Catholic neighbours. They were coming from a place of worship and were entitled to come down that road. The Bill is all about Drumcree. It is an attempt by the Government to find a way of stopping the parade. Government researchers should read the history of the Procession Acts that have littered the statute book. Where did they get us? Nowhere.

People may not want others walking down a particular road, and they may not like what those people are doing, but they just have to let them walk down that road. Hibernian processions go through almost 100 per cent. Protestant areas in my constituency and nobody says anything. Orange parades go through Rasharkin, which has a majority Roman Catholic population, and nothing is said. That is the only way that parades can be accomplished in peace.

I used to spend my holidays in a place called Killowen in the constituency of the hon. Member for South Down. Killowen was strongly Roman Catholic, although there were some Protestant families. On 12 July, the Roman Catholic boys and the Protestant boys went together to see the Orangemen. On 15 August, we all went to Warrenpoint to see the Hibernians. On 12 July, the Hibernian neighbour did the farm chores and sent his Orange friend off to walk in the parade, and his friend did the same on 15 August. That is the way it was, and that is the way it needs to be. That is the only answer.

People think that they will stop an event that has been going on for hundreds of years, but it cannot be done. The sad thing is that this problem now affects church services. Mention was made of Harryville. The House should know that Harryville sits in a 99 per cent. Protestant area, yet the chapel was built there and nobody said anything about it until we had the agitation in Dunloy. Orangemen were not allowed to go to the Presbyterian church. The Presbyterian church was attacked. All the windows were broken, the graveyard was dug up and, one by one, people were driven out of the church by intimidation.

[Rev. Ian Paisley]

The Protestants in Harryville then decided to organise a protest there. I do not agree with banned protests; I think that protests should take place within the law, and I do not think that anyone should have to listen to curses and bad language from anyone. I believe that people should be allowed to go in peace to their place of worship. I have made my position clear in my constituency, and everyone there knows it. The point is that, outside Ballymena, in a place called Dunloy, Orangemen were not even permitted to hold a religious service in their own Orange hall because the Orange hall was occupied by IRA men. They sat on the roof and wrote the slogan "You will never use this hall again". The hall is now an IRA-Sinn Fein advice centre.

Fortunately, following a good deal of consideration, we succeeded in holding a religious service in the hall with no trouble a few weeks ago. The police were at long last prepared to do for the people of Dunloy—the Protestants—what they had done for the people of Harryville, the Roman Catholics: they were prepared to say, "You are entitled to hold your religious service, and we will look after you." That is a duty that the police must perform across the board and it is why this is and always will be a public order issue. Even the Minister said—referring to some of the remarks that I, and others, had made—that public order issues were involved in the debate about protests. The House will eventually have to look again at the Public Order (Northern Ireland) Order 1987, because it has within it the seeds of what is now happening.

There was a man on the Armagh road who said, "No Orangeman will ever walk down this road again." On one side of the Armagh road, from the direction of the King's bridge, is what is known as the holy land, because all the streets have names like Jerusalem street and Jericho street. It is predominantly a Protestant area. When I went to Belfast some 49 years ago, I lived in Cooke street, which is at the bottom of the Armagh road. The Orangemen walked up and down the road, using it as a main thoroughfare. They cannot do so today, because the IRA has said—Gerard Rice has said—that they are not allowed to set foot on the Armagh road. That will gain momentum, and nothing but anarchy will result. The new clause makes reasonable proposals to deal with some of what results from unruly elements taking over in parades and in protests against parades.

At last Friday's trade union meeting, some elements sought to take over and to destroy the very purpose for which the meeting had been called. The Chair did not allow me to read out today some of the things that Roman Catholics have been saying about the way in which the IRA has treated them. All I can say is that this will not end when we pass the Bill. We must look forward to the days that lie ahead. If the House thinks that banning Drumcree this year is all that will be needed, it has another think coming. It is impossible to stop something that has gone on, with the majority of the population behind it, in a town such as Portadown, which is the centre of Protestantism. We might as well say to the people of the Bogside, "You will never walk to Free Derry corner again." What person with a titter of wit would say that? The House does not have a Canute to stop the waves. The waves will come in and we must be reasonable and seek legislation that will at least help to reduce tension and not stir the pot.

9 pm

I say to the people of Northern Ireland and to the House that there are some things that we have to thole, and everyone in Northern Ireland has to thole processions. Those who do not agree with them need not look at them. Some processions last for only a few minutes. I am told that the Drumcree parade takes nine minutes to go along that stretch of road. If we cannot have tolerance for nine minutes, we will never have the tolerance to live together and take the actions that people say we should take together. We should look carefully at the Bill. I hope that the Government appreciate the force of the new clause.

Mr. Öpik: Estonia does not have many rules about processions, but it had sectarian problems. There was tension between the Russian and Estonian communities, and it was a miracle that it had not erupted into violence. As far as I can tell, when people from one side or the other wanted to process, they did it, made their point and that was it. My guess is that, if we transposed the entire legislation on processions in Northern Ireland to Estonia, it would not make a blind bit of difference to how people there go about their business. The same is probably true of Northern Ireland.

No matter how much legislation we produce on processions in Northern Ireland, the situation will not change much. The reason for that—as I listen to the debate I become even more persuaded of it—is that the House is trying to legislate for human nature. The more we try to legislate for circumstances and difficulties, the more it becomes a virtual certainty that those who want to will find creative solutions to enable them to circumvent the legislation.

We must be realistic. The concerns that have been expressed in the debate simply reflect the degree to which the debate is not about getting the right legislation but about getting the right attitudes, and such attitudes can come only from the participants. The hon. Member for West Tyrone (Mr. Thompson) made an interesting comment about freedoms and civil liberties. I have some sympathy with his proposition. His most striking comment related to clause 7(6)(c), which states that the commission should consider

"any impact which the procession may have on relationships within the community".

That is close to the question whether one should allow people to make statements with which one does not agree. We were taught in philosophy the saying

"I disapprove of what you say, but I will defend to the death your right to say it."

There is a danger of illiberality, of taking away that fundamental right to self-expression. However, I am not at all clear why the proposals by the hon. Member for West Tyrone would alleviate the danger of illiberal restrictions. Unreasonable people will behave unreasonably, and no matter how much we legislate, that will continue.

The hon. Member for East Londonderry (Mr. Ross) said that, if the legislation is passed in the form that the Government want, it might have to come to the House

again next year for further improvement. It may have to come back for ever if we think that legislation will resolve the problems. We could have this debate every year if we think that debate will resolve problems. I was going to make some points on traditionality, but I think that they will come up when we discuss the next group of amendments, if we get to it.

As a result of the points that I have made, I ask the hon. Member for West Tyrone to explain why he feels that his proposals will make the situation better in Northern Ireland. The reason I ask that question was summarised by the hon. Member for North Antrim (Rev. Ian Paisley), who said that the problems will not end—by implication, with the passage of the Bill. He is right, because it has to do with attitude.

Therefore, my question is: why is the hon. Member for West Tyrone confident that his proposals, with which, as I say, I have quite a lot of sympathy, will improve the difficult situation with regard to processions in Northern Ireland? If he can provide a convincing explanation to that, he will have gone a long way to explaining how we can begin to change attitudes in Northern Ireland, to remove the need for such complex legislation in the first place. However, I am sceptical.

Mr. William Ross: On a point of order, Mr. Deputy Speaker. You will have noticed that, in this group of amendments, there are two in the name of my hon. Friend the Member for West Tyrone (Mr. Thompson) and one in the name of the hon. Member for South Down (Mr. McGrady). However, they are very different. Do you intend to allow separate Divisions on those two sets of propositions?

Mr. Deputy Speaker (Mr. Michael Lord): I think that the answer to that is no.

Mr. Worthington: I understand the thinking behind the amendments of the hon. Member for West Tyrone (Mr. Thompson), but, given the Government's overall policy in this area, in effect, they are, as he knows, wrecking amendments. We shall therefore resist them.

The hon. Gentleman's whole case was based on the European convention on human rights, which I am pleased to hear he has discovered because it was ratified in 1950—about 48 years ago. Since a few years after that, any British citizen has had the right to go to the European Court of Human Rights and seek to have the rights in the convention brought into effect.

Since that time, it has been possible for any Unionist or Orangeman, when there have been march restrictions that they feel contravene the convention, to go to the European Court in Strasbourg and say, "We believe that the restrictions that were imposed by the Secretary of State or by the Chief Constable were in contravention of the convention." That right has been there all those years and, to the best of my knowledge, it has never been used by people of the persuasion of the hon. Member for West Tyrone.

Mr. Thompson: I thank the Minister for what he says, but I do not need a lesson on the convention. The point is that it is difficult to get redress in Strasbourg before the police re-route a parade, especially if they do so two hours before it is due to take place. The fact that someone can get redress two or three years later is not relevant and is very costly. The question that the Minister has to answer is: has he produced a written document showing how this Bill complies with the European convention? Will he acknowledge that, when the Human Rights Bill becomes law, it will be much easier for us to get redress?

Mr. Worthington: The major reason why we are introducing the Human Rights Bill in the Lords is to make it easier for British citizens to get redress through the British courts, rather than to go to Strasbourg, but nothing in this Bill contravenes the rights of British citizens. There are no restrictions in the Bill. It introduces a different way of administering marches. As the hon. Member for Montgomeryshire (Mr. Öpik) has said, whether there are more marches and parades or fewer marches and parades will depend on people's attitudes.

Nothing in the legislation is restrictionist or anti-restrictionist. It simply sets out a new framework because we and the North committee judged that the previous framework, which included the role of the police and other interested parties, was unsatisfactory. Part of the framework, to which the hon. Member for South Down (Mr. McGrady) objects, allows for "traditionality" to be taken into consideration. That in no way alters our relationship with the European convention on human rights. That convention is not changed, and nor is our interpretation of it. At every stage, the hon. Member for West Tyrone has been free to go to Strasbourg, and he will be free to do so in future.

Obviously, we have taken legal advice—I should be interested to know whether the hon. Member for West Tyrone has done so—and we are confident that nothing in the Bill is contrary to the ECHR. It does not restrict the right to march. It simply sets out a different framework for the monitoring of marches. Whether it is more restrictionist or not will depend on the commission, just as in the past it depended on the Chief Constable or the Secretary of State at the time.

Mr. Thompson: If the Bill is so compatible with the European convention on human rights, why do not the Government publish a document explaining where it conforms to the convention, as will be required under the Human Rights Bill which is now going through the other place and which will eventually come to this place? If the Bill does not contravene the convention, why have the Government not published such a document?

Mr. Worthington: The hon. Gentleman initially asked for a statement, which I am making, to the effect that the Bill does not contravene the convention. We feel no need to do as the hon. Gentleman suggests, because the Bill does not restrict the right to parade. It sets out a different framework for the decisions on parades and the monitoring of competing rights. The North report referred to those competing rights—the right to parade and the right to protest.

There has never, in any sphere, been an absolute right to do anything. What exists is a general principle that has to be taken into account and given due weight. If one took one's rights to the absurd limit and said that they were unfettered rights, it would make life intolerable for other people. Everyone knows that.

Mr. Öpik: I have just two quick questions for the Minister. First, does he agree that it is rather nonsensical

[Mr. Öpik]

to imagine that one has absolute rights, because at some point they begin to impinge on someone else's? Secondly, at the start of his comments the Minister said that he regarded the new clause as a wrecking measure. Why?

Mr. Worthington: That was an interesting intervention in that it prevented me from explaining why.

Rev. Ian Paisley: Is it not a fact that one cannot take a case to Europe until one has exhausted all the possibilities in the courts here? It is almost impossible to take the marching issue to the courts; it is not as easy as the Minister suggests. One cannot just take a case to Europe immediately. He should be fair to the hon. Member for West Tyrone (Mr. Thompson) and make it clear that one has first to exhaust all the avenues here in the United Kingdom.

Mr. Worthington: What action has the hon. Gentleman—or the hon. Member for West Tyrone—taken to exhaust any legal mechanisms when they feel that their rights have been overridden?

I should like to progress—

Mr. Robert McCartney: Will the Minister give way?

Mr. Worthington: In a moment. I think that the hon. and learned Gentleman will agree that I have been reasonable.

In Committee we had detailed discussions about—

Mr. Roger Stott (Wigan): Will my hon. Friend give way?

9.15 pm

Mr. Worthington: No. That would not be fair. I have just refused to give way to the hon. and learned Member for North Down (Mr. McCartney) because I want to deal with the intervention of the hon. Member for Montgomeryshire (Mr. Öpik). I shall give way later.

Amendment No. 13 would delete clause 7. New clause 1 would restrict the powers of the Parades Commission to impose conditions on public processions, making its powers even narrower than those currently enjoyed by the police. The current law has created a situation in which the Chief Constable felt confronted by alternative evils, as he has graphically described, putting the RUC in an invidious position. Decisions were based on public order considerations alone. That meant that the side with the largest crowd who threatened most got their way. We cannot accept that as the rule of law. People were offended by the biggest group of thugs being allowed to get their way. We had to establish a different framework.

Mr. Robert McCartney: In relation to the point made by the hon. Member for West Tyrone (Mr. Thompson), does the Minister accept that the phenomenon of violent objections to parades is relatively recent? As the hon. Member for North Antrim (Rev. Ian Paisley) has pointed out, the fons et origo was the 1987 order, which was a protester's charter. Only since 1994 has opposition to parades—Drumcree, Ormeau road and Derry—been organised by convicted IRA men. Men convicted of the most substantial crimes organising violent protests is a recent phenomenon.

Mr. Worthington: My experience in Northern Ireland has discouraged me from any interest in history. I am interested in the present situation. That situation is unacceptable and we are trying to deal with it.

Mr. Stott: My hon. Friend talked about unfettered rights a little earlier. He said that nobody has the unfettered right to do what they want in the face of the authorities' decisions on public order. I was not a member of the Standing Committee, but I have read the *Hansard*. Those who know me know about my experience of Northern Ireland. I view the issue as a matter of public order. We are trying to ensure that people's rights are safeguarded. I remind—

Mr. Deputy Speaker: Order. Is the hon. Gentleman making an intervention or is he starting a speech?

Mr. Stott: I am making an intervention. I remind—

Mr. Deputy Speaker: Order. Could it be an intervention, please, and not a speech?

Mr. Stott: During the miners' strike, the chief constable of Nottinghamshire prevented miners from going down the M1 to a secondary picket protest on public order grounds. I heard nothing from Northern Ireland Members about that.

Mr. Worthington: I am grateful to my hon. Friend. I am disinclined to go not only into historical studies but cross-cultural studies.

The Government are making an honest attempt to balance competing rights. We are essentially about recognising the importance of the ability to march, but not regardless of the impact on others. It is as simple as that. We cannot go back, as the hon. Member for West Tyrone would want, to an even narrower definition than that in the 1987 order. That is the order that we are trying to deal with.

Mr. Thompson: Will the hon. Gentleman give way?

Mr. Worthington: I think that everyone in the House would recognise that the hon. Gentleman has had a fair shout.

If we accepted the new clause, we should be taking away the central thrust of the North report. As we all know, North found that legislation provided a disincentive to disorder by focusing mainly on public order factors, and he recommended that the Parades Commission should also be able to take into account the wider impact that a parade may have on relationships in the community. That is really North's most central recommendation. That is why the new clause is completely unacceptable. We must take into account the impact on the community, while recognising that there are malevolent people on both sides.

At present, the police are able to impose conditions concerning parades if they

"reasonably believe that it may result in serious public disorder, serious damage to property or serious disruption to the life of the community".

The new clause would make the commission's task altogether more contentious. It would mean that conditions could be imposed only if the commission reasonably believes that the likely actions of those taking part in the parade may result in serious public disorder. We cannot accept that, although we recognise the thinking behind it. The hon. Gentleman believes that it is not fair that conditions should be imposed on a parade when the threat of violence comes from those opposing it rather than those taking part, but the public order issue essentially remains the same. Such a new clause would cripple the new structures and lead to endless judicial reviews.

Amendment No. 3, tabled by the hon. Member for South Down (Mr. McGrady), presents the other side of the matter, and deals with the commission's powers to impose conditions. He does not believe that the traditionality of a parade is a factor that the commission should take into account. Well, we do. We believe that it is one of several significant factors that should be taken into account when weighing up whether a parade should go ahead. That is what is even-handed about the Bill. Although we understand the hon. Gentleman's point, the Bill's wording reflects the finding of the North report that

"whether . . . a parade or a route is long-standing should be one of the points to take into account"

as a feature of a parade. It is only one of the factors.

We believe that we have suggested a sensible compromise; it is about balancing rights. That is why what we have proposed should be accepted, and why we should resist the new clause and the amendments.

Mr. Thompson: I very much regret that the Minister has found it impossible to accept the reasonable new clause. On his statement on the European convention on human rights, I should have thought that there was an onus on the Government to issue a statement of compatibility with human rights. Certain issues in the Bill seem to be contrary to those rights. For example,

"a procession of a class or description specified in an order made by the Secretary of State"

will not need to apply to the commission. I think that, under European law, the idea that one can distinguish between classes of people has now become highly suspect.

In other words, if the Salvation Army says, "We are the Salvation Army; we preach the gospel and we are good people, so we have to be exempted," and the Secretary of State says, "It's all right for you," but when the Orange Order says, "We are the Orange Order; we are a religious organisation, we owe loyalty to the Queen and we should be released from the obligation," the Secretary of State says, "No, you can't," she would be discriminating between lawful people. She would find that distinction difficult to establish in the European Court of Human Rights.

What about the situation of a person who takes part in a public procession? Again, it would be difficult to uphold a conviction in the European Court of Human Rights if a person went along to a parade and exercised his rights, not knowing that the parade was banned.

Clause 7 refers to

"any impact which the procession may have on relationships within the community",

yet it is unlawful to place restrictions on a parade on the grounds that it will have some kind of adverse effect on the community. The provision could not be upheld in the Court of Human Rights, because it does away with the right to march—although I know that the Minister refuses to accept that.

The hon. Member whose constituency I do not know, who referred to the miners' strike—*[Interruption.]*—the hon. Member for Warrington?

Mr. Stott: Wigan. It has a better rugby team.

Mr. Thompson: I know the case that the hon. Member for Wigan (Mr. Stott) mentioned. There was a lot of trouble at the strike and the police were of the opinion, whether rightly or wrongly it is not for me to say—*[Interruption.]* A public order decision—

Mr. Stott: The chief constable had people stopped on the motorway.

Mr. Thompson: Correct. I understand the situation. The chief constable understood that there was trouble there, and he stopped miners going in a van—

Mr. Stott: No, no trouble. They were going down to picket—

Mr. Deputy Speaker: Order. We cannot have continual interruptions from a sedentary position.

Mr. Thompson: I understand that people going to increase the numbers at the protest were stopped by the police and turned back. That was a new situation in British law.

Mr. Norman A. Godman (Greenock and Inverclyde): No, it was not.

Mr. Thompson: A lot of people did not agree with what happened. However, it is now established in law.

The restrictions in the Bill are even wider than that. That is why we believe that the provisions should be removed and replaced by my new clause. The Minister said that the restrictions there were less than those under the existing order of 1987, but that is not true; they are exactly the same. There is no diminution, and they relate to public order issues alone. That is the way that things should be under European law.

Therefore, I believe that it is right for the Government to accept the new clause. The Minister says that, if it were accepted, it would destroy the Bill. That is not correct, either, because the commission would still be there and would still be able to give advice and guidelines. The only restriction would be that it could not use the guidelines, restrictions or codes of conduct in a determination against

[Mr. Thompson]

a parade. That should be accepted, and would go a long way to mitigate many of our objections to the Bill. I ask the Government to reconsider on that important issue.

Mr. Deputy Speaker: Does the hon. Gentleman wish to withdraw the motion?

Mr. Thompson: No. I wish to press it to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 9, Noes 287.

Division No. 149] **[9.28 pm**

AYES

Beggs, Roy
Forsythe, Clifford
McCartney, Robert *(N Down)*
Maginnis, Ken
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Thompson, William
Trimble, Rt Hon David
Walker, Cecil

Tellers for the Ayes:
Mr. William Ross and
Rev. Martin Smyth.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Barnes, Harry
Beard, Nigel
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Church, Ms Judith
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hanson, David
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Lepper, David
Levitt, Tom
Lewis, Terry *(Worsley)*
Livsey, Richard
McAllion, John
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Öpik, Lembit
Palmer, Dr Nick
Perham, Ms Linda
Pickthall, Colin
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive

Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverhton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Jim Dowd and
Mr. Kevin Hughes.

Question accordingly negatived.

New clause 2

PROHIBITION ORDERS

'.—(1) If at any time the Secretary of State is of the opinion in consequence of information furnished to him by the Chief Constable, that the determination by the Commission under section 7(1) or the determination amended by the Secretary of State under section 8(2) will not be sufficient to prevent such disorder, damage, disruption or intimidation as referred to in section 7, he may make an order—

(a) prohibiting for such period not exceeding 28 days as may be specified in the order, the holding in that area or place of all public processions or such classes of public procession as may be so specified; or

(b) permitting the holding in an area or place of a public procession specified in the order and prohibiting, for such period not exceeding one month as may be specified in the order, the holding in that area or place of any other public procession or of any class of procession specified in the order.

(2) Wherever practicable the Secretary of State shall before making an order under the section consult—

(a) the Commission, and

(b) the Committee of the Police Authority for Northern Ireland constituted under paragraph 15(2) of Schedule 1 to the Police Act (Northern Ireland) 1970,

but nothing in this subsection shall affect the validity of any such order.

(3) The power to make an order under this section includes power to revoke or amend any such order.

(4) An order made under subsection (1) has effect to revoke any previous determination made by the Commission under that section in relation to any public procession the holding of which is prohibited by the order.

(5) A person who organises or takes part in a public procession the holding of which he knows is prohibited by an order under this section shall be guilty of an offence.

(6) A person guilty of an offence under subsection (5) shall be liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding level 5 on the standard scale, or to both.'.—*[Mr. Thompson.]*

Brought up, and read the First time.

Mr. Thompson: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: New clause 4—*Secretary of State's powers to prohibit non-traditional public processions.*—

'If, in the case of any proposed non-traditional public procession, the Secretary of State is of the opinion that, having regard to—

(a) any serious public disorder or serious damage to property which may result from the procession;

(b) any serious disruption to the life of the community which the procession may cause;

(c) any serious impact which the procession may have on relationships within the community; and

(d) any undue demands which the procession may cause to be made on the police or military forces;

it is necessary in the public interest to do so, he may by order prohibit the holding of that procession.'.

Amendment No. 10, in clause 7, page 4, line 26, at end insert 'new'.

Amendment No. 14, in clause 10, page 6, line 15, leave out from beginning to end of line 33 on page 7.

Amendment No. 11, in page 6, line 16, after 'proposed', insert 'new'.

Amendment No. 12, in clause 16, page 11, line 2, after 'conveyances', insert

'"new public procession" means a procession which has not been held for more than 10 years over the route proposed except where it is held as part of a long route of processions.'.

Amendment No. 41, in page 11, line 2, after 'conveyances', insert

'"non traditional public procession" means a procession which has been held for less than 10 successive years on the route proposed except where it takes place as part of a rota of processions which cover a number of different routes.'.

Mr. Thompson: The new clause is a replacement provision for clause 10, which deals with the Secretary of State's powers in relation to parades. It is—*[Interruption.]*

Mr. Deputy Speaker: Order. There are numerous conversations taking place in the Chamber. I ask right hon. and hon. Members to continue their conversations outside the Chamber or to take their seats.

Mr. Thompson: As I was saying, Mr. Deputy Speaker, clause 10 relates to the powers of the Secretary of State in relation to public processions. In the existing clause the Secretary of State has been given extreme powers to enable her or him to ban a single parade or a group of parades, and to impose a ban for a certain period. The criteria which the Secretary of State can use to ban parades are much wider than they had been previously. In other words, the Secretary of State can consider

"any serious impact which such processions may have on relationships within the community"

and

"any undue demands which such procession may cause to be made on the police or military".

The Secretary of State can proceed if in her or his opinion action should be taken. Under the Public Order (Northern Ireland) Order 1987, the powers of the Secretary of State are not so extensive. Under that

[Mr. Thompson]

provision, a Secretary of State could not ban a single parade. He or she could do that only, mainly, at the request of the chief of police. That being so, the Secretary of State was somewhat limited. There has been only one occasion under the 1987 order where a Secretary of State has so acted.

We believe that the powers that the clause gives to the Secretary of State are, to some extent, dictatorial. They are extensive, and we believe that they are not completely necessary. That is why I have tabled the new clause. If accepted, it would restore, to some extent, the powers of the Secretary of State as they exist under the 1987 measure.

The Secretary of State should be able to ban parades only on public order grounds. In dealing with objectors, the Secretary of State would be restricted, as she now is under the 1987 order. That would restore compatibility and parity, and would prevent the criticism that would be made against any Secretary of State that, if she banned a particular parade, it would be as a result of political, rather than public order, considerations.

9.45 pm

Mr. William Ross: Will it be possible, Mr. Lord, to vote separately on new clause 4 and some of the amendments? As you see, new clause 4 was tabled by me, whereas new clause 2 was tabled by my hon. Friend the Member for West Tyrone (Mr. Thompson). He has explained to the House the reasoning behind his new clause, which is quite different from mine.

New clause 4 attempts to separate out non-traditional public processions, and I have kindly provided two possible ways of determining what a non-traditional or a new public procession is. I prefer amendment No. 41, which arose as a result of further information that came to light a day or so after amendment No. 12 had been tabled.

The last words of amendment No. 12,

"a long route of processions",

contain a typographical error, and should read

"a long rota of processions".

It is intended to define a new parade as one that has simply been created, whereas a traditional parade is one that has been held for more than 10 successive years, except where it was held as one of a long rota of processions over different routes.

That takes care of the cycle of events run by the Orange institution in various parts of the Province, and by other organisations, such as the Black institution, the Apprentice Boys, whose processions are few in number, and the Ancient Order of Hibernians. There are other organisations such as the Foresters that may follow the same general principles, although I cannot speak for them. For that reason, I am especially anxious that the amendment should be considered as a separate item from my hon. Friend's new clause 2.

My hon. Friends intended new clause 1 to apply to all processions. New clause 4 is analogous, as it covers new or non-traditional processions. It is a difficult issue that has not been properly addressed, and this is a way in which it could be addressed.

The Minister was not wholly convinced by what we said about the issue in Committee, and he was rather scathing about the fact that some of our amendments did not advance the case. Amendments Nos. 10 and 11 introduce the concept that the Secretary of State should look only at new processions. I believe that new processions should be subject to more scrutiny than the long-standing processions that have been held for many years without causing any problems.

At the weekend, I spoke to a senior police officer in my constituency who pointed out that bands that practise marching on the road are legally required to submit 11/1 forms. Some bands do that, but some do not. The 11/1 form provides protection for the bands, but they do not do any harm, and usually march on roads near the halls where they train. There is nothing worse than seeing marching bands whose members appear to have three left feet. We want to teach our band members to march properly, and we cannot do that in a hall: bands must practise on the road, with band members carrying their instruments and playing as they march.

Under the existing legislation, every band training session is a procession. Therefore, band sessions account for many of the so-called processions and parades that occur every year. Some bands never bother to apply for 11/1 forms, but all bands will have to do that when this legislation starts to bite. Instead of 3,000 processions, we shall be presented with a grossly inflated figure that does not reflect what is happening on the ground. *[Interruption.]*

The Government should consider that point. If every band—some of which hold training sessions at fairly short notice—must submit an 11/1 form to the police, it will not be long before—*[Interruption.]*

Mr. Deputy Speaker: Order. There are numerous conversations going on in the Chamber. I remind hon. Members that they should be listening to the hon. Member for East Londonderry (Mr. Ross), who is on his feet.

Mr. Ross: We are well aware that hon. Members often do not listen to us. On the many occasions that they have not listened to us, they have seen the legislation end in tears—which is what will happen in this case. I hope that hon. Members will learn to listen to us before we are much older and the situation has worsened.

The proper legal process regarding processions is not fully complied with at present: bands train by simply marching down the road. If every band must submit an 11/1 form for every training session—and there will be hundreds every week—it will not be long before the police commissioner will be able to paper not only his office but police headquarters with 11/1 forms.

That is only one nonsensical aspect of the Bill. Thousands of processions of various types are held every year in Northern Ireland without the slightest sign of trouble. Therefore, I believe that only new processions should come within the ambit of the legislation. We require the definition of a new procession—or perhaps "non-traditional" procession is a better term. That is why we have tabled our amendments.

As I have said, amendments Nos. 12 and 41 offer the Minister two versions of the same thing—so he can choose whichever he wants. I hope that he will choose one of them, and act upon it. New clause 4 addresses the concept of non-traditional public processions so that the Secretary of State may take action in that regard.

The reason I say that the Secretary of State can take action is that these processions will arise as a result of Sinn Fein-IRA trying to step up the pressure in the coming weeks and months. They will get on the bandwagon too, so action will need to be taken swiftly.

Our first debate this evening concerned the Government's attempt to deal with protest demonstrations— the sit-down demonstrations. We have already been told that there are other ways of dealing with other processions; that they should all come under the Bill. I believe that the non-traditional ones need a sharper treatment, and a quicker way in which to deal with them.

In some ways, the non-traditional public procession that I outline in new clause 4, in conjunction with that which the House has already accepted in the Government's first group of amendments, would strengthen the legislation for the benefit of the law-abiding, and make life somewhat more difficult for the ungodly, as I always term them. Therefore, I hope that the Minister will give careful attention to what I have said and am trying to do in new clause 4 and the amendments which are grouped with it in my name, which are different from those of my hon. Friend the Member for West Tyrone, so I hope that we shall be able to have a separate vote on them.

Mr. Deputy Speaker: I am prepared to consider a separate vote on new clause 4 when we have seen how the debate goes.

Mr. Öpik: The question of traditionality causes me some concern, because it raises the valid issue of special status. Surely the real issue is one of public order and other rights. I recognise that there is a genuine debate to be had here, but the important question is whether a procession is acceptable and unprovocative, or not so provocative as to cause danger.

Having lived in Northern Ireland, it seems to me that traditional marches have generally ploughed their own furrow, and tend to be accepted in a way which new processions may not be. However, that is more of an observation than a reason for allowing a procession to proceed.

Mr. Robert McCartney: Does the hon. Gentleman appreciate that one of the inherent points about traditionality is that, if something has been done for 150 years by our fathers and grandfathers, although logically it may not matter, the truth is that the removal of such marches engenders the greatest possible opposition? Therefore, if the object of the Bill is to lessen community confrontation, traditionality must be taken on board.

Mr. Öpik: I agree with the hon. and learned Gentleman. However, traditionality is not the reason for adopting the path he suggests: rather, it is everything else that is associated with the march—for example, its symbolic importance, the fact that it has been held repeatedly, possibly with no trouble, and the skill with which it has been organised. Those are the kind of matters that the commission should consider. The word "tradition" is simply a shorthand for all the things that we might associate with a well-run, long-standing event.

Therefore, I have no quarrel with the hon. Gentleman's point, at least from the empirical standpoint of allowing many of those traditional marches—perhaps all of them—to carry on. I am simply concerned that we are tying ourselves to the word "traditional", which is a shorthand way of describing the seven or eight key factors which really matter to the marches we are considering.

I should prefer us not to tie ourselves to the word "traditional", but to look behind that at all the things that the commission should consider. There is also the slight danger that, if we ascribe importance to the words "traditional" and "non-traditional", we open up a whole new front of conflict and debate as people seek to ascribe some extra status to their marches. That is not helpful in trying to be objective, in the interests of maintaining public order.

Mr. Ingram: We have two different debates taking place on new clauses 2 and 4 and the consequential amendments. The new clauses would make radical changes to the provisions currently in clause 10. Clause 10 as it stands sets out the powers of the Secretary of State to prohibit parades. The Secretary of State already has, of course, power in the public order order to prohibit parades, but this power, as with the police's powers to set conditions on parades, may be exercised only on the basis of criteria that are exclusively related to public order.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Public Processions (Northern Ireland) Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Dowd.]*

Question agreed to.

As amended (in the Standing Committee), again considered.

Question again proposed, That the clause be read a Second time.

Mr. Ingram: The hon. Member for East Londonderry (Mr. Ross) said that he had received the impression that Ministers were not listening to what he had said about the Bill and its ramifications. If he believes that, he cannot have been listening to the debates in the other place, in Committee and tonight. As I explained earlier, substantial changes have been made following the input of noble Lords and of hon. Members in Committee. We have not only listened, but we have absorbed the arguments and modified the legislation to meet some of the concerns and issues that have been raised on both sides of the House.

In line with the recommendations of the North report in paragraph 15 of chapter 14, clause 10 empowers the Secretary of State to prohibit parades, taking into account a range of factors that include the new factor of the impact of the parade on relationships within the community, as well as the existing public order factors. A further change from the existing law is that the powers given to the Secretary of State in clause 10 are now proportionate. That is to say, if the problems can be addressed by prohibiting an individual parade, that is what the Secretary of State will do. It would only be in circumstances in which the banning of an individual parade did not resolve the problem that the Secretary of State would move to ban all parades of a particular type, or indeed all parades.

A further significant change is, of course, that the maximum period for which parades may be banned under clause 10 is 28 days, which contrasts with three months

[Mr. Ingram]

under the existing law. It is worth recalling that, in 1970, under the old Stormont Parliament, which was of course under Unionist control, the Minister for Home Affairs imposed a blanket ban for a period of six months. That was a much more draconian approach than that allowed in the Bill.

Amendment No. 14, tabled by the hon. Member for West Tyrone (Mr. Thompson), would delete clause 10, on the Secretary of State's banning power, and new clause 2 would restructure that power. It is very similar to one tabled by the hon. Gentleman in Committee, and we have already rehearsed the arguments elsewhere. This is a good opportunity to clear up some of the points the hon. Gentleman made in Committee, where we seemed to be at odds at times in trying to understand the issues at stake.

First, let me make it clear what new clause 2 would do. It would amount to a significant curtailment of the Secretary of State's banning power under the public order order. In Committee, the hon. Gentleman suggested that the Government were seeking to expand the Secretary of State's power in clause 10. I disagreed with him then and I disagree with him now. The banning power in the Bill is different, but it is not fundamentally broader. His new clause would make bans much more difficult to impose. That may be his intention.

In the first place, new clause 2 would allow the Secretary of State to impose a ban only

"in consequence of information furnished to him by the Chief Constable".

In the public order order, a ban can be imposed in consequence of such information

"or for any other reason".

The Secretary of State is not constrained in existing legislation to impose bans only on the basis of the Chief Constable's information. That is not to say that the Secretary of State would make decisions off her own bat without consulting the Chief Constable, but the flexibility to deal with exceptional circumstances needs to be there.

During the drafting of the Bill, I considered whether there was a need for a reference to consulting the Chief Constable, as set out in clause 10. It seemed so straightforward and obvious that the Secretary of State would be in constant touch that it seemed superfluous to mention it in the Bill. However, discussion in Committee set out a different perspective. It is obvious that we were wise to make it clear in the Bill that we envisaged consultation with the Chief Constable. At times, the hon. Member for West Tyrone seemed to suggest in Committee that the Secretary of State would impose bans with no reference at all to the Chief Constable. That would be nonsense.

Mr. Ken Maginnis (Fermanagh and South Tyrone): Will the Minister give way?

Mr. Ingram: No, the hon. Gentleman has only recently entered the Chamber. I might give way to him when he has absorbed some of the debate. We have had an extensive debate; he may find it worth while to listen to some of the arguments that are being advanced.

Mr. Maginnis: On a point of order, Mr. Deputy Speaker. On the Minister's implication, I have been engaged in what is known as the talks process—in case he is not aware of it—and have recently arrived in the House to contribute what I can to this debate. I just wanted to make that clear.

Mr. Deputy Speaker: The hon. Gentleman has made it clear, but it is not a point of order for the Chair.

Mr. Ingram: I was not implying that the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) was not engaged in important business, but I was saying that it would be worth his while to pick up the flow of the debate rather than immediately trying to intervene. I was trying to be helpful, not insulting.

We are dealing with the notion that the Secretary of State would not consult her main security adviser before making decisions. That argument is the import of new clause 2, and it is nonsense. That is why the Bill provides for such consultation.

Mr. Thompson: Does the Minister agree that the power given to the Secretary of State to ban a single parade is additional to what she had under the 1987 order? Will he explain why, if she would normally consult the Chief Constable, it cannot be put in the Bill as it is in the 1987 order?

Mr. Ingram: I was going to come to that aspect of new clause 2. I shall discuss the basis of the powers that now exist, because there are inherent contradictions between the hon. Gentleman's new clause and that of the hon. Member for East Londonderry. It might be worth setting out the detail of what they are trying to achieve in them.

I have dealt with the consultation aspect, but new clause 2 would also restrict the basis on which the Secretary of State could ban processions to factors that are exclusively public order related. That ignores the fundamental recommendation of the North report, that the factors that should be taken into account in imposing both conditions and bans should be expanded to cover the wider impact that the parade may have on relationships within the community.

The Government are completely committed to that core recommendation of the North report. We would not have established the commission in the first place had we believed that the criteria in the public order order were adequate. We set up the commission not as a snub to the RUC, but because we believed that the RUC is put in a difficult position under the current legislation, and that it would not be best placed to judge the community relations issues that the commission will need to assess.

As well as differing from the existing powers in the public order order, new clause 2 is also very different from clause 10 of the Bill. Specifically, it was suggested in Committee that the power to ban individual parades by the Secretary of State was wrong-headed and vulnerable to political interference. Accordingly, new clause 2 retains only the power to ban all parades or parades in specified classes, as in the existing public order order.

I must admit that I found that argument and that reasoning hard to understand in Committee, and I have not found anything to dissuade me from that impression. The power to ban all parades in a given area over a period or to ban whole classes of parades seems to me to be more extensive than the power to ban individual parades.

Mr. Thompson *indicated dissent.*

Mr. Ingram: The hon. Gentleman is shaking his head. We are trying to introduce some form of proportionality into the banning powers. The power to ban in certain areas or to ban certain classes of parade could have been drafted in such a way as to affect only one particular parade if the Secretary of State had been so minded.

The suggestion that giving a specific power to ban individual parades somehow extends the Secretary of State's power is entirely misplaced. I note that new clause 4, tabled by the hon. Member for East Londonderry, would give the Secretary of State the power to ban only individual parades, rather than whole categories. Presumably, he does not believe that the power is as draconian as the hon. Member for West Tyrone seems to think. That is where the contradiction between the two new clauses comes into play.

The provisions of new clause 4 are totally incompatible with those of new clause 2. I find it rather strange that the hon. Members do not seem to be speaking with one voice on this aspect of the legislation. It is perhaps a case of Unionism disunited.

The hon. Member for East Londonderry's new clause 4 seeks to exempt traditional parades from the banning power. That was discussed in detail in Committee, and has been discussed in passing tonight. It would be wrong to go over that ground again: it was given an extensive airing in Committee, and I do not think that much is to be gained from covering it again.

I do not think that it would be acceptable to the European Court of Human Rights or responsible on the part of Government to treat parades radically differently, as suggested. We all know that some serious trouble has been associated with what are undoubtedly traditional parades. It would be wrong to prejudge the issue or the merit of those parades. Stripping the Secretary of State of her last resort power to ban such parades would be irresponsible, and contrary to the recommendation of the North report.

The banning power has been used very sparingly in the past: in fact, only once under the 1987 order. We expect that to remain the case in the future. We are determined that, should it ever be necessary to use the power, the Secretary of State should impose the minimum possible restriction on these important civil liberties. An ascending scale of banning powers from individual parades, to classes of parades and to all parades seems sensible in that context. That is what I mean by the proportionality principles laid down in clause 10.

The two new clauses are substantial in their own right.

Mr. William Ross: Will the hon. Gentleman give way?

Mr. Ingram: I am coming to a conclusion. The hon. Gentleman had a fair go at explaining his position.

The way in which clause 10 proposes to deal with banning powers is clearly consistent with the North report. It is important that the range of factors that must be taken into account remain in the Bill; I do not think that any change would improve it.

Throughout our proceedings, we have demonstrated our readiness to take on board reasoned and reasonable arguments, but I do not think that those who have spoken to the new clauses and amendments have advanced reasoned or reasonable arguments. I therefore ask the House to reject their proposals.

10.15 pm

Mr. Thompson: The Minister spoke at some length. The argument that allowing the Secretary of State to ban a single parade does not represent a new power is Machiavellian: if the Secretary of State did not have the power before and now has it, it must be an additional power.

Mr. Ingram: I think I said that it was an additional power.

Can the hon. Gentleman tell me why he resists the concept of a proportionate approach to the banning power, starting with single parades and proceeding to clashes and worse?

Mr. Thompson: If the Minister looks at the legislation applying to England and Wales—and, indeed, the White Paper that dealt with the legislation relating to the 1987 order—he will find that that was one of the suggestions turned down by the eminent people who were members of a commission on public order. It was turned down because it meant that the then Secretary of State would leave himself wide open to a charge of political intervention—to the charge that he was banning a parade only on the basis of political considerations.

No doubt any future Secretary of State for Northern Ireland who bans a single parade can be well assured of being open to the charge that he did it for political reasons. That is why the suggestion was rejected in England and Wales, and that is why it has never been part of the legislation of those countries—or, indeed, Northern Ireland. Clause 10 brings the power to the Secretary of State for Northern Ireland, and, moreover, widens the criteria enabling her to take such action. The North report did not recommend giving the power to the Secretary of State; it recommended that no change should be made, other than the introduction of the additional criteria for the judgment of parades.

Under the clause, the Secretary of State can ban a parade without consulting the Chief Constable. It is necessary for her to consult the Chief Constable only "where practicable". A Secretary of State with a certain whim and fancy could, if he or she did not approve of a parade, ban that parade. That is an exact interpretation of

[Mr. Thompson]

the clause. My new clause would prevent that: it would keep the Secretary of State's powers in line with those that exist here in London.

Question put, That the clause be read a Second time:—

The House divided: Ayes 11, Noes 267.

Division No. 150] **[10.19 pm**

AYES

Beggs, Roy
Forsythe, Clifford
Hunter, Andrew
McCartney, Robert *(N Down)*
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(E Londy)*
Taylor, Rt Hon John D *(Strangford)*
Thompson, William
Trimble, Rt Hon David
Walker, Cecil

Tellers for the Ayes:
Mr. Ken Maginnis and
Rev. Martin Smyth.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Barnes, Harry
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burstow, Paul
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Church, Ms Judith
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Cohen, Harry
Connarty, Michael
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Dalyell, Tam
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flynn, Paul
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Grant, Bernie
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Lawrence, Ms Jackie
Leuper, David
Levitt, Tom
Lewis, Terry *(Worsley)*
Lidington, David
Livsey, Richard
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles
Rammell, Bill
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi

Watts, David	Wood, Mike
Webb, Steve	Woolas, Phil
Williams, Rt Hon Alan *(Swansea W)*	Worthington, Tony
Williams, Alan W *(E Carmarthen)*	Wright, Anthony D *(Gt Yarmouth)*
Williams, Mrs Betty *(Conwy)*	Wright, Dr Tony *(Cannock)*
Willis, Phil	**Tellers for the Noes:**
Winterton, Ms Rosie *(Doncaster C)*	**Mr. David Jamieson and**
Wise, Audrey	**Mr. Kevin Hughes.**

Question accordingly negatived.

Clause 2

FUNCTIONS OF THE COMMISSION

Amendment made: No. 15, in page 1, line 16, at end insert 'and protest meetings'.—*[Mr. Ingram.]*

Mr. Ingram: I beg to move amendment No. 16, in page 1, line 21, leave out 'mediate, or'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 33, in page 1, line 21, leave out from 'mediate' to 'between'.

Mr. Ingram: As was pointed out in Committee, clause 2 does not impose a duty on the commission to mediate; it simply empowers it to do so. As drafted, the Bill would give the commission the flexibility to act as it believes most appropriate in the circumstances. However, many people have made representations on this point and believe that the mediation function is incompatible with the adjudicatory function.

I do not believe that the commission would in practice be faced with conflicting duties in this regard. In fact, the commission would only—*[Interruption.]*

Mr. Deputy Speaker: Order. There is far too much conversation, in front of the Chair and behind it.

Mr. Ingram: I do not believe that the commission would be faced with conflicting duties. It would have only a power, not a duty, to mediate. It could choose not to do so if it considered that there would be difficulty.

I have had to recognise the strong counter-view that the same body should not mediate and have responsibility for issuing determinations. I have given that further thought. Government amendment No. 16 deletes the references to direct mediation, while leaving the power to facilitate mediation.

That is another example of our approach to the Bill. There are competing arguments on specific issues. As I have said in earlier debates, sometimes it is difficult to come to a firm conclusion because of the strength of the arguments on both sides. I hold to the arguments that I advanced in Committee, but I respect the strong views that others have expressed. That is why we have tabled Government amendment No. 16 to delete the references to direct mediation.

Facilitating local agreements is the way forward. I hope that those who have influence to bring to bear on the way in which the Parades Commission will operate agree that it should do everything in its power to pursue that aim. The Parades Commission will learn from last year's experience and that to be gained in the coming marching season and future years. The amended power will still be flexible enough for the commission to put what it regards as best practice into operation.

Amendment No. 33, to which the hon. Member for East Londonderry (Mr. Ross) will undoubtedly speak, would have the opposite effect. It would give the commission the power only to mediate directly. It could not facilitate mediation through whatever means it thought best. Its time would be taken up by mediating between the parties. I am not sure that there would be enough commissioners to get through all the work if that responsibility were imposed. The hon. Gentleman will set out his arguments, but I felt it important to define what I understand to be the purpose and impact of the amendment.

We have tried to give the commission the flexibility to facilitate and encourage mediation. Mediation leading to local accommodation is a key to the Bill. On that basis, I ask the House to support amendment No. 16.

Mr. William Ross: As the Minister has said, the amendments contradict each other. I hope that we shall have two Divisions on them, because they represent two different approaches. The Minister told us a moment ago that the Government find it difficult to come to firm conclusions. That is evident. They have written the Bill ambiguously so that, on almost any provision, one can come to several different conclusions. Sadly, they come to the wrong one far too often. We who have had experience of running processions—and who will, no doubt, have further experience of it—know how much more difficult the work will be.

When I saw the Minister's amendment, I thought back to the long debate that we had in Committee on the rights of the commissioners and said to myself, "Good heavens! There has been another typing error. The Minister has taken out the wrong bit. I shall be helpful to the poor chap and take out the right bit." When I came here this evening, I found that, lo and behold, the Government have not made a mistake but have acted with malice aforethought. That is not a sensible way to proceed.

Perhaps we should explore the matter. We have been told by all and sundry that there are only 12, 15, 20 or a maximum of 30 or so commissioners—we hear all sorts of figures—but that there will be only a tiny number of processions where there is be any trouble. Now we are told that there will be so many decisions to make, so many problems to settle, that the commissioners will not have time for them all. Will the Government make up their mind? Are there 10 or 20 or 30 commissioners—or as many as the IRA will manufacture? The Government—not by their words but by their actions—have come down on our side of the argument. They are by their action admitting that we are right—that the IRA will ensure that there are more confrontations this year.

We are making progress, albeit slowly. It takes time to convert these people to the truth, to let the light of knowledge shine through. We are doing our best. It has been a long, hard slog, but we are getting there. It might yet take another go or two at this legislation before it is founded on fact rather than myth and nonsense, but we will get there.

One might say that the commissioners are the greatest of the great and the best of the good. The countryside, the whole nation, has been searched. It has been necessary to come across to Great Britain to get someone impartial

[Mr. William Ross]

enough and with enough experience of processions to chair the commission. The Government are saying that those people will be put in an ivory tower. From there, the commissioners will send their carefully selected minions into the country to do we know not what we know not how.

The Minister is asking us to accept that the commissioners should be let off the hook completely and allowed to live in a remote ivory tower, never to come down to the ground, never to play an active part, never to meet the citizens, never to meet Mr. Rice and Mr. McKenna—no, that would never do. Let the minions do it; let somebody else take the brickbats; let somebody else take the insults. Three, four, five, six or seven commissioners will sit in their ivory tower and make decisions on the basis of what is carried back to them by people who will be suspected—certainly by the Unionist population, and if the past is anything to go by, almost certainly by the IRA-Sinn Fein population with whom they are dealing.

The Government have got it completely, utterly and monumentally wrong. We should go in totally the opposite direction, and say to the commissioners, "You have taken on this job. We are paying you a very considerable salary for a few weeks' work every year. The Government have been telling us up to now that there are only 15 or 20 hot spots." They can start the day after Her Majesty's signature goes on the Bill. They can go now to Mr. Rice and Mr. McKenna, or Mr. Hasson and Mr. Smith in Bellaghy. They can go to all sorts of places. All the individuals who are going to raise problems are known.

If the Government and all the great and good in Northern Ireland are to be believed, they would have the whole thing wrapped up in a month. It would be no problem at all. They would have a wonderful agreement, because the IRA are just dying to reach an agreement with them.

Of course, nobody believes the Government and the great and the good. If folk take on a job and get paid for it, they should blooming well do it. I see no reason why we should let those people off the hook. The Government should say to the commissioners, "Away you go, boys. There's the job we've given you. Go and get at it. Go and find a sensible conclusion as soon as possible."

10.45 pm

Mr. Ingram: Does the hon. Gentleman respect the views and opinions of Roy Magee?

Mr. Ross: The Rev. Roy Magee resigned. Has the Minister managed to replace him yet—and replace him with an individual who is acceptable to the Unionist and loyalist community, as Roy Magee was? If not, why not?

Mr. Ingram: What is the hon. Gentleman's answer?

Mr. Ross: I do respect the opinions of Roy Magee, but I think that his feet told the story rather better than his words.

Mr. Ingram: Is the hon. Gentleman aware that Roy Magee, whom he respects, took a view completely different from his on the point at issue? Of course, there was the difference between mediation and adjudication. He felt that he had a more specific role to play in mediation, and did not see his role as that of an adjudicator. Contrary to what the hon. Gentleman is arguing, Roy Magee saw a differentiation of powers.

Mr. Ross: If I recall correctly, Roy Magee saw his role as that of a mediator. Yet the Government are now taking that mediation role away from the commission and putting it into the hands of others. Roy Magee resigned over that issue. Have the Government managed to replace him yet with a man of similar standing. If not, why not? Are they really finding it so difficult?

I would be grateful if the Minister would answer. I am prepared to give way to him again. I have all night; I am not in a hurry to go home. As you will recall, Mr. Deputy Speaker, once I get my teeth into something I do not mind how late I stay up. It does not worry me in the slightest. I could happily stay here until tomorrow night.

Mr. Robert McCartney: One hesitates to make remarks, but the name of the Rev. Roy Magee has been put into the melting pot here by the Minister, and it is right to say that that person does not enjoy universal regard throughout the pro-Union community. Moreover, does the hon. Gentleman accept that that there is a suggestion that the reason why the Rev. Roy Magee withdrew is that he did not wish to be placed in the position of adjudicator rather than mediator, because the last thing that he wanted to do was to show which way he would move?

Mr. Ross: That is the very point that I was making, and also the point of my amendment. The commissioners would be mediators. Of course I know that Roy Magee did not enjoy universal acclaim. My hon. and reverend Friend the Member for Belfast, South (Rev. Martin Smyth) does not enjoy universal acclaim, either, and neither does the hon. Member for North Antrim (Rev. Ian Paisley)—or, indeed, the hon. and learned Member for North Down (Mr. McCartney).

No one else in the House enjoys universal claim within his or her own community, either, and we all know it.

Rev. Martin Smyth: Does my hon. Friend accept the fact that some of us live our lives mindful of the injunction, "Woe unto me when all men speak well of me"?

Mr. Ross: I have to tell my hon. and reverend Friend that that is one of the reasons that brought us here. We are here because we speak our minds—because we believe in something and we are prepared to defend it in this place and to express our views wherever we may be.

That is why I believe that, if the commissioners are able to do their job, they should be prepared to go and express their views, and to use their tremendous negotiating skills to get agreement on the ground. Heavens above; that is why we are employing those chaps—and ladies. The lady in the group may have been able to persuade the SDLP to elect her as chairman of the constituency association of the hon. Member for Foyle (Mr. Hume), but I do not think that she would enjoy universal acclaim as an independent individual among the Unionist population.

I expect that Government Members will defend that lady again, but if we were talking about the chairman of my constituency association, I know who would be screeching their heads off whenever that person's name appeared as a member of the Parades Commission.

Let us be clear about the fact that people who are deeply politically involved are unlikely to have any standing. Only those few people who have not been deeply politically involved and have built up a rapport across the community might possibly find themselves acceptable. Even those people could find their acceptability evaporating like snow on a June day whenever they started actively trying to negotiate with the groups on the road.

That is the crux of the whole matter; it is supposed that we are dealing with some mild difference of opinion, whereas we know that we are dealing with war, murder and violence, and with men and women who are prepared to engage in violence. If some hon. Ladies think that I am being harsh on their gender, they should remember how the guns got into the Maze prison to kill Billy Wright and how the clothes got in to get Mr. Averill out. They were not carried in by men, as I am sure will eventually be proven.

I am very disappointed that the Government are taking this attitude, and that they cannot see that the men of the quality that they need for the job should be able to combine education with mediation. Those involved should have the guts to issue determinations in the light of their personal experiences and of conversations on the ground in which they can see the body language of the people they are dealing with—in which they can look into their eyes and so reach a clear understanding of the sort of people they are. They will then have a clear understanding of what they are about and what the decision should be.

The Government are sending the minions out. They are trawling around the country, through the mediation network, trying to find individuals whom they can send out to take decisions and report back. There is nothing like the personal touch or touchy-feely politics in a case like this, and the Government should start practising that. Let us get them down on the ground and see what can be done. The Minister should withdraw his foolish amendment and accept mine. If he did that, he would find that he had a far happier group of Ulster Unionist Members.

Mr. McGrady: I support amendment No. 16. I am glad that the Government have been convinced by the argument in favour of the amendment, which is identical to one I tabled in Committee. The reasons are fairly fundamental. It is a proper attempt—an attempt that has been endorsed by those engaged in the process and in the commission in the north—to ensure that there should be a divide between mediation and decision making. That does not mean that all the contacts, information and influences of mediation should not impinge on the decision makers; it is important that there is a division between the mediator and the decision maker, as it would facilitate the difficult role of the mediator if he or she were not seen to be making the decision. This is a reasonable proposal to facilitate the mediation process and the determination process.

Much has been said of the reverend gentleman who withdrew from the commission. My recollection of his reasoning is clear. He saw his role as a mediator, a go-between and a facilitator in the accommodation of opinions. He did not think that that should be linked with a decision-making role or with the determination of conditions. This is a logical, proper and facilitating amendment which would add flexibility to the work of the commission in, hopefully, achieving mediation, and decision making based on that mediation, on all occasions.

Mr. Peter Robinson (Belfast, East): I believe that the issue at the centre of the amendment is the crucial issue in terms of the whole Bill.

There are few people in Northern Ireland or outside who, when looking at the disruption surrounding some parades over the past few years, do not recognise that some change was necessary to the general position regarding parades. In most circumstances, if there was a genuine and realistic reason why there should be some modification of a route, the organisers of any parade would look at the proposal and consider whether it would be sensitive to modify the route. For example, I have been involved in parades that were voluntarily rerouted because there had been a death along the route. If there are genuine reasons, organisers are genuinely prepared to make changes.

However, in recent years—the hon. and learned Member for North Down (Mr. McCartney) identified the past couple of years—there has been a change in the attitude toward parades. There has been a distinct heightening of opposition to certain Orange and other loyalist parades, which has been politically motivated. As soon as there is a politically motivated attack on parades, which is seen as an attack on Orange, Protestant, loyalist, Unionist culture—whatever one wants to call it—the organisers, instead of being generous and prepared to make some sensitive modification to their proposals, dig in their heels. They do so because they recognise that a politically motivated attack is being made on their organisation.

In the present circumstances, the organisers can be in no doubt of that motivation, because the leader of Sinn Fein-IRA, Gerry Adams, was shown by the broadcasting company in the Republic of Ireland boasting that his organisation had been working for several years to bring about the disruption we have witnessed around the parades. The organisers see the whole issue of concerned residents and disruption of parades as an attack on their political philosophy and way of life.

The issue is, in such circumstances, what is it appropriate for the Government to do? The Government—not the present Government, but the Government of the day—commenced by indicating that it would be appropriate to have a commission. Its role was essentially to be one of mediation: its key function was to talk to the various sides, determine how genuine their arguments were and attempt to find a way through. Over the past few years, in some small areas, the mediation that the commission carried out before the new powers were made available to it worked. In one area, Roy Magee himself acted as a mediator and succeeded in overcoming some difficulties. The previous Government recognised that there was an important role of mediation that could be done.

The commission's role has been moved away from mediation towards adjudication—towards confusing people and blurring the edges about who is responsible

[Mr. Peter Robinson]

for decisions to such an extent that, despite the Government's hope that the Bill will make a helpful contribution toward alleviating problems relating to parades, the exact opposite will occur. When responsibility is blurred and more confusion and complication is injected into the issue of parades, the consequences in the streets of Northern Ireland can be devastating and have the potential to lead to injury and death.

The Government have not recognised that, at the end of the day, somebody has to take a decision, and the person best placed to do that will always be the Chief Constable. The Government may not like his decision, if they have a political view on a parade, those involved in the parade may not like his decision, and those who are concerned residents may not like his decision, but, in law, if somebody has to take a decision, the person best placed to take it will be the Chief Constable. Nobody will be better placed. There is recognition of that fact in the fallback positions in the Bill.

Having moved away from having mediation as the commission's central role, we are moving tonight toward removing mediation from the picture. That is a mistake. If there is to be any resolution of the problems surrounding parades and counter-demonstrations, it has to come through mediation. The Minister ensures that that is less likely by introducing the amendment.

I hope that the Minister will understand that the effect of the amendment perhaps justifies the walking away, as it has been referred to, of Dr. Roy Magee. Roy Magee entered the commission because he believed that the road forward would at least include mediation, and that mediation would probably be central to the road. As soon as he understood the Government's intention, he walked away. Whatever we might think of Roy Magee, his action shows that there was a change of intent between the Conservative Administration and the present Labour Administration.

11 pm

The Minister might like to take the opportunity to adjust some terminology that was used earlier. The remarks could have been misinterpreted. I hope that it was merely bad phraseology. It was said, in effect, that the largest group of thugs and criminals would get its way. I hope that the Minister is not suggesting that the Orange Order is a group of thugs. He might like the Government's position on that issue to be cleared on the record. The interpretation that I have described could be given to the Minister's remarks. I offer him the opportunity to clarify the position before the earlier remark is misunderstood.

Mr. Worthington: I referred earlier to what the Chief Constable said. He said that he had to evaluate evils. That is what I meant by my expression. I was not implying that people in the Orange Order are thugs. On the streets, however, we saw that illegal forces could hold sway. That is why the Chief Constable was unhappy with the law as it stood and why we were unhappy with it.

Mr. Robinson: I am grateful to the Minister for his intervention. I am even concerned about the Chief Constable's terminology, which suggests that the intention of those who parade, or of those who may on occasions protest against parades, is evil.

Mr. Robert McCartney: My recollection is that the term "thugs and criminals" was used about numbers. It was suggested that the thugs and criminals who could arrive in the greatest numbers would hold sway. I may be wrong but that is my overall impression. The implication seemed to be, if we remember Drumcree, that the greatest number of thugs and criminals there were the many Orangemen, who demonstrated their position.

Mr. Robinson: It is—

Mr. Deputy Speaker: Order. We are talking specifically about mediation.

Mr. Robinson: Yes, Mr. Deputy Speaker.

I am grateful to the hon. and learned Member for North Down (Mr. McCartney) for his intervention. At least the Minister has set the record straight from his point of view.

As for mediation, the Government have made a grave error. The amendment, if agreed to, will isolate those who will take critical decisions from those who will lead to those decisions being taken. Much can be learnt from the personal contact that the amendment will prevent: it is possible to learn who is being stubborn and who is not, or how genuine and sincere people are in their arguments. The decisions of an adjudicator would be greatly assisted by a personal understanding of the position of those in relation to whom he will adjudicate. Having said that, however, my argument is that the body should be involved in mediation, not adjudication.

May I say to the Minister that the political motivation behind opposition to parades is seen most clearly with reference to a parade that takes place in the Republic of Ireland, in Donegal, which passes off quite peacefully. The Orangemen involved can have a good day out celebrating their culture, as they would seek to do anywhere in Northern Ireland. Many of us are left wondering why they are allowed to do that in the Irish Republic, where the massive disposition of those around them would be of a nationalist or republican leaning, whereas in a Protestant town such as Portadown they are not to be allowed those rights to express their culture.

That example identifies a political motivation that shows clearly to those of us in Northern Ireland who might in other circumstances wish to see some flexibility that there should not be flexibility if that means giving way to those who are seeking to attack and disrupt a culture. I hope that the Minister will recognise that the Bill will do nothing to ensure that those people lose or fail. In effect, it marks their success. It shows that their years of work behind the scenes at raising the issue of parades and causing disruption has had an impact on the Government and is causing changes to take place.

Mr. Robert McCartney: The debate must be seen in the context of the peace process as a whole. Everyone appreciates that the IRA declared its first ceasefire on 31 August 1994, and it is not without relevance that the first confrontation at Drumcree occurred the following summer, in July 1995, and has been building up ever since not only there, but on the lower Ormeau road and in Derry.

The significance of that is that, once under the terms of the ceasefire Sinn Fein-IRA had agreed that they would not overtly bomb and shoot, they had to carry on the struggle by other means. There were two other means. First, as Gerry Adams openly admitted on an RTE programme, the protests and confrontations did not happen spontaneously. They were the work of Sinn Fein activists over a period of years. The other aspect in which they carried on the struggle was the domination in their own areas of control by a vast increase in punishment beatings, which escalated by 400 per cent.

Those were the twin aspects of the struggle being carried on, as Clausewitz might have said, by other means. That situation was deliberately constructed, and the Bill deals with it. The Bill purports to deal with a problem that did not arise organically, as it were, but was the deliberate creation of a small group of terrorists. All the front men in the areas of most acute confrontation are ex-IRA men with criminal convictions for serious crimes. That is the background.

On the amendments, one of the objections to the original proposals for a commission of the kind that the Bill puts in place was that it should both mediate and adjudicate. Anyone who has any experience of judicial or quasi-judicial proceedings knows that it is impossible for the arbitrator or the adjudicator to perform both functions—and it should be impossible.

If the arbitrator mediates between two parties, inevitably, in the course of mediation, the desirable outcome that he envisages as judge and the view that he would recommend as mediator become known to the parties. If the parties do not agree following mediation, the arbitrator must then don his adjudicator's hat. At that stage, he will arrive at a decision—which he has already identified to the parties in the course of mediation as his preferred option. I know of no judge who will directly undertake mediation between parties if, ultimately, he will be called upon to make the definitive decision.

Therefore, I can understand to some extent why the Minister seeks to remove the term "mediate" and to use instead the term "facilitate mediation". It is clearly recognised that the commission should not perform both functions. If that were the true position, and mediation were to be removed from the equation altogether, we could perhaps run with the amendment. However, I suspect that it is simply a play upon words. What is the distinction between the meaning of "mediate" in this context and "facilitate mediation"? Does it amount to a hill of beans? Does it mean that, instead of mediating directly, the commission will mediate by proxy? Is "facilitating mediation" really mediation by proxy? If it is, will the commission's views not be made evident to the parties?

The language employed by the hon. Member for South Down (Mr. McGrady) is significant. He described the commission as acting as "mediator, go-between and facilitator"—I am subject to what subsequently appears in *Hansard*, but I am pretty certain that he used those words. In other words, the distinction between someone who does not mediate and someone who facilitates mediation will be completely blurred. If we permit the phrase "facilitate mediation" to remain, we shall end up with the worst of both possible worlds: we shall have someone who is nominally not a mediator mediating, and an adjudicator certainly adjudicating.

We should avoid that situation. The commission is either a mediating body or an adjudicating body. We must deprecate the practice of including in the legislation words that are capable of giving the commission both those functions without actually saying so.

Mr. William Ross: What point is there in having an adjudicating body that can be overridden by the police and the Secretary of State further down the line? That is what will happen in a really intense situation.

Mr. McCartney: I am grateful to the hon. Gentleman for making that observation. No matter what structures or institutions we create by way of this legislation, a decision must ultimately be taken by a person on the ground who has the authority to say yea or nay.

Ultimately, when the confronting bodies face each other and there is a likelihood of a serious breach of the peace, some decision will have to be made on what is to be done. The hon. Gentleman is correct. That decision will ultimately be made by the Chief Constable. Although nominally in some circumstances the decision may be taken by the Secretary of State, it will be a strong, and perhaps foolish, Secretary of State who, in the face of a clear, positive recommendation from her Chief Constable as head of the security forces, will do the opposite. Then, not only will security responsibility be assumed by the Minister, but ultimate political responsibility for the outcome will also be assumed by the Minister in the worst possible circumstances.

11.15 pm

Essentially, the legislation is about putting some sort of cover mechanism between political responsibility and the decision made. It is a situation in which political responsibility and operational responsibility, which should rest with the Chief Constable, will be blurred by the amorphous body in the middle, the commission. The Government will seek to shelter behind that commission in its adjudicating function. Therefore, it should be made as clear as it can be made in this legislation what the function of that body is. It should be made clear that it is either an adjudicating body that takes responsibility to whatever level—

Mr. Andrew Hunter (Basingstoke): I entirely accept the line of argument that the hon. Gentleman is pursuing, and I ask him to entertain the proposition that the blurring that the creation of the commission creates may be part of that progressive programme of disengagement and should be seen in a wider context of the betrayal of British Ulster.

Mr. McCartney: Certainly, one of the common perceptions among the pro-Union community in Northern Ireland is that the Government are seeking to divest themselves of authority. That can also be seen in that wider context of the Government saying that nasty decisions have be taken for which Governments should in the normal course of things be taking political responsibility. If we interpose between Government and the people, on whose behalf those decisions are being taken, some other body, such as the commission, the decision or decisions are the commission's. Only in the acute situation where it is plain that the commission's

[Mr. McCartney]

decision will be neither respected nor honoured, and there is a confrontation between the conflicting parties that requires the possible intervention of the civil arm in the form of the Chief Constable and the RUC, will any political responsibility be taken. In all other cases, there will be this shock absorber, this blurring effect of the commission.

Be that as it may, the point is that, if we are to have the commission, its functions and powers must be defined in the clearest possible way. If it is to have mediation as well as adjudicating functions, so be it; if it is to have adjudicating functions only, that is all it should have. The use of nebulous language about facilitating mediation might mean that we had the worst of both worlds. The provision would infringe the basic, accepted principle of judicial and quasi-judicial matters that someone should not mediate if he or she will also be the ultimate adjudicator. The position should be clear. Let us take the requirements for the Parades Commission to mediate and to facilitate mediation out of the Bill. The body should simply adjudicate or mediate, but it should not combine two functions that are recognised as incompatible.

Mr. Öpik: I shall advance the fourth of the four possible positions in the debate on the amendment. I believe that we should maintain the status quo and leave the Bill as it was originally drafted. The commission should have the options to mediate or to facilitate mediation. It would be sad if we had to take away from the commission the opportunity to mediate, which should be one of its main purposes. Government amendment No. 16 would remove the opportunity for direct mediation and amendment No. 33, tabled by the hon. Member for East Londonderry (Mr. Ross), would remove the opportunity to facilitate mediation.

The North report revealed that 80 per cent. of the population want parades to be mediated. In other words, the function of mediation is a vital expectation of the people whom the commission is intended to serve. The North report states:

"Mediation can play a crucial role in helping to resolve potential conflicts."

It also states:

"We doubt whether the Parades Commission itself would need to develop a professional mediation capability amongst its own staff."

However, we would lose nothing by giving the commission the opportunity to test that point.

The commission will have to find the most effective way to mediate, and it would be premature to remove the commission's opportunity—through experimentation and trial and error—to discover whether it should mediate directly. That does not have to mean a formal process. If we expect the process always to involve facilitation, we would formalise a matter with which the commission could sometimes deal informally. That point brings us back to the difficulties of definition that the hon. and learned Member for North Down (Mr. McCartney) described.

When we consider the question of adjudication versus mediation, we should remember that the commission may have problems in performing both roles in a particular instance, but we should not prevent it from deciding to act as an adjudicator on one occasion and as a mediator on a separate occasion. If the commission could perform both roles on different occasions, it would have more flexibility to adopt the most suitable approach for the circumstances it faced.

I do not agree with the fears expressed by the hon. and learned Member for North Down about a conspiracy theory in which the Government and political leaders would hide behind the commission to avoid taking political decisions. The Government have shown some courage in their dealings with Northern Ireland, as did the previous Administration. They did not indulge in scapegoating or hiding behind other organisations. It is a fair risk to take to assume that giving the commission the opportunity to mediate and to adjudicate on different occasions would not result in an abdication of responsibility by Westminster's representatives in Northern Ireland.

Why should the commission not be allowed to deem what sort of mediation would be appropriate, as the North report envisaged? That returns us to importance of flexibility. By taking away direct mediation from the commission's repertoire, are we not moving further away from peaceful resolution by tying the commission's hands before it has even had the opportunity to try that approach? I understand that the Minister intends mediation to be done by others, but surely who mediates will vary from circumstance to circumstance.

The difficulty of finding the right mediator in each given circumstance has been lucidly highlighted, but it cannot be insuperable. If we cannot find one among the 1.5 million people of Northern Ireland, there are other places we can go to find one. It is a red herring to assume that it is impossible to find someone who would be acceptable to both sides. The Parades Commission is given the duty of being aware of what to do in particular circumstances. The professionals involved in that role will be more than able to ensure that mediating facilitators can do the job.

Either amendment would take away from the Bill. I re-emphasise that we could not vote on both amendments together because they are mutually contradictory. If it goes to a vote, I assume that we shall have the opportunity to vote on each amendment individually.

Mr. Ingram: The hon. Member for Montgomeryshire (Mr. Öpik) talked of the fourth dimension to the debate. In doing so, he reminded me of the debate that I have been having in trying to arrive at a conclusion about the best way forward. The Bill as it stands tries to take on board one important dimension of the issue and set out the sort of arguments that the hon. Gentleman raised about the role of mediation, facilitating mediation, and adjudication.

In the debate and in listening to representations about the precise nature of what the Parades Commission should do, I took into account the commission's view of its role. It is easy for Governments to legislate and impose powers on bodies but we must take the good advice of those who will have to carry things out. The commission has a view about that.

The hon. and learned Member for North Down (Mr. McCartney) discussed whether mediation should appear at all and whether there should be a straightforward adjudicatory role for the Parades

Commission. If he takes that view, he had the opportunity to table amendments to that effect. I do not think that he did. It is all very well arguing that principle, but he could have sought to amend the Bill. We do not have the opportunity to discuss that. It so happens that I do not accept his conclusions. If I recollect correctly, he claimed that the original intention—I assume he means of the North report—was that the commission should both mediate and adjudicate. Paragraph 29 of chapter 12 of the report recommended that the remit should include promoting and facilitating mediation and the search for local accommodation, along with the adjudication role.

Standing back from the debate, considering my earlier views about the way in which the Bill was constructed, then going back to North, listening to the arguments that were advanced, and knowing that the Parades Commission saw the need—again consistent with what was laid down in North—to place the mediation role in the hands of authorised officers who would discharge the function of mediation and get as closely engaged with the process as possible, I felt that it was desirable to move the legislation back closer to what North originally recommended. I would not say that that is easy. The report of our proceedings in Committee shows the arguments that I advanced, which were not dissimilar from those expressed by the hon. Member for Montgomeryshire. I have said consistently that it is important to listen to other opinions to try to reach the best conclusion.

The hon. Member for Belfast, East (Mr. Robinson), by his logical argument, could almost convince people that all is sweetness and light in Northern Ireland, that this task is easy, and that two people can have different points of view. Clearly, the reality is fundamentally different. This is not a black-and-white issue, with all the bad guys on one side, and all the good guys on the other. He cannot argue that it would be all sweetness and light if only people were reasonable. We are dealing with a deeply difficult problem.

11.30 pm

The Government of the United Kingdom are charged with that problem, and must represent not just the views of people in Northern Ireland, but those of the British people. They see what happens in those parades and marches, only a few of which are contentious and result in major disorder. We are charged on behalf of all the citizens of the United Kingdom to resolve this issue. That is why the previous Administration established the North committee, and why we have taken the matter forward. We must deal with the wider constituency of interests in the United Kingdom. That is an important aspect of our job. The people of the United Kingdom want good and responsible legislation to deal with a problem that is on their doorstep. It is not easy: it is incredibly difficult.

Mr. William Ross: Will the hon. Gentleman give way?

Mr. Ingram: No. I am concluding my remarks. We have had a long debate on this issue, as we did in Committee. I have tried to explain why I have come this conclusion. It is a difficult issue, and I have taken account of the views of the Parades Commission and others.

I shall close my remarks by responding to the pointed question of the hon. Member for East Londonderry (Mr. Ross). He asked whether we have a replacement for Roy Magee. The answer is no, but I hope that the Secretary of State will make an announcement in the next two weeks. I ask the House to support the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 174, Noes 26.

Division No. 151] **[11.32 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Begg, Miss Anne
Benton, Joe
Blackman, Liz
Blears, Ms Hazel
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell–Savours, Dale
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Connarty, Michael
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dewar, Rt Hon Donald
Doobin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Edwards, Huw
Ennis, Jeff
Fitzsimons, Lorna
Flint, Caroline
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Home Robertson, John
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Levitt, Tom
Lewis, Terry *(Worsley)*
Lock, David
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marshall, Jim *(Leicester S)*
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Mountford, Kali
Mudie, George
Mullin, Chris
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Radice, Giles

Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Ryan, Ms Joan
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Stringer, Graham
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Janet Anderson and
Mr. David Jamieson.

NOES

Ballard, Mrs Jackie
Beggs, Roy
Brand, Dr Peter
Burstow, Paul
Davey, Edward *(Kingston)*
Forsythe, Clifford
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hunter, Andrew
Jones, Nigel *(Cheltenham)*
McCartney, Robert *(N Down)*
Moore, Michael
Öpik, Lembit
Paisley, Rev Ian
Rendel, David
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Taylor, Rt Hon John D *(Strangford)*
Thompson, William
Trimble, Rt Hon David
Walker, Cecil
Webb, Steve
Willis, Phil

Tellers for the Noes:
Rev. Martin Smyth and
Mr. Ken Maginnis.

Question accordingly agreed to.

Clause 3

CODE OF CONDUCT

Amendments made: No. 17, in page 2, line 10, after 'procession' insert 'or protest meeting'.

No. 18, in page 2, line 12, at end insert 'or protest meeting'.—*[Mr. Ingram.]*

Clause 7

PROCEDURAL RULES

Amendment made: No. 19, in page 5, line 14, leave out 'or any previous procession' and insert

'or any related protest meeting or in relation to any previous procession or protest meeting'.—*[Mr. Ingram.]*

Clause 10

SECRETARY OF STATE'S POWERS TO PROHIBIT PUBLIC PROCESSIONS

11.45 pm

Mr. Ingram: I beg to move amendment No. 20, in page 7, line 14, at end insert 'and'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this, it will be convenient to discuss Government amendments Nos. 21 and 29 to 32.

Mr. Ingram: This group of amendments would remove the duty on the Secretary of State to consult, where practicable, the Police Authority for Northern Ireland public order committee before imposing a banning order. Amendments Nos. 20 and 21 remove the obligation in the Bill, while amendments Nos. 29 to 32 are consequential on that. The amendments are by no means a vote of no confidence in PANI. Rather, they reflect its changing responsibilities as a result both of this Bill and of the Police (Northern Ireland) Bill, which we hope will be on the statute book shortly.

There are two main reasons why it is no longer necessary for the Secretary of State to consult the committee. The first is that establishing the Parades Commission has provided a forum for the sort of community representation work in this area that formerly fell to PANI. We have recognised the frustration from many people in the nationalist community that the legislative framework concerning parades has not enabled it to express its feelings adequately. The North report recognised—indeed, supported—the perception that a mainly public order-based approach did not enable wider considerations of the conflicting rights and responsibilities at issue to be taken into account.

The setting up the Parades Commission will enable extensive consultation and, we hope, lead to more brokered local accommodation. That is the central thrust of what we hope to achieve. Of course, that will be the commission's main objective. When the commission issues its determination, it will be able to do so with full knowledge of the views of all sides of the community, by the means that we have discussed in earlier debates. The Government believe that this is a considerable improvement on existing legislation, so consultation with another body with community-representation responsibility is no longer necessary.

The second reason is that the changes that the Police (Northern Ireland) Bill, which has received its Second Reading, will bring about in structures governing policing mean that the PANI will no longer have responsibility for day-to-day resource issues. Under the old system, resource issues would, of course, have been one of the main reasons for consulting the PANI committee. That is not to say that PANI will have no interest in the policing of public processions and counter-demonstrations. Indeed, the Chief Constable will remain accountable to the police authority for the policing of such controversial events.

Some Committee amendments sought to extend the number of people whom the Secretary of State should consult before imposing a banning order. Our commitment to consultation in the Bill has been well rehearsed, both in Committee and elsewhere during the

presentation of the Bill's main thrust, but we do not believe that extensive consultation over such sensitive and urgent decisions as imposing a ban would be sensible. Given the shortage of time in these exceptional circumstances, we believe that the Secretary of State needs to be able to make effective decisions quickly.

PANI was consulted.

Mr. Moss *rose*—

Mr. Ingram: I may know the point that the hon. Gentleman is going to raise; I am perhaps reading his mind.

Before we tabled our amendment, PANI was consulted about the intention to remove the duty on the Secretary of State to consult it. It agreed and saw the sense in what the Government are seeking to do, so we have PANI's support for the amendment. I ask that hon. Members support the amendments accordingly.

Mr. Moss *rose*—

Mr. Deputy Speaker (Mr. Michael J. Martin): Is the Minister giving way?

Mr. Ingram: No, I have finished.

Mr. Moss: I was going to intervene on the Minister, but he did not give me the opportunity to do so. I am just delighted that he now seems to be second-guessing what I am going to ask.

Mr. Maginnis: The proposed change in the people who advise the Secretary of State is one of the most insidious and shameful. With respect, I wish that the Minister was a little less arrogant and a little more tolerant. He may be a Minister in a Government who have a large majority, but I have been a Member of Parliament since 1983 and I remember when another party behaved with the same arrogance—ultimately, it did not pay. Perhaps the Minister should take that on board.

In all the actions of the Government, past and present, I have seen something that has been engineered by the police division in the Northern Ireland Office, something which reduces the influence and authority of the Police Authority for Northern Ireland. One has to go back 25 years to remember why the authority was established in the first place. It was established because there was a perception that the RUC was subject to political control. Everything in the Bill suggests that that is not far from the minds of those on the Government Front Bench.

My hon. Friend the Member for West Tyrone (Mr. Thompson) highlighted the new powers being given to the Secretary of State. When one combines the powers given to her in this Bill with those that she will have under the Police (Northern Bill) Bill, to which the Minister alluded in an earlier debate, one can see that she will increasingly have direct, effective control over the Chief Constable and the command of the RUC. The role of the Police Authority for Northern Ireland is being sidestepped to such an extent that there will be no protection for society in general in Northern Ireland because of political influence over that civil power.

It is not just the present Government who have been guilty of mistreating the Police Authority for Northern Ireland. I do not want to detract from the contribution made by the very competent people from both traditions who have served on the Police Authority down the years, but we have seen some apparently deliberately mischievous appointments to the authority. I am thinking of the appointment of people such as David Cook, for example, who is well known for his pompous, self-seeking role in society in Northern Ireland. He is someone who makes his living by being a member of various quangos.

Mr. Ingram: Will the hon. Gentleman give way?

Mr. Maginnis: Unlike the Minister, I am happy to do so.

Mr. Ingram: Will the hon. Gentleman give one example of a mischievous appointment made by this Administration?

Mr. Maginnis: The Minister should listen more carefully. I did not pick out this Administration for its carelessness on the Police Authority. I hope that he will give me credit for that. Some of their policies this Bill and the Police (Northern Ireland) Bill are being pursued against sound advice, and will not leave them vindicated when the results begin to show.

Rev. Ian Paisley: The Government have removed members of my party from all quangos, including the Police Authority, because one of them was an ex-member of the RUC who would not be led by the nose. I have already told the Secretary of State about that. How dare the Minister say that all his appointments are fair?

Mr. Maginnis: I hear what the hon. Gentleman says. His suspicions are no greater than mine about how the Government are going about their business.

I was alluding to the appointment by the previous Administration of David Cook, who was appointed against very good advice and turned out to be an unsatisfactory chairman of the Police Authority. He had to be removed by the Secretary of State, along with Chris Ryder, who was also appointed against good advice. We believed that a practising journalist was not a suitable candidate to serve on the Police Authority. There was a conflict of interest in that appointment, because his journalistic interests could not be pursued alongside his Police Authority duties without one impinging on the other.

I shall not fall into the Minister's trap yet by talking about recent appointments, but they will come to light shortly. The Police Authority has been dealt a death blow by the previous Administration and this Administration. We shall find ourselves in a sorry situation when the chickens come home to roost.

The clause removes another substantive role from the Police Authority. The police will not have the cushion between their critics and their political masters that they have had for the past 26 years.

The issue is not particularly important on its own, but it is symptomatic of an attitude that is intended to damage the Police Authority and the police, so that the

[Mr. Maginnis]

Government's proposals for the future of the RUC will appear justified. That is why I want to put that marker down. We are aware of what is intended by those in the police division of the Northern Ireland Office, and of the acquiescence of Ministers to the future dangers that they are creating, which have been pointed out to them.

Mr. Ingram: Many of the comments have related to forthcoming debates in Committee on the Police (Northern Ireland) Bill. That Bill is relevant in the sense that it deals with some of the matters with which it is worth while dealing in these debates. I am sorry that I set the hare running. I just wish that the hon. Member for Fermanagh and South Tyrone had listened to what I said.

The Police Authority was consulted and agreed with what we are seeking to do. The amendment does not strip away any powers. To take that argument forward and say that what the amendment proposes is the most insidious aspect of the whole Bill stretches my imagination. Perhaps the lateness of the hour is causing me difficulty in understanding the logic that is being presented to us.

On attacks on individuals who serve on public bodies and implied attacks on civil servants in the police division who—*[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Ingram: I have heard the hon. Member for Fermanagh and South Tyrone make some quite outrageous personal comments about such people. It is quite easy to do so under parliamentary privilege. If he continues to make such attacks, he will hear a robust defence in support of civil servants. Of course, they have no right to respond to the hon. Gentleman. He knows that, and that is why he usually comments under parliamentary privilege.

I commend the amendment on the basis that there has been proper consultation on it. The Police Authority is happy with what we are suggesting, and it sensibly amends the Bill.

12 midnight

Rev. Ian Paisley (Antrim, North): I do not know what the Minister is referring to when he comments on statements made about civil servants. I make my comments to civil servants to their face. We had a meeting with the Secretary of State. Mr. Steele told absolute lies. He was told by my hon. Friend the Member for Belfast, East (Mr. Robinson) that he was a liar. He could not open his mouth—

Mr. Deputy Speaker: Order—*[Interruption.]* Order. The hon. Member must be seated when I am on my feet. The matters that he is raising are nothing to do with the amendment.

Rev. Ian Paisley: On a point of order, Mr. Deputy Speaker. The Minister said that he would challenge us on certain things. The Government challenged us. When I got up to answer, I was ruled out of order.

Mr. Deputy Speaker: I am not responsible for what the Minister has to say.

Question put. That the amendment be made:—

The House divided: Ayes 153, Noes 10.

Division No. 152] **[12.2 am**

AYES

Alexander, Douglas
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Begg, Miss Anne
Benton, Joe
Blears, Ms Hazel
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burgon, Colin
Burstow, Paul
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell-Savours, Dale
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coffey, Ms Ann
Connarty, Michael
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Dawson, Hilton
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Ennis, Jeff
Foster, Don *(Bath)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gilroy, Mrs Linda
Godsiff, Roger
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Kennedy, Jane *(Wavertree)*
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
McAllion, John
McAvoy, Th omas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
McWilliam, John
Marek, Dr John
Marshall, Jim *(Leicester S)*
Michael, Alun
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Mountford, Kali
Mudie, George
Mullin, Chris
Norris, Dan
O'Hara, Eddie
Öpik, Lembit
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*

Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dennis *(Wolverhton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Warning, Robert N
Watts, David
Webb, Steve
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. John McFall.

NOES

Beggs, Roy
Forsythe, Clifford
Hunter, Andrew
Maginnis, Ken
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(E Londy)*
Taylor, Rt Hon John D *(Strangford)*
Trimble, Rt Hon David
Walker, Cecil

Tellers for the Noes:
Rev. Martin Smyth and
Mr. William Thompson.

Question accordingly agreed to.

Amendment made: No. 21, in page 7, line 15, leave out from 'Constable' to end of line 18.—*[Mr. Ingram.]*

Clause 11

REGISTRATION OF BANDS TAKING PART IN PUBLIC PROCESSIONS

Mr. Ingram: I beg to move amendment No. 22, in page 7, line 40, after 'court' insert

'or other body or person'.

The amendment deals with the Secretary of State's power to introduce a registration scheme for bands. As was explained in Committee, the Government consider that the commission will have sufficient powers under the Bill to deal with the mischief caused by some bands. Therefore, the provisions in clause 11 as it stands should be viewed as a reserve power, which broadly replicates provisions in the 1987 order.

However, should the commission's powers not be sufficient, some have suggested bringing into force the registration scheme—indeed, recommendation 38 of the North report specifically suggested that the Government should give consideration to the introduction of a registration scheme for bands. The report did not consider in detail what sort of scheme would be best, but suggested that a court-based scheme along the same lines as the scheme for clubs in Northern Ireland might be appropriate.

12.15 am

Clause 11 as it stands gives that power to introduce a court-based scheme, but I have listened to representations made in Committee and elsewhere and, on reflection, I have decided that it would be useful to keep a number of options open. The power to introduce a registration scheme might well be used in circumstances that we cannot at present foresee. It makes sense to leave the provision as flexible as possible, so that the Government are not wholly restricted to a court-based scheme, hence the amendment. It would expand the range of flexibility open to the Government in what is a reserve power—one that has not been exercised to date and which may never be required to be exercised.

Mr. Öpik: Will the Minister confirm that that does not exclude the use of the court, but simply expands the range of choices when registering a band?

Mr. Ingram: That is the case. The amendment simply expands the range of options open to us, and it has been proposed because of representations. Because of the difficulties associated with a court-based scheme, it would not be easy to implement such a measure, but if that was what was required to be done, it would be done. The amendment expands the flexibility open to the Government, and I hope that the House will support it.

Mr. William Ross: I am somewhat surprised to see the amendment on the amendment paper, because we discussed the proposal in Committee and the Minister's closing remarks tonight illustrate the immense difficulties associated with it. He said, that if it was necessary to do it, it would be done, but he seemed to be saying, "When the time comes, we shall do wonders, we know not what or how."

There is no clear way forward in this matter; it is something with which various groups in society who have close connections with bands have wrestled for many years and no one has, as yet, come up with a satisfactory scheme. When the Minister says that if it is necessary to do it, he will do it, he means, "At the last minute, we shall cobble something together"—in other words, it will be another flipping disaster. We need that like we need a second head.

The Minister also said that he listened to what was said in Committee and elsewhere. Would he care to specify what the "elsewhere" is? We are so used to open government nowadays that we are always willing to hear what the Minister has to say. We were somewhat disappointed on Second Reading, when the Rev. Roy Magee had resigned a week previously and the Secretary of State knew.

Mr. Ingram: So as to speed up proceedings, I shall state that "elsewhere" included those who have responsibility for the administration of justice, because they would have responsibility for trying to define some of the aspects of a court-based scheme. A range of opinions were taken on this matter—I would suggest that that is responsible government.

Mr. Ross: Let me finish my point about Roy Magee first. The Secretary of State had known that he had resigned for a week before Second Reading, so in the interests of open government she did not tell anyone, and it seeped out the next day.

When the Minister tells us that he consulted those who have responsibility for legislating and the legal end of things, we wonder whether it is just barely possible that they told him, "This is extremely difficult to do, Minister. We think that you should look rather wider than a court-based scheme, because the courts do not really want one. That being so, we want to hand the whole thing over to somebody else."

Mr. Beggs: A royal commission.

Mr. Ross: No, not a royal commission, but the Parades Commission. My hon. Friend will understand

[Mr. Ross]

that there are only about a dozen contentious parades. The commissioners will have plenty of time on their hands to worry about the registration of bands and set down the rules. Of course, a band can disappear under one name and reappear under another the next day. An amalgamation of several bands may appear. That is the sort of problem that we have always had, which reflects the sort of people with whom we have had to deal.

I wonder whether the Minister has any clear idea of what sort of body or person will examine the bands and produce a registration scheme. What quango will rule on what is acceptable as a band? The Minister will remember the cheerful little debate that we had in Committee on what constituted a band. It was all very amusing, but that debate did not take us very much further. We shall be looking to the commission and then we shall be wondering whether there will be an appeal mechanism to the courts.

I am not happy about the amendment, and I hope that the Minister will tell us more about how he expects to implement it. What he has said so far has served only to raise a host of questions in my head, to which I want answers. We are dealing with a sensitive and intricate subject. It would be difficult to find an unacceptable scheme, but to find an acceptable scheme is, in my view, impossible.

Mr. Ingram: I shall move the sweetie from one side of my mouth to the other, Mr. Deputy Speaker.

The hon. Member for East Londonderry (Mr. Ross) has raised a fundamental issue. He is right in saying that we are dealing with complex and difficult matters and that it is not easy to arrive at an acceptable solution. I have not given any thought to the detail, because there has been no attempt at implementation. We are talking about a reserve power. I have no doubt that, if we decided to set forth on a range of options, the hon. Gentleman and his party, through the normal process of open government and a willingness to consult as many people as possible, would have the opportunity to make their views known.

Mr. William Ross: Did I hear the Minister aright? Did he say that he is introducing an important amendment in a sensitive part of the Bill without having given it much thought? Is not that symptomatic of what has happened throughout all stages of our consideration of the Bill so far?

Mr. Ingram: No. My remarks related to the amendment, which is designed to give increased flexibility. I referred also to the detail of the application of the provision, which involves a long-existing reserve power that has never been exercised. There are views, of course, about how it should be implemented, and those are associated with complications. There is no intention now to exercise the reserve power.

I have enough on my plate to be going on with as a Minister, and I am sure that the same applies to other Ministers, in trying to administer what is taking place in Northern Ireland. I try to exercise the faculties that I have to the best effect. There is no point in trying to consider things that are not to be brought into being. We try to focus on what will be implemented and will have effect. That is surely a good use of time and of the limited brain power that we might have. We wish to take the most effective and best administrative approach, and that is why I said what I did. The hon. Member for East Londonderry somewhat extended my comments.

Amendment agreed to.

Clause 16

INTERPRETATION

Mr. Ingram: I beg to move amendment No. 23, in page 10, line 27, leave out 'or other'.

It gives me pleasure to move the amendment, because it reflects the important contribution made in Committee by the hon. Member for Beaconsfield (Mr. Grieve), who I had hoped would be present when we reached this amendment.

The amendment will ensure that the definition of a band in the Bill will cover only those gathered for the purpose of playing musical instruments. It will exclude the mysterious reference to "other instruments" in the Bill as drafted, which reflects existing legislation. We had some fun in Committee suggesting what "other instruments" that were not musical instruments might mean in relation to a band. We spoke about dustbin lids and skiffle bands, and it was suggested that the spoons and perhaps bones would fall into that category. We thought of many examples, but rather than trying to find justification for the phrase, I have decided to delete it.

My attention was drawn to the anomaly in the Bill, which has been in existing legislation for some time, but good draftsmanship demands that it should be removed. That is the reason for amendment No. 23.

Amendment agreed to.

Amendments made: No. 24, in page 10, line 38, at end insert—

'"protest meeting" means an open-air public meeting (within the meaning of the Public Order (Northern Ireland) Order 1987)—

(a) which is, or is to be, held—

(i) at a place which is on or in the vicinity of the route or proposed route of a public procession; and

(ii) at or about the same time as the procession is being or is to be held; and

(b) the purpose (or one of the purposes) of which is to demonstrate opposition to the holding of that procession on that route or proposed route;'

No. 25, in page 11, line 2, at end insert—

'(1A) For the purposes of this Act a protest meeting is "related" to a public procession if the purpose (or one of the purposes) of the meeting is to demonstrate opposition to the holding of that procession on its route or proposed route.'.—*[Mr. Ingram.]*

Clause 18

SHORT TITLE, COMMENCEMENT, TRANSITIONAL PROVISION AND EXTENT

Amendment made: No. 26, in page 11, line 25, at end insert 'or protest meeting'.—*[Mr. Ingram.]*

Schedule 1

THE COMMISSION

Mr. William Ross: I beg to move amendment No. 39, in page 12, line 13, leave out 'more' and insert 'less than'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendment No. 27.

Amendment No. 40, in page 12, line 34, at end insert—

'(6) Membership of the Parades Commission shall consist of United Kingdom citizens, resident in Northern Ireland, appointed by the Secretary of State so as to secure, as far as practicable, that the membership is representative of the community in Northern Ireland.'

Government amendment No. 28.

Amendment No. 7, in page 12, line 40, at end insert

'The quorum for the purposes of a determination under section 7 shall be 3 where there are 5 members of the Commission, 4 where there are 6 members of the Commission and 5 where there are 7 members of the Commission.'.

Mr. Ross: This is another amendment in which there is a typographical error. It should read "less", not "less than". We are trying to make improvements to the schedule, which at present states that there should be

"not more than 6 other members"

of the commission.

The amendment had the support of the hon. Member for South Down (Mr. McGrady) who is not in his place at present. We believe that there is a good case for having more than six other members. We are asking the Government to remove the restriction to six other members and to leave open the possibility of there being more.

Government amendment No. 27 states:

"The Secretary of State shall so exercise his powers of appointment under this paragraph as to secure that as far as is practicable the membership of the Commission is representative of the community in Northern Ireland".

The possibility of a complex society being properly represented in a way that is fair to the various sections of the community by a commission that has no more than six members is nonsense.

The Government have accepted the case that we made in Committee, and they accept the case that I am trying to make in the amendment, so I see no good reason why the Minister should not immediately accept the amendment. We could then all go home, after another couple of hours on Third Reading.

The Minister knows that his amendment is defective if what is sought is to make the membership of the commission representative of the community in Northern Ireland. Given the problems that we have experienced with Mrs. Brig Rogers and the attempts by the Dublin Government to have people selected—we have already outlined the leak from Dublin civil servants—the Minister should understand our concern that the membership of the commission, whose work is very sensitive, should comprise United Kingdom citizens who are resident in Northern Ireland. Surely the people of Northern Ireland have sufficient gumption to hold down jobs on the commission.

12.30 am

That is why I have tabled amendment No. 40, which states:

"Membership of the Parades Commission shall consist of United Kingdom citizens, resident in Northern Ireland, appointed by the Secretary of State so as to secure, as far as practicable, that the membership is representative of the community in Northern Ireland."

In other words, the amendment contains the provision that the Government have foolishly left out of their amendment. We urge the Government simply to dispense with amendment No. 27 and accept amendment No. 40. We would all be happy to hear the Government say that they, like us, believe that the commission should comprise United Kingdom citizens.

I realise that that would rule out Mr. Sean Farren, Mrs. Rogers and several other leading members of the Social Democratic and Labour party who were born in the Irish Republic, who have never relinquished their citizenship of that country and who undoubtedly travel on Irish passports, and thus would not be acceptable to the Unionist population of Northern Ireland as representing their best interests or being fair and unbiased in their judgment. I do not see why the Government should not accept this very reasonable amendment.

The hon. Member for South Down has tabled an amendment regarding the quorum, which has appeared on the amendment paper before. The Government have tried to accommodate him, but I hope that the hon. Gentleman will not withdraw his amendment. My party supported him strongly in Committee, and we still believe that what he proposes is a good idea. That view is also clearly shared by the Government, who have come part of the way to meet him. If the hon. Gentleman cares to put his amendment to the test tonight, we shall be happy to support him.

The Government would usually jump at an opportunity to secure full cross-community, cross-religious and cross-party support. As the Unionist party, the Democratic Unionist party and our colleague the hon. and learned Member for North Down (Mr. McCartney)—who has apparently departed the Chamber—are in favour of this sensible, far-reaching amendment, why does the Minister not stand up immediately and say that the Government will accept it?

Hon. Members will appreciate that this is a very important group of amendments that tests the Government's intention to be fair and to ensure that the membership of the commission reflects the whole Northern Ireland community and the various interests within it. The commission should comprise more members than the legislation states at present, and it may be enlarged by amendment No. 39. The Minister must realise that Government amendment No. 27 concerning membership is defective and that ours is much better. The hon. Member for South Down would no doubt agree that his amendment is also far better than the Government's puny effort. We therefore have before us three amendments that could be accepted happily by the whole House.

Mr. McGrady: Our debate on my amendment No. 7 should be the least emotive that we have this evening, or this morning, in that it relates purely to an appreciation of numeracy. I thought that my amendment in Committee,

[Mr. McGrady]

which was not accepted but which is repeated here this evening, was a fairly logical numerical progression whereby a quorum is seen to be an adequate number of the total membership of the commission.

I cannot conceive of anybody designing the Government's amendment. Government amendment No. 28 says that, where the commission consists of seven members, the quorum shall be four; and where the commission consists of six, the quorum shall be three. In other words, a decision could be made with three present out of six, and presumably a majority of three is two, so two out of six could make a decision. That is bad.

The membership of the commission is not defined in the Act. I think that it is a maximum of seven—the chairman and six possible other members. To go on down the list, where there are five, four or three members of the commission, the quorum shall be two. That is a recipe for bad decision making in any society, be it a local football club, the women's institute, or wherever. There is no logic in the Government's amendment.

I should not have minded my amendment being doctored a little, but I cannot understand why the Government have substituted their amendment for my much more logical proposal. It is self-evident that a commission with a membership of four or five should not have a quorum of two, and that a commission of six should not have a quorum of three. Where the numbers of the commission are so small, the analysis of the decision making will be quite important to the consequences of its work. In all cases where a decision has to be made, there should at least be a majority in every case of the total membership of the commission.

Not only in view of the unanimity among Northern Ireland Members, which is rare on this Bill, but simply because of the sheer logic of my amendment—I put it in modest terms—and the sheer illogicality of the Government's amendment, I urge the Minister, perhaps with unique generosity at this early hour of the morning, to accept amendment No. 7 in place of Government amendment No. 28.

Mr. Thompson: Will the Minister clarify the amendment? As I understand it, schedule 1, paragraph 2, states:

"The Commission shall consist of—

(a) a chairman; and

(b) not more than 6 other members".

That appears to mean that the maximum would be seven. However, paragraph 2(2) states:

"The Secretary of State may by order vary the number for the time being specified in sub-paragraph (1)(b)."

That seems to mean that the Secretary of State could have power to increase the maximum number to seven or eight, or possibly nine.

However, when we come to the quorum, the amendment states that, where the Commission consists of seven members the quorum shall be four, and where the Commission consists of six members the quorum shall be three, and in any other case two. Does that not mean that, if the Commission were increased to eight, the quorum would only be two? That does not seem logical.

Mr. William Ross: Does my hon. Friend realise that the other horrifying possibility is that the Government might reduce the commission membership to three?

Mr. Thompson: I thank my hon. Friend for making that point. I accept that a quorum of two may be intended for a number of members lower than six, but a quorum of two for any organisation is nonsense. The quorum for any organisation should be at least three. A quorum of two means that two people could get together and run the show. That is unacceptable.

Mr. Öpik: Amendment No. 7, tabled by the hon. Member for South Down (Mr. McGrady) is sensible. I shall not reiterate the arguments in its favour, but if it can be taken separately, it will receive the support of the Liberal Democrats.

Mr. Worthington: This group of amendments all deal in some degree with the composition of the Parades Commission. Amendment No. 39, which was tabled by the hon. Member for East Londonderry (Mr. Ross), would mean that the Parades Commission would consist of a chairman and no fewer than six other members, imposing a minimum of seven.

However, the Bill as drafted reflects consultation by the Government with the Parades Commission—which applies to all our recommendations—and its members, having analysed their work load for the forthcoming year, would prefer the flexibility that the drafted formulation will give. We must respect their views on their work load and on the number of members—that is, a chairman and six other members, giving a maximum of seven. If that is the commission's view on the number of members needed, I can see no good reason why the House should see the matter differently. Therefore, I urge the House to reject amendment No. 39.

Mr. William Ross: The Minister is sticking to his view that the commission should have seven members. As it already contains a well-known member of the SDLP, how many Unionists will be on it? How many members of the Ulster Unionist party, the Democratic Unionist party and the United Kingdom Unionist party will be on the commission?

Mr. Worthington: We shall not appoint people to the commission on the basis of quotas. We shall appoint people on merit, because that is the basis on which we appoint to public bodies. Quotas are divisive, and the Government do not wish to take that approach. In Committee, the hon. Gentleman tabled an amendment similar to amendment No. 39, and he said that he was trying to achieve balance within the commission. I believe that Government amendment No. 27 achieves that balance.

There was a clear consensus in Committee, and in the House, on the need for the commission to be representative of the community in Northern Ireland, as far as is practicable. I am sure that that is right. We have sought balance in the existing commission and will

continue to do so, but we are also legally obliged to appoint on merit. We cannot set membership by quota, and we would not want to do so.

Government amendment No. 27 is similar to the requirement in the Police Act relating to the Police Authority. It will make it a duty for the Secretary of State to ensure that the Parades Commission is, as far as is practicable, representative of the community in Northern Ireland. I therefore commend it to the House.

Mr. Thompson: If the number of members of the commission were increased to eight—as the Secretary of State has power to do—what would the quorum be? Would it remain two?

Mr. Worthington: I will come to the quorum in a moment.

Amendment No. 40, tabled by the hon. Member for East Londonderry, would restrict membership of the commission to UK citizens resident in Northern Ireland. He said that various people would be excluded from membership and that that suited him.

It is very odd for a Unionist to want to exclude citizens of the United Kingdom who do not live in Northern Ireland. That principle is contrary to the spirit of the Race Relations (Northern Ireland) Order 1997, article 72 of which applies a statutory prohibition against discrimination on racial grounds to appointments to offices or posts by Ministers and Departments. Article 5(1) provides that "racial grounds" includes the grounds of nationality or ethnic or national origins.

Mr. David Trimble (Upper Bann): May I refresh the Minister's memory in respect of his own amendment No. 27, which imposes a duty to secure that the

"Commission is representative of the community in Northern Ireland"?

That surely requires him to appoint people who are members of the community of Northern Ireland. How can he say that someone who is not a member of that community is in any way representative of it?

12.45 am

Mr. Worthington: That argument implies that the only characteristic that makes someone representative of Northern Ireland is residence in Northern Ireland. The chair of the Parades Commission is not resident in Northern Ireland, but we think that he is making a considerable contribution. This is dangerous ground for Unionists. It is possible to do a good job for the citizens of Northern Ireland while not being resident in Northern Ireland. We do not want to go that way. If we accepted amendment No. 40, we would discriminate against all non-UK citizens and against UK citizens not resident in Northern Ireland. I therefore urge the House to reject that amendment.

Amendments Nos. 7 and 28 are similar. I am grateful to the hon. Member for South Down (Mr. McGrady) for tabling amendments in Committee and on Report on the commission's quorum arrangements. We have consulted extensively with the Parades Commission on that. After considering Government amendment No. 28 and his amendment No. 7, we believe that his points have a sound basis. I am told that there is a flaw in his wording, but he made a strong case. The best that we can do at this stage is to leave the Bill as it is. I am being encouraged to ask him to withdraw his amendment while we withdraw ours.

Mr. McGrady: I do not know where the flaw is, but I understand that there is a difficulty in that my proposal for a quorum of five out of seven is a bit top-heavy. I do not want to rehearse what I consider to be the illogicality of the Government's amendment, but if both were withdrawn, we would revert to the quorum in the first draft, which is three whatever the number of members. On that basis, I would be prepared, with the House's permission and on condition that the Government did not press amendment No. 28, not to press amendment No. 7.

Mr. Worthington: We seem to have reached agreement. At the final stage of the Bill, we have shown our willingness to listen to the views expressed in amendments. That has characterised our approach throughout our proceedings on the Bill in this House and in the other place.

Amendment negatived.

Amendment made: No. 27, in page 12, line 16, at end insert—

'(3) The Secretary of State shall so exercise his powers of appointment under this paragraph as to secure that as far as is practicable the membership of the Commission is representative of the community in Northern Ireland.'.—*[Mr. Ingram.]*

Schedule 3

AMENDMENTS

Amendment made: No. 29, in page 15, leave out lines 23 to 26.—*[Mr. Ingram.]*

Schedule 4

REPEALS

Amendments made: No. 30, in page 16, line 25, at end insert—

'1970 c. 9 (N.I.).	The Police Act (Northern Ireland) 1970.	In Schedule 1, paragraph 15(2) to (4).'.

No. 31, in page 16, line 31, column 3, at end insert—

'Article 5(2).'.

No. 32, in page 16, line 36, column 3, at end insert—

'In Schedule 1, paragraph 4.'.

—*[Mr. Ingram.]*

Public Processions (Northern Ireland) Bill *[Lords]*

Order for Third Reading read.

12.51 am

Mr. Ingram: I beg to move, That the Bill be now read the Third time.

Before I make a few remarks about the Bill, I want to touch on some other, related, issues that are worthy of consideration.

I know that all right hon. and hon. Members will share my revulsion at the appalling series of sectarian murders that have heightened tension in Northern Ireland in recent weeks. Those terrible events cast a dark shadow over the Province. Those who carry out such acts speak for no one other than their own extreme factions. Their purpose is malign, but they should know that it will not prevent or distract the Government from achieving their overall objective of bringing about a peaceful and lasting settlement for all the people of Northern Ireland. The RUC and the security forces will do everything in their power to bring those who carry out such evil acts to justice. The Government, with the support of the vast majority of people across the communities in Northern Ireland, are determined to succeed, and the actions of a murderous few will not stand in the way of the wishes and hopes of the many. I know that I speak for all hon. Members when I make those comments.

The Bill was born out of the dramatic, damaging and dangerous events of recent years associated with what is termed the marching season. The previous Government put in place a mechanism to consider the causes of those events and to seek ways to deal with them. The result was the North report, which was an authoritative study of the problem and proposed a range of measures.

My party in opposition made it clear that, when elected, we would legislate for the implementation of the report. We have now carried out that promise in government.

The Bill, as originally drafted and presented for consideration to the other place, was constructed to take account of various representations made on certain key elements. It received full and detailed scrutiny in the other place. From the outset, we made it clear that we wanted it to reflect as best it could cross-community and cross-party views on these matters. Significant changes were made to the Bill in the other place as a result of the expression of such views. Certain matters were left for further consideration because of the complexities involved.

The Committee stage in this House proved very useful in exploring the issues and seeking the best way in which to deal with them. I thank all who served on the Standing Committee. The amendments that have been made to the Bill today reflect many of the views expressed by hon. Members in Committee and I thank them for their contribution.

If the Bill is passed, the Government will have fulfilled the clear commitment that they made on taking office to implement the recommendations of the North report. We said all along that we believed the report to be correct in its judgment that the problem of parades was the accommodation of competing rights. Our endorsement of the report's conclusions and their embodiment in law will ensure a new approach to a difficult and complex problem.

We must all try to ensure that parades never again become the focus for the sectarian bitterness that has plagued Northern Ireland for so long. The events of the past three years at Drumcree, in the Ormeau road and in Londonderry have seen a rekindling of deep community divisions that some hoped had been consigned to the past.

In the wider political context, even in the face of the shocking and futile violence of recent days, the opportunity exists to make real progress. The Bill is intended to ensure that those on either side who seek only to foment discord and prevent progress cannot use the issues relating to parades to bring their malign influence to bear.

Many seek to apportion blame for the problems presented by parades, but we should give credit to those who made the courageous decisions on the weekend of 12 July that ensured that last year's marching season passed off without the serious wide-ranging disturbances of the previous two years. There were problems last year, but fewer than in previous years because of that brave decision by the Orange Order. That is a hopeful sign for this year and the years ahead. I am confident that passing the Bill will pay dividends in the coming months and beyond.

The members of the Parades Commission deserve immense credit for the work that they have done in facilitating agreement and resolving individual disputes to date. I assure them that they have the Government's whole-hearted support in meeting the great challenges that they will face.

The commission has now received views on the three draft documents that were published for consultation purposes in October last year. Following the enactment of the Bill, the documents will be laid before each House and will be brought into effect by an order made under the affirmative resolution procedure. As I announced on Second Reading and clarified in Committee, hon. Members will have the opportunity to debate the documents fully in due course.

Our debates have confirmed the depth of feeling on all sides about the issue—a passion that is peculiar to Northern Ireland. If we succeed in resolving an issue that is, in so many ways, a microcosm of the almost intractable problems that Northern Ireland has faced for so long, it will surely help to serve as a blueprint for a more stable and better future for all the people. That is the Government's earnest wish.

I wish the Parades Commission well in the task that lies before it once the Bill has received Royal Assent. That task could be difficult, or it could be easy. It will depend on the willingness of those who are exercising their right to march, and on those who may wish to protest, genuinely to seek points of agreement, to understand the language of compromise and to accept the other person's right to have a different point of view. That is the true sign of a healthy and mature democracy. The Bill provides a framework and a vehicle to help Northern Ireland towards that end, and I commend it to the House.

12.58 am

Mr. Moss: Like the Minister, I wish the Parades Commission every success in the difficult task that lies before it this year.

I welcome what the Minister said about the constructive contributions made in Committee, both here and in the other place. I am glad that the Government have looked carefully at Opposition Members' suggestions and gone quite a long way towards taking them on board, with the aim of ending up with a Bill that seeks to heal the wounds and bring the two sides of the conflict closer together. The main thrust of our amendments and comments in Committee was directed at doing that. We wanted to ensure even-handedness and that the perception on both sides in Northern Ireland was that the Bill is balanced. We sought to bring the two sides together, either by mediation or by sensible measures that people felt took the views of both sides into account.

Some fears have been expressed, mainly by Unionist Members, about the way in which the Government are proceeding. I ask the Minister to pay careful attention to those comments before advising the Parades Commission on how the Bill will be implemented. A small point arose today on a Northern Ireland radio programme in which I took part. It was said that, already, so-called facilitators are contacting people who organised parades last year under the current legislation and filled in notice forms. Those forms have been given to facilitators operating under the commission's jurisdiction and the facilitators have been telephoning people out of the blue to talk about this year's parades.

That is an example of the commission not getting to grips with the essential problem. It would have been more sensible for parade organisers to receive letters stating the commission's aims and telling them about the role of the facilitators and mediators. They could have been asked whether they minded being contacted by telephone. It was obvious from the comments of a representative of the Orange Order on that programme that that telephone exercise has not gone down well. It has probably delayed progress on implementation of the Bill.

I welcome new clause 3, which was debated on Report and provides that groups who wish to arrange protests should give notice to the commission and the police, but the House is still anxious about the difference in treatment between those who organise parades and those who organise protests. The commission will determine whether a parade should be allowed and the RUC and, in the final analysis the Secretary of State, will determine whether a protest should be allowed to go ahead. That issue was raised by the hon. Member for South Down (Mr. McGrady) and by some Opposition Members.

The role of the commission in dealing even-handedly with parades and protest groups was properly addressed in new clause 2, which I presented in Committee. The Government did not see fit to accept that new clause and they did not see fit to table similar amendments on Report. The new clause related to the commission's powers to impose conditions on counter-demonstrations or protests. Perhaps the Government will re-examine the issue before the Bill goes to the other place, which I presume will be within the next few days.

There may be a loophole in the measures that deal with protest meetings. When we tabled amendments in Committee, we used the term counter-demonstrations. I accept that the Minister has gone a long way towards meeting our requests by redefining that term and coming up with the term protest meetings. That is cleverly linked with open-air public meetings so that the Public Order (Northern Ireland) Order 1987 can apply, but the use of the word meeting might suit people who are out to cause mischief. They could call a number of meetings along the route of a march rather than organise a counter-demonstration against a parade.

As the Minister knows, some marches cover quite a long distance. Several notices may be issued by groups holding protest meetings that they would seek to endorse on the basis of the fact that perhaps a different housing estate was being passed or the parade was going through a different locality. It is worth considering that point to ensure that when the commission comes to implement its policies, is not in any way, shape or form presented with difficulties by people who wish to cause mischief.

I have listened carefully to the debate on the Government amendment to remove mediation from the commission. Powerful arguments were advanced by hon. Members on both sides of the Chamber. Again, the Government may need to think carefully about whether they wish the commission to have a hands-on role in mediation, or whether we should have facilitators who, as we have heard already, have not necessarily gone about their work in the right and sensible way.

On the overall thrust of the Bill, as we said on Second Reading and reiterated in Committee, the Opposition are in broad favour of what the Government are attempting to do. The Bill stems from the North report, which the previous Government initiated, although we did not pick it up and run with it as quickly as the current Government have done. We recognise that they are attempting to solve this difficulty and, as long as they do that in a way that brings both communities together, the Government will have all our support.

1.6 am

Mr. McGrady: I unequivocally endorse the Minister's condemnation of the recent spate of murders immediately before and after Christmas. They were possibly the most horrendous and callous murders that the community has experienced for a long time. There are those who argue that there were two series of killings: so-called tit-for-tat killings following the assassination of Billy Wright in the Maze prison, with the Irish Republican Socialist party involved; and a second campaign to instil sheer terror by killing totally innocent Catholics who were unconnected with any organisation and had no public stance, but were just in the wrong place at the wrong time. I am glad that those killings, at least for the time being, seem to have been brought to a halt, but we are still under daily threat from the Loyalist Volunteer Force, which says that it will reintroduce a reign of terror if its demands are not met.

Against that background, the Bill attempts to resolve the problems of Northern Ireland's communities. I have said before that the necessity for the Bill is a bad reflection on those communities, in that we appear to be unable to compromise when that should obviously be the order of the day. Perhaps a bit of give and take, a bit of understanding and a bit of acceptance of a different view would have done away with the deep divisions that have been created by marches and counter-protests and the enormous economic and social damage that was done as a result of some of those confrontations.

[Mr. McGrady]

The commission will have to face such difficulties in its first term of office. It has to do the almost impossible: to square the circle and try to bring together those strongly held opinions—opposing rights or, if you like, opposing civil rights. I wish the commission well in that endeavour. My party tabled amendments in an attempt to facilitate the commission's work, to make it easier to accomplish and more acceptable to both communities. That was the spirit in which we approached the Bill.

I know that members of the Unionist community have often regarded the Bill as an anti-parade Bill. I do not see it that way. I would hope that the vast majority of parades, of whatever denomination or persuasion, are allowed to take place but, unfortunately, there are points of conflict and conflagration that have to be dealt with—they will not go away. I hope and pray that the commission, armed with the necessary powers, will bring the various differences to a happier conclusion. I hope that that will be the reward for all of us for passing the Bill.

I thank Ministers and the members of the Committee for our very tolerant and wide-ranging debates and for their expressions of concern. Those debates provided a flavour of the tremendous difficulties that the commission will face, and I hope that members of the commission will read the reports of the seven Committee sittings to get that flavour and that they will use it in their decision making. I thank Ministers for being ready to listen, accept and amend. Unfortunately, the Government sometimes rejected our best advice, but that is their prerogative. However, there was a fair bit of give and take. Not only Ministers were up front; various Officers of the House gave me and others assistance and helped make the whole process more intelligible.

I wish the commission well. I hope that what we are striving to accomplish through the Bill will be reflected in our future debates on Northern Ireland and that the tension with which the Bill is intended to deal will be removed from the communities in which we live and which we all love in our different ways.

1.12 am

Rev. Ian Paisley: I am sure that everyone will join the Minister in condemning the violence and the tragedies that have taken place. As the hon. Member for Foyle (Mr. Hume) said at his party conference some years ago, the IRA has killed more Roman Catholics than the police, the UDR or any other forces in Northern Ireland. We should put events into the right perspective. We should also put into perspective the fact that we have suffered a series of killings of Protestant people—a genocide of Protestant people. One has only to go to the graveyards on the border, to Castlederg, for example, to see that. One can see how family after family has been slaughtered by the IRA. Those killings were far more intense and extensive than any of the killings in recent days.

One night, I sat in a room with the Chief Constable and a group of men from Enniskillen who were all members of the UDR. They told the Chief Constable that there used to be 50 of them but that now there were 20. They said that if he came back in a few years, there would not even be 20, and there are not 20 now. I know what happened; it is a serious matter, so we had better remember that.

Mr. Trimble: I do not disagree in any way with the comments that the hon. Gentleman has just made, but it appears that there has been another shooting this evening—unfortunately, in my constituency, in the town of Lurgan. It would therefore be appropriate to mention that it appears that those responsible for the shooting are loyalists, although we do not yet know the circumstances or identity of the victim. In view of that, I am sure that the hon. Gentleman will join me in underlining our complete rejection and condemnation of such murders, particularly the incident that appears to have happened tonight. I am sure that he does not want his appropriate comments about other circumstances to lead people to assume that we do not condemn the recent murders.

Rev. Ian Paisley: I join the right hon. Gentleman without reservation in that. One of my ministers is under severe threat in that area. He has been told that he will probably be targeted and taken out. Everyone knows what is happening in Northern Ireland.

We are discussing this because the IRA's strategy is to develop bitterness in communities along the lines that we have seen. That is not just what we say—it is what they say. Gerry Adams, the chief of IRA-Sinn Fein, said on a well-publicised RTE programme that it had taken three years of preparation and planning to organise and orchestrate the anti-parade feeling, which he said would be exploited to the advantage of the Provisional IRA. What words could be clearer? He has exposed their intentions. They succeeded. The hon. and learned Member for North Down (Mr. McCartney), who is not here at the moment, made it clear that there are convicted terrorists in the forefront of the agitation, carrying out murders for the Provisional IRA and Sinn Fein.

Rev. Martin Smyth: There have been references to the past tonight. People might think that we are looking at the past. Looking to the future, is the hon. Gentleman aware of the seminars held last summer in which committees for estate control were set up throughout Northern Ireland? Each committee must contain at least one ex-prisoner.

Rev. Ian Paisley: Chairmen of community organisations have also been told to ensure that the officers appointed at their next annual general meeting include leading members of Sinn Fein and ex-prisoners. That is happening at the moment. The strategy for bringing the IRA's plan to its zenith is set in place. I am alarmed by hon. Members, including Ministers, suggesting that the Orange Order is to blame for what has happened. The Government have failed—

Mr. Ingram: Will the hon. Gentleman give way?

Rev. Ian Paisley: I shall give way in a moment or two. The Minister was not so quick to give way to me, so he can wait for it.

As we know, something happened in Londonderry. The leader of the Social Democratic and Labour party made it clear at the time that he had nothing to do with what happened and condemned it. That condemnation was accepted. Tonight, I heard the Minister praising people of the committee. My party did not get on to the committee. The Government have said that they are not going to appoint people in keeping with the community. The Democratic Unionist party is not regarded as part of the community. I get the largest vote across Northern Ireland in election after election for the European Parliament.

I must be part of the community. I do not know why the Government leave us off committees. It will not do them any good. If the community is not equally represented, the Government make trouble for themselves. Having said that, I shall give way.

Mr. Ingram: The hon. Gentleman said that Ministers had made accusations, and attributed blame to the Orange Order for the problems. He will not find one word during any stage of the consideration of this Bill, or anywhere else, that can uphold that charge. Indeed, in my opening remarks, I paid tribute to the Orange Order for the brave decisions that it took during the 12th weekend last year. I wish that the hon. Gentleman would get the facts right when he is speaking about very important issues such as this.

Rev. Ian Paisley: If the hon. Gentleman reads in *Hansard* tomorrow what his hon. Friend the Under–Secretary said, and not what he tried to say, I shall be proved right. Let us just keep to the facts.

People say on television that they will not tolerate the majority of the thugs. Who was the majority? Who did we hear saying that the bully boys were out? I live in Northern Ireland. I hear what Ministers say, and I hear what others say, too. The Orange Institution and the Protestant people are not responsible for this. This has been orchestrated by the IRA.

I was called to order earlier because I was exposing the IRA. Now, on Third Reading, I can make the statement that I wanted to make. Who are these IRA people? One is a man called Martin McGuinness. If I said things about him in the House, people would say, "That's just Ian Paisley," but I have in my hand an article written by a Roman Catholic journalist from the Bogside. She takes Martin McGuinness to task; she deals with him as she knows him. Those people are organising what the Government say they are going to deal with. She of course supports the Bloody Sunday investigation.

This journalist says about Mr. McGuinness:

"How dare you, big chief republican, current killers' mouthpiece, former killers' colleague, clamour for prosecutions.

If we inquired into the entirety of the violence of the early 1970s with half the vigour you want for the Bloody Sunday investigators, who would stand accused beside the paratroopers.

'I think General Sir Robert Ford (Commander of Land Forces in Northern Ireland in 1972) in particular is going to come under the microscope,' you said.

It's a pity you could not go under with him. Perhaps the search for truth and justice will someday uncover the role of command you had in another land force of the time."

That is where I was stopped in the previous debates. The article continues:

"Mrs Rose Heggarty must long to know."

Who is Rose Heggarty? The article continues, saying to Martin McGuinness,

"You promised, on bended knee, that her son was safe to return from exile.

He was in hiding from the IRA who had threatened to kill him. You promised and cajoled and charmed her into telling him to come home.

A few boys would question him and he'd be free to go, you told her. His sister drove him to the appointed place. His sister, unwittingly, drove him to his death. He was shot and his body unceremoniously dumped.

Those women long for the truth behind that atrocity. They won't hold their breath waiting for you to speak it.

As Sinn Fein spokesman, your truths, like your morality, are selective. Your double standards are sickening . . . Sinn Fein should shut up . . . They have covered a dirty, murky, bloody past of their own in a way that makes Widgery look positively Godly."

That is a statement not of a Unionist leader or an elected leader, but of a Roman Catholic journalist from that area. She knows what people have had to put up with.

Martin McGuinness is a man who has been behind the whole thing as an agitator, yet now we hear condemnations of ordinary decent law-abiding citizens simply because they want to hold on to their culture and heritage. The House needs to realise how deeply all that goes into the quick not only of Protestant people but of people such as Mrs. Heggarty.

What about the bodies that the IRA, although it knows where they lie, will not give up for decent Christian burial? Yet I am told that I have to negotiate with such people and reach some sort of rapport with them. Ministers say that they hope that the two sides will come together. How can we come together with such a person, who has never once breathed a regret that those things should have happened?

Tonight, we are dealing with a Bill about processions, and we all know where it is directed. It is directed against Orangism, the Black Institution and the Apprentice Boys of Londonderry. We shall see that when it comes into operation.

Something else needs to be said in the House tonight. The suspicion in Northern Ireland is that the reason why there has been a shift from putting the commission in the front line to adjudicate, is that the Government know that the ordinary general public have had a bellyful of that kind of thing, and will not take too well to people telling them that they have to make their peace with the Martin McGuinnesses and the Gerry Adamses of this world, despite the fact that those men fomented the conflict and brought it into being.

Now the commission will be in an ivory tower. It will not be down at the coal face seeing what is happening. Already, unofficially appointed facilitators who have happened to obtain the names of people who have made applications for parades are going round trying to talk to them. How dare any Government or authority hand names over to a commission that is not yet in position, and get it working already on making calls to those people? If that is the way things are to be done, no wonder there is outrage among the people concerned.

We had better realise now that that will not be a solution. I have been a Member of the House since 1970, and I have heard many similar debates down through the years, in which people have said, "We have come to the end; we are going to get a solution." The solution that was put to us—

Mr. William Ross: The hon. Gentleman has been explaining to the House that some people who ran processions last year are getting telephone calls from the facilitators—or whatever the Dickens they are called. How do the facilitators get hold of those names and telephone numbers? After all, the only people who should know them are the police. Did the Government release the names? If so, why?

[Mr. William Ross]

The names are those of ordinary citizens—men and women who hold no public position whatever—and they are now being exposed in their own communities to harassment, danger, intimidation, terror and threat of death. The hon. Gentleman knows that one of the Unionist councillors elected in Londonderry in May has had to leave the city because of threats. There are supposed to be at least 30 other people under threat of death from the terrorist organisations at this moment—yet those terrorists are the people with whom we are supposed to be doing a deal.

Rev. Ian Paisley: The only way in which people could have those names and numbers is through the applications made to the police. That is where the first names were removed. Evidently, the names came into the hands of the commission, and although it will not be fully appointed until the Bill becomes law, it is already employing people to telephone and say that they want to talk about next year.

A friend of mine who lives in the constituency of the right hon. Member for Upper Bann (Mr. Trimble), the leader of the Unionist party, has been called by the police and told that people want to talk to him about what is to happen in July. That is going on, and it is not right. I want the Minister to dissociate himself from that and say that there is no right to do that until the machinery is in place. That is his responsibility.

It is terrible that information about people signing a document for a parade should become public property. Information on a secretary of an organisation should be confidential to the security authorities. Everyone can be put on a death list, and everyone can be subject to intimidation from those who want to deal with the particular interest that that person has.

I was amazed that the Minister said that the body had to be representative of the people, but added that he was going to bring in people from other parts of the UK to be on the body. I do not know how in the name of goodness the Government can twist the Bill to say that the body will represent the community. A person who is not a member of that community is not in a fit position to represent it. He must be a member of the community, he must live in it and he must know something about it. It is like saying that an hon. Member should represent a constituency but should never go near it, have nothing to do with it and just tell the people what he wants.

I have heard claims about the vast majority of the people of Northern Ireland wanting this, that or the other thing. However, the people making those claims never submitted themselves to the electorate. The Government say that they told the people that, if they came to power, the Bill would be passed, but they never put up one candidate. I understand that their party does not permit anybody to organise in Northern Ireland—yet the Government say what will be done. That is not what was done in Scotland or Wales, where the people were given a referendum and were permitted to say what they wanted.

When the Government see that the Unionists in this House together have one mind on this issue, they should pay a little heed to what Unionist leaders are saying. If the Government steamroller on, the sad thing is that it is not the Government but the ordinary people of Northern Ireland who will reap the consequence, with all the trouble and problems that that will bring. The people of Northern Ireland will have to reap the whirlwind that comes from the sowing of the wind. The House should take note of that.

Northern Ireland is in an evil case because there has not been a frank and forthright facing up to those who intend to take it down an evil road. We have seen what the IRA is doing, and it has succeeded. Nobody is more happy that we are having this debate tonight than the IRA, and nobody is more happy that the Bill is going through. The Bill is a nursery of grievances. People wishing to demonstrate are given less time than the people who are to organise the parade, and they can do it.

Even if those involved do not give the 21-day notice, they have a way out. Is it not practical for them to say, after receiving 28 days' notice, that they are to protest? That is the law of the land, which will bring a reaping of tears. The Bill will not bring the peace and reconciliation that we are told it will bring. It will bring confusion and help the IRA with their dastardly work. We shall reap a sad harvest of this night's work. It has happened before in this House and it is happening again tonight.

Representatives from Northern Ireland only can feel heart sorrow for their people and for the people of all representatives, because the SDLP Members and others who represent another strand of society have their difficulties too—no one knows that more than I. No one in North Antrim or Northern Ireland, whether Protestant or Roman Catholic, can point a finger at me and say, "You don't represent your constituents," because I do. I represent them all and I know how they all feel. I say to the House, do not think that this measure will be any panacea for this ill; it will make it worse.

1.34 am

Mr. William Ross: The Minister started his speech on Third Reading by referring to recent murders in Northern Ireland, and the implication of his remarks was that the Bill would go some way toward resolving the difficulties that Northern Ireland experiences. The last time I heard that was when Mrs. Thatcher told us in 1985 that she had signed the Anglo-Irish Agreement, because something had to be done to stop the violence. At that time, my wife wrote to Mrs. Thatcher and said that the blood of every man and woman who died from that day on would lie on her head, because she had sold out to the threat of violence. She would never have signed that deal had it not been for the IRA, its murders and its violence. We all knew that that was true and the end result is that there has been a lot of bloodshed from that day to this.

Tonight, the Minister stands and tells us that the Bill will stop the violence. The hon. Member for North Antrim (Rev. Ian Paisley) has been in the House longer than any of the rest of us from Northern Ireland and has said plainly that the Bill is a factory of grievances. I have heard that expression used in respect of Northern Ireland legislation before on many occasions, and every single time it has been used, events have proven it correct—the downstream consequences have proven that our words were absolutely accurate. However, it does not seem to matter how often we are right in this place; the Government, of whatever complexion, go on doing their own thing and the end result is more and more misery for those whom we represent.

The Minister may sit and chatter and laugh and think that he is going to have a wonderful time this coming summer. He referred to Drumcree, the Ormeau road and

Londonderry and the implication is that, by passing the legislation, all those things will be prevented in future. However, the only person who could draw that conclusion from the events of the past year or two is one who completely misunderstands what is going on in Northern Ireland.

The Government are accepting the Sinn Fein-IRA analysis, as they call it, of the situation, but that analysis is totally false. The real analysis is that Northern Ireland is suffering from an assault on its constitutional position by a terrorist organisation—a ruthless, violent and evil terrorist organisation. Despite the fact that Sinn Fein-IRA have had the same opportunity as anyone else to ask people to vote for them over a long period of time, they have never been able to convince other than a small fraction of the population of the rightness of their cause or of the merits of a united Ireland. Because they could not convince people, they turned to violence—it is as simple and as straightforward as that.

Faced with a terrorist organisation, one has a simple choice: one can defeat it or one can be defeated by it. This House has been constantly defeated by it for the past 30 years. It is from this House that the men, the material and, above all, the political will have to come to defeat that terrorism. That will has been sadly lacking throughout my period—and more than my period—in this place, and I have been here longer than most hon. Members present tonight.

Today we shall wind up with a Bill. Where do we go from here? We are told in amendment No. 27 that the Government want to

"secure that as far as is practicable the membership of the Commission is representative of the community in Northern Ireland."

As has been said, people cannot be representatives of the community unless they live in it. It was not even possible to find a chairman who was representative of the community. It was necessary to appoint someone who had experience of settling industrial disputes in Great Britain, as if Northern Ireland was an industrial dispute rather than a terrorist war.

There was a mess in the group of amendments to which I have just referred, when even the Minister could not get his amendment right. Instead of a provision that reflected percentages of population and the number of commissioners, we ended up with a quorum of three, regardless of whether there are two, three, four, five or six members of the commission. That seems crazy. But there we are; that is the way it is.

We are told that the marchers, the people of Northern Ireland, must seek agreement with their neighbours. They will not have to seek agreement with ordinary, decent neighbours, however, because those neighbours are not causing any trouble. Instead of throwing stones, those people are getting on with their lives. However, marchers are told to do a deal with the IRA. Perhaps the Minister wants to deal with the IRA, and there are a hell of a lot of people in Northern Ireland who think that that is exactly what the Government are up to. I repeat: there are a hell of a lot of people in Northern Ireland who think that that is what the Government are up to. That is what colours the approach of many of us to this Government, given their behaviour in Northern Ireland.

I will not go much further than to say that some of us have the gravest suspicions about some of the things that happened under the previous Administration and the one before that. We cannot understand how anyone can be so blind to what is happening in Northern Ireland as successive Administrations have been in this place. Surely they must have been, and are, wilfully blind and wilfully unwilling to face facts.

Those of us who live in Northern Ireland understand the situation. Although I and others have expressed our views in the House, we have been constantly ignored. The result is the state in which we see our Province.

The House has ensured that democracy will not work in Northern Ireland. It will not allow democratic standards to work in Northern Ireland. In Scotland and Wales, no matter what happens, it is proposed that there will be majority rule. When was majority rule ever dreamed of by any occupant of either Front Bench for Northern Ireland? It has never been considered for more than 30 years. The Government then try to tell us that the House lives by democracy. I say to the Government Front Bench, "Gentlemen, if you are to make us believe that, you had better start acting according to what you say, rather than saying one thing and doing another." To say one thing and do another in present conditions and in the current situation, so far as the people of Ulster are concerned, is nothing more nor less than base treachery.

1.42 am

Mr. Thompson: We are near the end of a long debate on the Bill. Anyone who has read the Bill and listened to all that has been said must realise that while Ministers have not criticised the Orange Institution or the Loyal Orders, the implication can be only that the Bill is designed to act against them.

When we read the guidance notes, the code of practice and all the rules and regulations, we find that in the main they are directed at the Loyal Orders and the Protestant community in Northern Ireland.

At the last minute, to seek to appease us, the Government threw in notification of those who wish to protest against parades. The responsibilities that they will have will be far fewer than those that have been placed on those who wish to hold parades.

The Bill will produce more bureaucracy, more objections and more trouble for those who wish to hold parades, who will have to notify others that they wish to exercise their rights. Indeed, we have been told tonight about the plans that are going ahead in certain quarters to produce more protests in Northern Ireland. There is no doubt that, as time goes on, that will happen.

The Government must recognise that the Bill does not have the support of the majority of the people of Northern Ireland, or of the elected representatives from Northern Ireland, yet they have chosen to ignore our arguments. The Government are determined to drive on in their own sweet way, irrespective of what the majority think. That is a negation of democracy.

As my hon. Friend the Member for East Londonderry (Mr. Ross) said, we who represent the majority in Northern Ireland are tired of being treated as second-class citizens in Northern Ireland. Everywhere else in the United Kingdom, elections can be held and the majority get their way and are entitled to rule. In Northern Ireland,

[Mr. Thompson]

however, we are second-class citizens. We can have elections and win them, but it does not make one bit of difference, because we do not get the results of those elections, and we are not allowed to have our way. That is a derogation from democracy.

The Bill is completely impracticable. Anyone who knows anything about parades in Northern Ireland knows that. The idea that a commission of six people will be able to review all the parade applications in Northern Ireland in order to decide whether there should be a determination against them is nonsense. In May, June and July, they will be overwhelmed with applications. It will be an unacceptable work load for them to meet and to dissect each application, and decide whether a determination is necessary.

Moreover, the Bill will mean that on the day of a parade, the police will have fewer powers than they have now. That will create more problems, as there will be more people out on the streets objecting to loyalist parades.

We cannot accept that an unelected body nominated by the Secretary of State can take decisions on law and order. That body is unacceptable to the elected Members from Northern Ireland. The Orange Institution has said clearly that the Parades Commission is unacceptable to it. We had hoped that the Government would make substantial changes during these debates, and that they would take our views on board more than they have, but they have refused to do so.

When the trouble comes, when it escalates, and when we have more objections, the responsibility will lie entirely and exclusively on the heads of this Administration, who have sought to impose this disastrous Bill on the people of Northern Ireland.

1.48 am

Mr. Öpik: We, too, record with the greatest sadness the violence of the year so far. Lest we forget what we are doing here, let us recall the terrible headlines that remind us that this is no academic debate. It is a stepping stone, I hope, to a more secure present and future. It is tragic to learn that, even as we have been discussing what we hope is a path towards peace tonight, another life has been taken in Northern Ireland. Our thoughts must go to the family and friends of that victim.

Parades are a unique part of Northern Irish life, and it is sometimes hard for people on the mainland and abroad to understand how very important they are. The hon. Member for South Down (Mr. McGrady) referred to give and take. It is sometimes hard—

Mr. Ingram: I am sorry to interrupt the hon. Gentleman, but I do not believe that another life has been lost in Northern Ireland. According to my information, there has been an incident, but no loss of life. I do not want the hon. Gentleman to misinterpret the remarks of the right hon. Member for Upper Bann (Mr. Trimble).

Mr. Öpik: I am glad to hear that the incident is not as serious as I thought. Nevertheless, the continuation of violence at any level is greatly regretted when we believe sincerely that a ceasefire and a cessation of violence would be in the best interests of Northern Ireland and the future of the United Kingdom as a whole.

It is difficult for people to identify any way forward when there appears to be such intransigence—such a big barrier—dividing the communities in Northern Ireland. Some actions may appear to be symbolic, but that symbolism is very important and can lead to real, practical changes that impact directly on other processes that we desperately hope will produce a lasting settlement. We should remember that only a tiny minority of parades that are held every year in Northern Ireland involve flashpoints and incidents. However, those flashpoints justify this legislation.

Tonight's debate has revealed the intricacies of the issue. The Liberal Democrats are not 100 per cent. satisfied with the final outcome, but we believe that the legislation is a big and important step forward. It establishes a strategy and gives the commission a clear mandate on how to proceed. I do not envy those in Northern Ireland who must perform what must be regarded as one of the most difficult functions in the Province. I believe that mediation will be one of the most testing aspects of the commission's work, and precedent and experience will clarify that process. It is sometimes difficult for Governments to concede ground, but the Minister withdrew an amendment earlier. I hope that the Government will continue to listen to a variety of opinions about Northern Ireland.

The Bill will not bring peace to Northern Ireland—it is only a small part of the process, and addresses the symptoms of the problem and not the underlying cause. The process is slow. It is now nearly 2 am, and the hon. Member for East Londonderry (Mr. Ross) said that he would debate the legislation all night if necessary—although we have already been here for much of the night. That says something about the debate and the character of Northern Ireland. There is a passion peculiar to the issue that tends to keep us here. Whatever one may feel about the contributions of other hon. Members, there is no doubt that they are offered sincerely. The progress of these debates has great gravitas, and I am sure that their importance is not lost on a single hon. Member.

In many ways, the wonderful passion of Northern Ireland is also what divides it. In that sense, one of Northern Ireland's greatest strengths is also its greatest weakness. There are many good, decent people here tonight who are doing their best to secure an enduring peace that will help to heal the divisions in Northern Ireland. The Liberal Democrats support the Bill, knowing that it is not us but the good people of Northern Ireland who, by their actions, will ultimately determine when the commission's work is done.

1.54 am

Mr. Peter Robinson: I join the Minister and other hon. Members who have already condemned the outrages of the past few weeks in Northern Ireland. From before Christmas, there have been a number of deaths and serious injuries. The serious injuries have been a daily occurrence in the Province. It is right that each one of us should in the strongest and clearest terms condemn the organisations that carry out the shootings, killings and beatings in the Province, whether they be the Ulster

Volunteer Force, the Ulster Defence Association, the Ulster Freedom Fighters or the Loyalist Volunteer Force, or the IRA or the Irish National Liberation Army, or whatever other flag of convenience those organisations may choose to use.

For the past few weeks, literally dozens of people have had their knees either bashed with hatchets, baseball bats or iron bars, or shot, as part of the rule of law that those terrorists would seek to impose on the areas in which they live. People have been killed in the most brutal circumstances. During the past few weeks, a young man trying to earn money for his young family by taking a taxi round was found in the middle of the road in a pool of blood, having already been struck in the face before he was shot in the head.

Another man out in a digger, working in an area where he was supporting two blind brothers, was shot. Neither of those people had the remotest connection to any terrorist organisation or appears to have any political background whatever. They were innocent people, picked out and shot.

We have to ask ourselves, because it is relevant to the debate, why terrorists carry out such activities. The sad reality is that they are rewarded for doing so. We can all condemn them, but there is no use condemning the acts of terrorists and then rewarding those terrorists thereafter. If Gerry Adams is elevated, it is in effect saying to those whom Gerry Adams sent out to kill—yes, himself, sent out to kill—that we are forgetting the deaths that he caused and the acts that he carried out. Whether it was La Mon or Bloody Friday, he was the man who sent people to carry out those killings. Where is he today? He is sitting around a negotiating table with the Government, having been elevated by the previous Government to a position as if he were a statesman in our Province.

We must not condemn on the one hand and elevate and reward on the other. The Bill is about rewarding terrorism. Let no one think that this is an attempt to resolve problems in Northern Ireland that the Government would have made anyway. This has been promoted by the Provisional IRA. On the boast of Gerry Adams, it attempted to disrupt parades which for decades, in some cases more than 100 years, have passed off peacefully. It spent years doing it and it succeeded in doing it. It did so because it wanted to attack the Protestant and loyalist culture; it wanted to undermine the Unionist tradition. It has effectively succeeded in so far as it has got the Government to set in motion a process that the Government before too long will come to regret.

What have the Government done by this legislation? Have they stopped one parade or counter-demonstration? Have they resolved one dispute between concerned residents and marchers? Not at all. They have set in motion a procedure that complicates, confuses and blurs the issues. They have resolved nothing by this legislation. They have, if anything, made it more difficult to resolve the issues.

The issues can be resolved only through mediation. The Government have deliberately taken the role of mediation away from this body. They have done nothing to contribute towards getting peace and stability in the Province, and before too long I rather suspect that the Minister will have to come back to the matter, and the Bill will go the way of many other attempts to resolve the issue of parades in Northern Ireland—into the trashcan.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 121, Noes 9.

Division No. 153] **[1.59 am**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale)*
Austin, John
Ballard, Mrs Jackie
Betts, Clive
Blears, Ms Hazel
Boateng, Paul
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burstow, Paul
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell-Savours, Dale
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coffey, Ms Ann
Connarty, Michael
Cotter, Brian
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Davidson, Ian
Dawson, Hilton
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Ennis, Jeff
Etherington, Bill
Foster, Don *(Bath)*
Foulkes, George
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Godsiff, Roger
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Henderson, Ivan *(Harwich)*
Heppell, John
Hill, Keith
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Livsey, Richard
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McGrady, Eddie
McGuire, Mrs Anne
McNulty, Tony
McWilliam, John
Marek, Dr John
Marshall, Jim *(Leicester S)*
Michael, Alun
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Mountford, Kali
Mudie, George
Mullin, Chris
Norris, Dan
O'Hara, Eddie
Öpik, Lembit
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Pope, Greg
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, Dawn
Purchase, Ken
Reed, Andrew *(Loughborough)*
Rendel, David
Rooker, Jeff
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Stewart, Ian *(Eccles)*
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Vis, Dr Rudi
Wareing, Robert N
Watts, David
Williams, Alan W *(E Carmarthen)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. John McFall.

NOES

Beggs, Roy
Forsythe, Clifford
Hunter, Andrew
Maginnis, Ken
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Taylor, Rt Hon John D *(Strangford)*
Trimble, Rt Hon David

Tellers for the Noes:
Rev. Martin Smyth and
Mr. William Thompson.

Question accordingly agreed to.

Bill read the Third time, and passed, with amendments.

Green Belt (Sutton Coldfield)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.10 am

Sir Norman Fowler (Sutton Coldfield) *rose—*

Mr. Brian Jenkins (Tamworth): On a point of order, Mr. Deputy Speaker. I seek your guidance and ruling on whether this Adjournment debate should be allowed to proceed. The right hon. Member who has been awarded the privilege of this debate is none other than the right hon. Member for Sutton Coldfield (Sir N. Fowler), who is the official spokesperson for the Opposition. He is a Front-Bench spokesman, and at any time he can put his views at the Dispatch Box. In fact, he did so fairly recently.

The Opposition day motion on 27 January 1998 was on the protection of the countryside. Although the right hon. Gentleman did not make a speech in that debate, he intervened and mentioned the item that is under discussion tonight, so he had the opportunity to pursue this matter just over a week ago.

Will you, Mr. Deputy Speaker, as the defender and guardian of the rights of Back Benchers, rule that this debate is inappropriate? We saw earlier the spectacle of a Front-Bench spokesman riding on the back of a Back Bencher's amendment. What is to prevent every Front-Bench spokesman, or even every Minister, from lining up and shutting out Back Benchers?

Mr. Deputy Speaker (Mr. Michael Lord): I understand the hon. Gentleman's point of order. There is no bar to Opposition Front-Bench spokesmen speaking from the Back Benches in an Adjournment debate. That is normal, and it is entirely up to them whether they speak on constituency interests or on other subjects.

Sir Norman Fowler: I deeply resent what the hon. Member for Tamworth (Mr. Jenkins) has just said. I also deeply resent the fact that he gave me no notice of his point of order. I am responding to what the Minister for the Regions, Regeneration and Planning said in a debate on regional development agencies in which I intervened. He told me that I should raise this matter as a constituency issue. He will confirm that.

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): That is absolutely correct.

Sir Norman Fowler: I hope that the hon. Member for Tamworth will accept that I have a right, just as he does, to speak for my constituents, and that is precisely what I intend to do.

I first raised the issue of the green belt in Sutton Coldfield in an Adjournment debate in May 1996. I pointed out the danger to the green belt from a proposed industrial development near Minworth in my constituency. That site on the edge of Sutton Coldfield and Birmingham is 150 acres of agricultural land in active use. There is nothing marginal about that land: it is undoubted agricultural land, and undoubted green-belt land.

In May 1996, during the previous Parliament, I asked for the application to develop that land to be called in, and for a public inquiry to be held. I wanted a proper determination of the case and of green-belt policy generally. I said that, if the Minworth site were developed, the future of the green-belt policy would be in severe doubt. I am glad to say that my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), the former Secretary of State for the Environment, called in that application, and a public inquiry was duly held.

It is the events that have occurred since then that I want to draw to the House's attention. What has happened sounds a warning for everyone who is interested in the future of the green belt and the protection of the countryside.

I shall summarise the history of the scheme. It centres on the efforts of the West Midlands development agency—which seeks to encourage inward investment—and the Department of Trade and Industry to persuade Philips to site a micro-electronics factory in this country. Philips was known to be examining the prospects of such a factory, and a joint effort was made to bring it to the west midlands.

There is no doubt that Philips was the intended user of the site. That was made clear to me in discussions in which I engaged in 1996 with both officials and Ministers in the Department of Trade and Industry. The question was not that; the question was where the factory should go.

It was at that point that Birmingham city council came into the story. The council owned the majority of the Minworth site. If it could sell the site, it would make a substantial capital gain—probably £30 million or £40 million. The council thus had a direct financial interest in developing the land, and all the evidence suggests that it used its power to ensure that the Minworth site was chosen. It was in a strong position: it not only owned the site, but was the planning authority.

At the time of my earlier Adjournment debate, there were two possible sites. One was owned by P and O, and one by Birmingham city council. The councillors in Sutton Coldfield, local residents and I were opposed to both. The council, however, used all its power to ensure that the site that it owned was chosen.

According to the evidence given at the public inquiry, the council, as the local planning authority, made no serious attempt to carry out a comprehensive comparative evaluation of the two sites, and consistently applied double standards in favour of its own land. Nevertheless, even the council was unable to force the proposal through without a public inquiry once my right hon. Friend the then Secretary of State had acted.

We proceeded to the public inquiry. The West Midlands development agency was represented by a Queen's counsel and a legal team. P and O was represented by a QC and a legal team. Birmingham city council was represented by counsel and a legal team. PowerGen, which was putting forward an alternative site, was represented by a QC and a legal team.

The only group that had no legal representation were the residents of Sutton Coldfield. The residents, the councillors and I appeared without the benefit of those expert legal teams. Nevertheless, when it came to the inspector's recommendation to the Secretary of State, he recommended that planning permission be refused on both sites where permission was being sought. In normal circumstances, that would have meant that the 150-acre site was saved.

The inspector heard all the arguments about the green belt. I pay tribute to the thoroughness of the inquiry. He heard all the arguments about the damage to the countryside; indeed, he said that the development would lead to considerable and severe harm to the green belt in physical, visual and functional terms. He also considered all the arguments that were advanced about the employment consequences of a possible development—although it must be said that I regard some of those claims as totally fanciful.

There was one argument, however, that even the inspector was unable to examine. Although the whole aim was to attract Philips to the site, the company itself refused to allow its name to be attached to the application. That meant that no questions could be asked about the siting of the factory or, indeed, about the urgency of the issue. Government guidance is that any green-belt development should not be approved other than in exceptional circumstances. Without the end user, it was impossible to tell whether such circumstances applied. Philips was therefore unwilling to become involved in the controversy surrounding the site.

That decision had one other profound effect, because, to all intents and purposes, the application became speculative. There was no named end user. The duty on the inspector was to decide whether, exceptionally, a factory of the kind proposed should be sited in the green belt.

The inspector's finding was unequivocal. Both proposals, the one by P and O and that by the West Midlands development agency were rejected. He said that they would have resulted in a substantial loss of the best and most versatile agricultural land. That independent inspector stated:

"In the absence of compelling reasons for making an exception to national policies for protecting land as a national resource, both proposals are unacceptable."

In normal circumstances, that would have been the end of the matter. Accordingly, the inspector recommended that, in both cases, planning permission should be refused. The inspector, Mr. C. H. Johnson, presented his report to my right hon. Friend the then Secretary of State for the Environment in April 1997 in the midst of the election campaign. Entirely correctly, it was left until the outcome of the election was known for the new Secretary of State to make a decision.

I now come to one of the most disturbing parts of the whole story. Although the report was with Ministers from the day the new Government took office, no statement was made about it in the Session to the end of July. The Minister for the Regions, Regeneration and Planning, who will reply to the debate, announced the Government's decision not when Parliament was sitting but a week into the summer recess, on Friday 7 August. That must rank as one of the crudest attempts we have known to manipulate the press and to slip out what was recognised as a controversial statement. I have contempt for those tactics.

It was not just the crude attempt to fix that is so objectionable. The Minister's timing meant more than that. It meant that much of the 42-day period in which

[Sir Norman Fowler]

residents had to consider an appeal to the courts for a judicial review occurred in the middle of the holiday period, when it was difficult to get people together. No one should have worried, because the potential cost of raising a challenge in the courts for a judicial review, which would not in any event have reversed the position, is prohibitive. If we could not afford legal advice in the first place, it was unlikely that we could have afforded the cost of seeking a judicial review.

That is the story of how permission was granted for the development of the site and how it was announced. It is not a story from which any of the major players can take pride. At times, there was a shabby and discreditable effort to override the will of local people, and the views that have been expressed on the matter are clear. One of my constituents, whom I saw at the weekend, has written to me. He states:

"I have been a Labour voter for 15 years, not least because I have a strong social conscience. However, this same conscience has been alarmed by the events of the last two years . . . Minworth lies within Sutton Coldfield. However, in no way could the village be described as being affluent!"

My constituent made a further point:

"Birmingham claims that the main reason for supporting Peddimore is the economic diversification it would bring—and yet we learnt from PowerGen at the Public Inquiry that it was first offered to Rover/BMW (bidding against Hams Hall)."

It was not for Micro Electronics.

The Warwickshire branch of the Council for the Protection of Rural England stated:

"We write to express our strong opposition to, and disappointment at, your decision to allow the planning application . . . This decision sends a signal to developers, local councils with land the wish to develop, and the Quangos set up to promote regional economic development that Green Belt land around cities can be released for development."

There are many other letters of the same sort, but I do not have time to quote from them.

Mr. Brian Jenkins *rose—*

Sir Norman Fowler: I will not give way, I am sorry.

As it happens, no developer has yet come forward; Philips has not, and nor has anyone else. Nevertheless, the permission stands. The inspector's recommendation that, if there were any prospect of permission being given, it should be time limited, was again rejected by the Government.

Basically, therefore, 150 acres of green-belt land are to be destroyed, but the prospect is that that will not be an end to the process. The council, which both owns the land and is the planning authority, will make further proposals. Unless we are careful, there will be a step-by-step domino destruction of the green belt around Sutton Coldfield. Of that there is very little doubt.

What are the lessons of the Government decision? The first is that, although this happened in Sutton Coldfield, it could happen anywhere. As the law stands, the Secretary of State is the final judge and jury in such a case. This Secretary of State talks about the importance of the green belt, but it is deeds, not words, that matter, and this decision brings his position into considerable doubt.

There is a further point. In many ways, the West Midlands development agency is the forerunner of the new regional development agencies, which the Government are setting up. RDAs will also be called on and expected to put together land that can be used for inward investment projects. Like the West Midlands development agency, RDAs are not accountable locally to electors; they are not elected bodies.

Over the coming months and years, other green-belt sites will be put forward, and who is the Minister responsible for regional development agencies? It is, of course, the Minister who is also responsible for planning decisions: the Secretary of State for the Environment, Transport and the Regions. He is to be judge and jury in his own cause. That raises matters of great concern: constitutional, legal and political concern. We—and, I hope, others—will want to return to the issue.

The die has been cast for the Minworth site. The decision has been taken. The green belt is to be destroyed. It is an act of vandalism. The responsibility lies first with Birmingham council, but, above all, with the Government, who have rejected the independent inspector's report. It seems pointless to have such inquiries, to ask learned and expert people to act as planning inspectors, to take evidence and to cover the whole area, if the Secretary of State simply rejects the inspector's recommendation; but that is precisely what has happened in this case.

The Minister for the Regions, Regeneration and Planning has accused me of being passionate about the green belt. That is true, but I am also passionate about justice, and I do not believe that justice has been remotely done. I deplore many of the individual actions that have been taken in this case, but, above all, I deplore the decision. In the light of this evidence, I cannot see how anyone can trust this Government to preserve either the green belt or the countryside.

2.28 am

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): I remind the right hon. Member for Sutton Coldfield (Sir N. Fowler) that the powers that we will give to regional development agencies will be those that were invested in English Partnerships. Indeed, his Administration, when he was a member of it, gave English Partnerships those powers. It was accountable to the Secretary of State for the Environment; there is no difference.

The right hon. Gentleman has reminded us that he raised his constituency green-belt concerns in an Adjournment debate on 8 May 1996. I have taken the trouble to read what he said, and to remind myself of what the hon. Member for Mole Valley (Sir P. Beresford), as the Minister replying for the Government of the day, said in response. He referred in particular to the national planning policy framework for the green belt: planning policy guidance note 2. He also drew attention to the framework of regional planning guidance in RPG11.

I stress two points. The current national policy framework for the green belt is the one put in place by the Conservative party when it was in government, and the regional planning framework is also that put in place by the Conservative party. We inherited that framework. We have already announced some of our proposals for modernising the planning system and strengthening the regional planning guidance in particular. My right hon. Friend the Deputy Prime Minister will be making further announcements in the near future.

We are moving things forward and addressing the issues, but we cannot indulge in the "If I were you, I wouldn't start from here" approach. We have to start with what we inherited, and that means taking decisions in accordance with the framework that we inherited. We have done just that. If the right hon. Gentleman did not like the framework, what did he do about it when his party was in government?

As I said, we inherited the green-belt policy from the previous Administration. We are accused of weakening it. Let me make it clear that we have no such intention. Our policy is as set out in PPG note 2 of January 1985. There is a general presumption against inappropriate development in the green belt. Inappropriate development is justified only if there are very special circumstances whereby the benefits of the proposed development outweigh the harm that could be done to the green belt. We attach great weight to any changes to the green belt which inappropriate development might cause.

The right hon. Gentleman raised the particular issue of the decision last August to grant permission for a major inward investment site at Peddimore in his constituency. The reasons for the decision taken on the Peddimore case were set out fully in the decision letter dated 7 August 1997 to which he referred. This followed a full public inquiry into the proposals and a very careful consideration of the inspector's report.

The background to the Peddimore decision is RPG11—issued, I remind the House, by the previous Government—which recognised that the lack of sites for major inward investment was holding back economic development in the west midlands. RPG11 recommended that up to two large major investment sites should be provided. Following publication of RPG11, a joint study by the West Midlands Regional Forum of Local Authorities concluded that no brown-field site of suitable size was available in the region. The study identified the Minworth area, where Peddimore is located, as one of two priority areas in the region for locating major industrial inward investment.

The right hon. Gentleman makes much of the fact that we disagreed with the inspector's recommendation to refuse the application. This was a case where a balance had to be struck between economic prosperity and harm to the countryside. Our decision letter acknowledged the serious changes that the development would cause to the green belt, but we gave greater weight than did the inspector to the region's need for inward investment sites, as identified in RPG11, and to the potential economic benefits that a micro-electronics fabrication plant would bring.

The right hon. Gentleman also tried to make much of what he calls the speculative nature of the development proposal, but I think he is missing the point. The permission at Peddimore is tightly conditioned. It is for a micro-electronics fabrication plant. It does not create a precedent for any other type of development on the green belt at Peddimore. If the proposed development does not go ahead, the site will remain undeveloped green-belt land. If, on the other hand, proposals are made for alternative development, they will have to go through the planning process and be considered on their merits. I stress that point. So the conditions for the Peddimore site are very tightly drawn.

I understand people's concern about the green belt and the implications of new developments. These cases involve taking hard decisions. In this case, we were satisfied that the potential benefits outweighed the potential harm.

The right hon. Member for Sutton Coldfield has consistently opposed the proposed development at Peddimore, but I imagine that he would be the first to welcome the jobs and wealth created in his constituency if the proposed development went ahead.

Let me make another observation. The right hon. Gentleman has told us how much opposition there is to the decision. We have heard about petitions to No. 10, and about his doubts. He even wants to change the law so that people can appeal against the Secretary of State's decision. In the statutory six-week period after the decision, neither he nor anyone else exercised their right to challenge it in the High Court.

Sir Norman Fowler *rose—*

Mr. Caborn: I want to get everything on the record. It is right that the right hon. Gentleman's constituents should hear the other side of the argument, probably through *Hansard*.

The right hon. Gentleman has referred to pressure on the green belt boundary in his constituency. Let me remind the House what the policy is and what RPG11 has to say on the matter.

Green belts are established by local authorities through development plans. Once established, it is the Government's policy they should be altered only in exceptional circumstances. Ensuring that green belt boundaries endure will mean in some cases safeguarding land between the urban area and the green belt, which may be required to meet longer-term development needs.

Regional policy guidance for the west Midlands—RPG11—published in September 1995, acknowledged that there was no case for a fundamental review of the green belts, and that, in parts of the region, detailed green belt boundaries defined in development plans were well founded and made adequate provision for development, immediately and in the longer term.

The guidance confirmed that

"in many cases boundaries remain too tightly drawn around built-up areas".

It went on to say:

"the tight green belt boundaries around the metropolitan area . . . may diminish the value of local plans for making proper provision for necessary development in the future. In some locations where boundaries are tightly drawn and where development can significantly contribute to the objective of reducing the need to travel boundaries are likely exceptionally to need redrawing to make adequate provision for longer-term development."

Those are not my words; they are in RPG11, issued by the previous Government. Did the right hon. Gentleman agree with those conclusions at the time?

Birmingham and other metropolitan authorities in the west midlands are reviewing their unitary development

[Mr. Caborn]

plans. It is important that they take a suitably strategic view of long-term development needs and green belt boundaries, to ensure that any necessary new development is in the most sustainable locations.

It is easy for Opposition Members to criticise the hard decisions that a Government often have to make. However, it is surprising when they criticise decisions that reflect documents and guidance that they issued when in government.

I understand the right hon. Gentleman's concern for his constituency, but our decision should ensure jobs for his constituents and for people across a wider area. In paving the way for economic benefits to flow into the region, we have weighed carefully the implications for the green belt, as we always will. The presumption against inappropriate development in the green belt will remain as strong as ever, as will our determination to face difficult decisions, which we believe is necessary in government. We snall not shy away from them.

Sir Norman Fowler: The hon. Gentleman has a few minutes before the end of the debate. Will he answer at least one question that I tried to ask in an intervention? He suggested that the lack of a legal challenge from my constituents and me invalidated our argument. Surely he understands that we were advised that getting a judicial review would probably cost about £40,000 or £50,000. It is not unreasonable for residents to decide that they cannot raise such a sum. That does not reflect on their strength of feeling.

The Minister had the inspector's report from May, when the Government came to office. Why did he wait until a week after the House went into recess before announcing his decision?

Mr. Caborn: I understand why no legal challenge was mounted during the six-week period. However, the right hon. Gentleman never challenged RPG11—the foundation of the policy—when it was being debated in the normal channels of putting together the strategic overview for the region. It was made clear that there were no brown-field sites in the area. The two sites chosen were clearly identified then. It is incumbent on the right hon. Gentleman to explain why he did not object at the time.

The right hon. Gentleman also asked about the inspector's report. I hope that I have some integrity in the House. We could not just make the decision on 7 May. When we came to government after 18 years in opposition, we had to find our feet.

I apologise if the right hon. Gentleman believes that our timing was planned to manipulate the situation. It was not. We had a lot of planning decisions to make. The processes of government had slowed down during the run-up to the election. We worked very hard from early May, when we came into office, through the summer. I apologise if the right hon. Gentleman was offended, but we had no ulterior motive. I shall defend any of my ministerial decisions at the Dispatch Box.

Question put and agreed to.

Adjourned accordingly at twenty-one minutes to Three o'clock.

House of Commons

Thursday 5 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The President of the Board of Trade was asked—

Economic and Monetary Union

1. **Mr. Malcolm Bruce:** How many copies of "EMU-Practical Guidelines for Business" have to date been circulated to small businesses. [25684]

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): In total, about 65,000 copies of the booklet have been distributed. Copies have been sent to the regional offices of the Federation of Small Businesses and to many trade associations and other intermediary bodies.

Mr. Bruce: By my reckoning, that figure is up by some 15,000 since last July, which is not a huge amount. Many small businesses are gradually realising that the euro will happen and will affect them, but they are concerned about not knowing exactly what they should be doing in practice and the fact that they may have to make expenditure for an uncertain outcome. Does the Minister accept that we need a clear timetable against which small businesses can plan the future?

Mrs. Roche: My right hon. Friend the Chancellor has been extremely clear on this matter. I accept that small businesses are concerned about the nuts and bolts of what they need to do. That is why all the Government's efforts are concentrated in that direction, and why my Department and the Treasury are working very hard with business. We are compensating for the lack of information from the previous Government who, because of their splits and divisions, put party before country.

Mr. Gapes: Will my hon. Friend ensure that, over the next few years, there is a continuing stream of publicity to emphasise the importance of business being ready for the single currency, so that it can take advantage of it should the Government decide that the time and the economic circumstances are right for this country to join?

Mrs. Roche: As my hon. Friend suggests, it is absolutely right that business is given as much information as possible, and we shall continue to do that. Great efforts are already being made in the private sector to ensure that all the relevant information is given, and we shall leave no stone unturned in seeking to assist business.

Mrs. Gillan: Does the Minister agree that from as early as 1 January 1999—in about 47 weeks' time—small British businesses could face additional costs from the euro, irrespective of the UK's position, as firms that export to Europe may be forced to tender in euros to maintain their competitive advantage and will then have to bear the exchange and subsequent risks to their business?

The Minister's circulation figure of 65,000 is pathetic. She may be surprised to know that when I telephoned the Department of Trade and Industry this morning, I was told that there were no publications or advice available from the DTI. I was even asked what EMU stood for. Is that the service that business can expect from the DTI? As time is running out and the DTI has been curiously silent in giving advice to businesses, what steps will the Department take to inform small businesses and help them prepare for the change? How much money will it spend to make small businesses fully aware of the implications and danger of the euro, or is it going to rely on the Treasury to do its job?

Mrs. Roche: The hon. Lady doth protest too much. It is no good her complaining now, given that in the past 18 years when the Conservatives were in government they did absolutely nothing to help the business community. The DTI and the Treasury are working very hard not only with large but with small businesses, which are represented on the advisory group and in their small business organisation. I am not surprised that the hon. Lady uses a smokescreen to disguise her policy on this issue. She recently very honestly admitted that her party had lost the small business vote. She also said in a great fit of honesty—which I very much welcome—that there will be very little policy on small business coming from the Conservatives. That is why the latest quarterly survey by Office World on small business shows that the party in government, the Labour party, enjoys record support among small businesses.

Competitiveness

2. **Mr. Sutcliffe:** What steps she is taking to assist British companies to improve their competitiveness. [25685]

14. **Ms Kelly:** What steps she is taking to improve the competitiveness of British companies. [25698]

The President of the Board of Trade and Secretary of State for Trade and Industry (Mrs. Margaret Beckett): I launched my competitiveness UK initiative last summer, and it is at the heart of my drive to build a partnership with business to identify practical policies that address business needs and help companies improve their competitiveness.

Since I launched that initiative, I have held a major business summit to establish the areas to be tackled, and have published a benchmark for business to compare the United Kingdom's performance with that of our main competitor countries, and to meet business peoples' request for sectoral analysis; I have set up my competitiveness advisory group of prominent business

people to ensure that the initiative retains a business focus; and I have established six working parties of business people to identify practical ideas for the White Paper later this year.

In addition, I am pushing forward the competitiveness agenda in Europe through the UK's presidency of the European Union. The Industry Council, under our presidency, will hold its first ever competitiveness debate.

That radical approach will lead to policies for sustainable wealth creation, based on a high-skill, high-investment, innovative, modern economy.

Mr. Sutcliffe: I thank my right hon. Friend for that comprehensive answer. Does it not show the stark contrast between the approach of this Government, who are prepared to support business in a practical and positive way, and that of the previous Government in the past 18 years? In 1979, manufacturing industry represented 30 per cent. of gross domestic product. That figure is now down to below 20 per cent. We have the lowest growth in manufacturing of any of our European competitors. Will the Government support manufacturing to ensure sustainable growth, because that affects employment? Our constituents vitally need the jobs that manufacturing can create.

Mrs. Beckett: I share my hon. Friend's view of the importance of manufacturing, and have always, both in opposition and in government, stressed how mistaken it was of the Conservative party to neglect that vital sector of the economy in the mid-1980s. My hon. Friend will be aware of the steps that the Government have taken recently, in partnership with companies such as Rolls-Royce, British Aerospace and Jaguar, to secure the high-quality employment that manufacturing can still offer this country.

Ms Kelly: Will my right hon. Friend confirm that after 18 years of Conservative government, our average company performance remains below that of our main competitors? I re-emphasise the point made by my hon. Friend the Member for Bradford, South (Mr. Sutcliffe) about manufacturing industry. Our manufacturing productivity is 25 to 30 per cent. lower than that in France, Germany and the United States. Do not those facts fully justify the Government's determination to involve industry in a new partnership with Government to improve economic performance?

Mrs. Beckett: My hon. Friend is entirely right. Part of the unfortunate legacy left to us by the Conservatives was that they told at best half or partial truths about the state of the economy. There have been improvements in productivity in recent years, but my hon. Friend is right that there is still a great deal of work to be done. That work can be done effectively only in partnership with the business community, and we are engaged in that process.

Mr. Clifton-Brown: I was with a large group of business people last night, and the main complaint on which they lobbied me was the uniform business rate. Is the right hon. Lady aware of the Conservative party's proposal at the last election to make a £1,000 deduction from the uniform business rateable value? That was extremely popular with small business men. Would she consider such proposals in the review that she is about to undertake? Would she consider particularly the unfair impact that the uniform business rate has on small businesses as compared with large businesses?

Mrs. Beckett: I am well aware of the profound unpopularity of the uniform business rate with small businesses, and the hon. Gentleman is right to draw attention to it. It was, of course, introduced by the Conservative Government, and small business made repeated representations to them over the years asking them to do something about it. I accept that the Conservatives underwent a belated, deathbed conversion and tried to do something about it. Proposals as to how the matter should be handled are a matter for the Department of the Environment, Transport and the Regions, and I know that it is actively considering those proposals.

Mr. Redwood: I congratulate the right hon. Lady on her choice of a very old Labour outfit to show some solidarity with the principles that she is ditching.

Does the right hon. Lady plan to make any more exemptions to the national minimum wage in the interests of British competitiveness? Why did she tell the House that there would be no sectoral exemptions, and then exempt the armed forces? She must have known that such exemptions were being planned. I certainly did, and I told her that they were being planned. Will she now apologise for misleading the House in such a blatant way?

Mrs. Beckett: The right hon. Gentleman was mistaken in everything that he said. I picked out this outfit to match the departmental folder.

Let me turn to the serious point made by the right hon. Gentleman. I do not consider the armed forces to be a sector, and I do not think that the armed forces do either. As I believe everyone recognises, they are in a unique position.

In the National Minimum Wage Bill, we have sought to provide coverage that is as broad as is practically possible, and we have made every effort to accommodate the specific and important operational requirements of the armed forces. The decision that we made, which my hon. Friend the Minister of State announced in Committee on Tuesday, recognised not only their unique position but the unique machinery that exists for them through the armed services pay review body.

Mr. Redwood: Why did the right hon. Lady not warn us at the time of the debate on the issue that the Government were considering exempting the armed forces? I told her that they were considering other exemptions, and she made no mention of it. Will she now tell the House categorically whether any other exemptions will be made under the Bill, or whether that is the last exemption that will be pulled out of her by the Chancellor and other Ministers?

Mrs. Beckett: What I actually told the House was that these were matters of considerable importance and complexity, which would be debated in full in Committee and through the legislative process of the House. That is precisely what I said, and that is precisely what has happened.

Scottish Parliament

3. **Mr. Dalyell:** Pursuant to her answer of 18 November 1997, *Official Report*, column *105*, on locating in Scotland, if she will make a statement on the status of the Committee on Overseas Promotion after the establishment of a Scottish Parliament. [25686]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): I expect the Committee on Overseas Promotion to continue as an administrative forum which enables the Invest in Britain Bureau and all its partner agencies in the UK to liaise and to co-ordinate their activities as necessary.

Mr. Dalyell: Who will umpire the game of beggar-my-industrial-neighbour between Holyrood and Westminster?

Mr. McCartney: My hon. Friend asked that question in my deaf ear.

The proposals are intended to secure better co-ordination and co-operation between all parts of the United Kingdom—Scotland, Northern Ireland and Wales—and to provide best value for United Kingdom taxpayers, ensuring best practice and transparency so that the United Kingdom remains the No. 1 location for inward investment. That is what the Government have attempted to do and will continue to do. When we are ready, we will announce the proposals relating to the concordat.

Mr. Baldry: The Minister seems a bit confused. The question is about overseas promotion, while the concordat is clearly about inward investment. We know that there will be a concordat on inward investment, but will there also be something akin to the concordat to ensure that there is no competition between the various parts of the United Kingdom in the promotion of exports?

Mr. McCartney: The whole purpose of the Government's strategy is to promote not only inward investment but exports. That is why we have shown the way that the Government are moving forward on our competitive agenda. The body will co-operate and co-ordinate activities in these areas. That approach differs from that of the hon. Gentleman and the previous Government who did nothing to co-ordinate activities in this area.

EU Structural Funds

4. **Mr. Kirkwood:** If she will make a statement on the Government's proposals for reform of the objective 5b criteria. [25687]

Mrs. Roche: We welcome the Commission's proposal for continued support for vulnerable rural areas under the new objective 2. We want to see a fair balance of the available resources between rural, industrial, urban and fisheries areas, ideally determined at the national or regional level. We will seek an overall system and detailed criteria which are fair and equitable to the UK regions and to the United Kingdom as a whole.

Mr. Kirkwood: Can the Minister do anything to allay the fears that are circulating in the Scottish borders and in other areas of the country as a result of the rumours that have been flowing from Brussels, suggesting that the eligibility criteria for rural areas will change substantially? Would it not be perverse and unfair for the United Kingdom, which is the fifth poorest of the member states but the fifth largest net contributor, to be denied millions, if not billions, of ecu in structural funds? Will she seek to persuade her opposite number in the Commission of the need to adopt GDP per head figures rather than unemployment rates as the future eligibility criterion for objective 5b areas?

Mrs. Roche: I recognise that the Scottish borders, like many other areas, face particular social and economic problems. Of course, as the hon. Gentleman is aware, the area benefits from its objective 5b status. At this early stage, I cannot predict the areas that will be eligible for the new objective 2 status. However, we are seeking a proper balance between rural and other areas and we want to use that objective criterion to determine areas of greatest need. I know that the hon. Gentleman and the House want that. I give the hon. Gentleman the assurance that we certainly prefer a system under which the total eligible population of each country is related to national GDP. I assure him that my colleagues and I are working hard on this issue.

Ms Atherton: I listened with interest to my hon. Friend's answer on structural funding. In view of the devastating news that has just been announced that we have not been successful with a viable package for the last tin mine in Europe, South Crofty in Cornwall, does she agree that perhaps objective 5b has not delivered for Cornwall in the way that many of us had hoped? Will she and the Government seriously consider objective 1 funding for Cornwall?

Mrs. Roche: I pay tribute to my hon. Friend for her leadership in the campaign to save South Crofty. I know that that sentiment is shared by hon. Members in all parts of the House. My officials and I have worked hard, in hand with my hon. Friend and with local management and the work force at South Crofty on the application for regional selective assistance. I regret that the application has had to be rejected as the proposal would not lead to a viable business. I think that that is understood by all the relevant parties. The Government are looking hard to see how the local economy can be regenerated, and we recognise Cornwall's strong arguments for objective 1 status. The House may be assured that the Government will push hard to secure the best outcome for Cornwall and for other parts of the UK in the reform of the structural funds.

Mr. Boswell: Moving from one metal to another and from the real problems of Cornish tin miners, may I ask the Minister whether she concedes that her answers will go down like a lead balloon in rural areas where farmers already face a record slump in their incomes? The Rural Development Commission has been filleted and there are threats to country sports and concerns about an overall right of access. There is a profound belief that the Government do not care about rural areas and will not provide continuing support for them—and that all they are going to do is build houses all over them.

Mrs. Roche: I have considerable respect and admiration for the hon. Gentleman, and I am sorry that he

takes that view. Plainly, he did not listen to my reply to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) when I stressed the importance of rural areas. We are keen to achieve the right balance and a fair deal for all areas. Rural areas are close to our hearts, particularly, of course, because Labour Members represent so many rural areas as a result of the last election.

Multilateral Agreement on Investment

5. **Dr. Tonge:** If the Multilateral Agreement on Investment will include a legal requirement for parties not to lower environmental and labour standards in order to attract foreign investment. [25688]

Mr. Ian McCartney: Draft text on that issue has been discussed at the negotiations of the Multilateral Agreement on Investment in Paris. The UK is at the forefront of widespread but not universal support for such a legal requirement. We will continue to press the case up to the conclusion of the negotiations in April 1998.

Dr. Tonge: Does the Minister accept that his Department gave full support to the aims of the White Paper on international development? Indeed, does he recall that, in a recent written answer to my hon. Friend the Member for Truro and St. Austell (Mr. Taylor), the Department pledged to sustain development, to protect the environment and to protect labour standards in relation to the agreement? Does the Minister accept that if there are no legal constraints on both parties in the agreement, it should be delayed?

Mr. McCartney: The agreement should not be delayed. It is an opportunity, not a threat. It is the first major investment treaty to have substantive provisions on the environment and labour. The sooner we can conclude it and partners recognise it, the better it will be for many millions of people throughout the world.

Mr. MacShane: I agree with the Minister's last point. Does he accept that the worldwide backlash against globalisation—whether the crisis in Asia, the failure of President Clinton to achieve fast-track trade negotiations or the riots in France—show that free trade and foreign direct investment that does not take social considerations into account is a dead-end street? Will he therefore assure the House that the Government will not be signing any multilateral agreement on investment that does not include exactly the aims that he has been stressing?

Mr. McCartney: The Government are totally committed to international and national standards in these sectors. Those standards are vital to us and, as a consequence, we are trying our best to conclude this agreement to ensure that the objectives as set out are carried through practically.

Mr. Ian Bruce: Yesterday, I had the pleasure of reading the hon. Gentleman's speech on age limitations and age discrimination in the labour market in the UK. Have the Government and the Minister done a complete U-turn on this issue—I hope that he will re-read his speech, which was made just a year or so ago—because he wants inward investment to the UK, or simply because the Labour party no longer has any principles?

Mr. McCartney: It is the hon. Gentleman's arguments that are aging. This week, the Government have made it absolutely clear that we oppose age discrimination at work in all its forms. My right hon. and hon. Friends at the Department for Education and Employment are proceeding with their work to ensure better practice and better standards. I am absolutely certain that, by the end of their five-year term, the Government will have done more than the previous Government did in 18 years to tackle age discrimination.

Unfair Contract Terms

6. **Mrs. Organ:** What action she is taking to tackle unfair contract terms in consumer contracts. [25689]

The Minister for Competition and Consumer Affairs (Mr. Nigel Griffiths): On 26 January, I issued a consultation paper on proposals to strengthen consumer protection. We proposed that, for the first time, a range of bodies representing consumer interests, including the Consumers Association, trading standards officers and the utility regulators, will have power to take action in the courts to stop the use of unfair contract terms.

Mrs. Organ: I congratulate my hon. Friend on taking that important new initiative. Will he confirm that the change in the regulations will make life much tougher for the rogue trader and improve consumer standards, which will be widely welcomed by consumers?

Mr. Griffiths: Consumers will indeed benefit considerably if more bodies are empowered to act. Widening the scope for action will provide consumer bodies with a powerful weapon to tackle unfair contract terms. The 1994 regulations were deliberately framed to block such action.

Mr. Chidgey: Is the Minister aware that there is growing evidence that the new licensing arrangements introduced by Ofgas to protect consumers from predatory selling and enforcement of contracts by the various gas supply companies are not working? To give just one example—I hope that he is aware of it, but he can tell me if he is not—recently, in the Eastleigh area, where this is becoming current practice, an elderly person with cataracts who is blind was conned into signing a gas contract which he thought was a request for further information. There have been dozens of such examples in the past three or four weeks and they clearly show that the new regulations are not working. Will the Minister assure the House that he will take action to bring predatory selling of these contracts and protection of the consumer to the fore as soon as possible?

Mr. Griffiths: I know that the hon. Gentleman and certainly Labour Members will welcome the action that has been taken since the election to ensure that, for the first time, after years of most blatant mis-selling, conditions on selling and mis-selling are included in the licence. If that should prove not to be adequate—evidence

has been coming in only during the past few days and weeks—we shall revisit it, and primary legislation cannot be ruled out.

Exporters (Assistance)

7. **Ms Keeble:** What measures her Department has taken since 1 May to help British exporters; and if she will make a statement. [25690]

Mrs. Beckett: In accordance with our manifesto, we established the Export Forum, which recommended a series of improvements to our export promotion effort, which we are now implementing. In addition, we have reversed our predecessors' decision to abolish the trade fairs support scheme and have announced the largest ever programme of trade fairs and missions overseas. I plan to increase funding for my Department's export promotion work for 1998–99 by around £1 million compared with this year. I expect shortly to be able to announce a series of new measures to help British exporters.

Ms Keeble: I thank my right hon. Friend for that answer—and particularly for the trade fairs, which my local chamber of commerce will welcome. On Monday, I shall be visiting the Bostrom group, an extremely successful firm in my constituency which exports its products around the world, to talk about its current problems, which it attributes to the strength of the pound. What message does my right hon. Friend have for that company about the importance of the Government's long-term strategy for securing economic stability and the way in which that will resolve its short-term problems?

Mrs. Beckett: My hon. Friend is entirely right, and I am glad to learn that, like so many Labour Members, she continues to cultivate her links with the business community. We fully recognise the anxieties that are expressed, although, as I am sure she is well aware, the picture is not uniform—different sectors are affected to different degrees and in different ways. However, we accept the long-term need for a stable and competitive exchange rate and believe that the Government's actions to achieve long-term low inflation and stability will contribute to that end.

Mr. Bercow: Has the President of the Board of Trade studied the most recent survey of the British chambers of commerce which reveals that a balance of firms is still losing exports? If she has, why is she alone in failing to understand that all the steps that she is taking to help exporters are grossly outweighed by the massively damaging effects of an overvalued exchange rate caused by the precipitate five interest rate rises perpetrated by her Government?

Mrs. Beckett: I wonder where the hon. Gentleman was during the 1980s when the previous Government deliberately pursued a policy of a high exchange rate in defiance of economic reality and threw many firms out of business. Some firms have been disadvantaged to a degree, but it remains the case that the figure is somewhat patchy. In the three months to November, the volume of manufacturing exports was 6 per cent. higher than a year earlier and exports of goods and services in total are expected to grow by around 5 per cent. in 1998. The Government are not complacent about the position and we shall continue to work with the private sector to promote exports.

Mr. Clapham: My right hon. Friend will be aware that at present around one third of exports come from companies that have settled in Britain as a result of inward investment and employ roughly about 18 per cent. of the work force. There is evidence that during the past 18 years the Tory Administration failed to nurture indigenous industry. Therefore, will she consider what mechanisms might be introduced to transfer technology from universities to British companies so as to strengthen British indigenous industry?

Mrs. Beckett: My hon. Friend is entirely right that Britain has a tremendous potential competitive advantage in the creativity and innovation of the British people and in the work that is done in our universities and other research establishments. We continue—partly by promoting the foresight programme and partly by other means—to work with those in such establishments to build better links between them and British companies. We fully realise that Britain's future competitive advantage lies in creativity and innovation rather than in the sweatshop mentality of the Conservative party.

Mr. Redwood: I agree with the right hon. Lady that we made mistakes in the early 1990s. We have learnt from them and we have apologised for them. Will she now learn both from that experience and from the current experience of manufacturing and exporting industries? I do not think that she has realised how serious it is out there for people who are trying to make things and sell them abroad. Will she tell the Chancellor of the Exchequer that there is grave damage from high sterling and high interest rates, that his Monetary Policy Committee has caused that damage and that he has added gravely to it by taxing savings and taxing business? Will the right hon. Lady get him to change policy before manufacturers and exporters go under because of her policies?

Mrs. Beckett: As I am sure the right hon. Gentleman is aware, my right hon. Friend the Chancellor is reducing taxes on business, so we are heading for the lowest corporation tax rate in the developed world. It is nonsense to suggest that the Government are complacent. We are well aware of the private sector's anxieties and concerns, and we are in continuing discussions with them about the issues on which we can support and be of assistance to them. I am rather surprised to hear the right hon. Gentleman being so critical of the Monetary Policy Committee and of the Bank of England. My impression was that many Conservative Members supported moves towards the type of independence for the Bank of England on interest rates that my right hon. Friend has introduced.

Telecommunications, Media and Information Technology

9. **Mr. Timms:** What assessment she has made of the European Union Green Paper on convergence of the telecommunications, media and information technology sectors. [25692]

Mrs. Roche: Both the Department of Culture, Media and Sport and the Department of Trade and Industry have

circulated the Commission Green Paper for consultation to a wide range of United Kingdom interests. The Government intend to prepare a response to the Commission Green Paper on the basis of the replies that we receive to our consultation. Getting the framework right is vital for development of the information super-highway.

Mr. Timms: I think that my hon. Friend will agree that the offer made by BT and the cable companies to connect every school in the United Kingdom to the information super-highway demonstrates that the Government are grasping the huge potential benefits of the changes described in the Green Paper. In the months ahead, as she discusses those matters with her European counterparts, will she impress on them the benefits of maximum choice for users of telecommunications services—as demonstrated, for example, by the fact that UK telecommunications charges are considerably less than those in other European nations?

Mrs. Roche: I entirely agree with my hon. Friend. I congratulate both the cable industry and BT on their imaginative offers to schools for internet access—which is another example of the Government working in partnership with industry to improve United Kingdom competitiveness. I shall certainly continue to impress on my European colleagues the benefits of choice in telecommunications, which has resulted in huge benefits to United Kingdom consumers.

Formula One

11. **Mr. Wilkinson:** What discussions she has had with the European Union Commissioner, Mr. van Miert, about his investigations into the request by the formula one motor racing industry for exemption from regulations relating to EU competition law. [25695]

Mr. Nigel Griffiths: None; does the hon. Gentleman think that there should have been?

Mr. Wilkinson: What—or who—has induced the Government to be so indulgent towards blatantly anti-competitive practices in formula one motor sport? Is the Minister unaware that the position of the generous benefactor, Bernie Ecclestone, is highly invidious in as much as he sits on the board of the regulatory body—the FIA—while running his own company, Formula One Holdings? Has not the European Commissioner, Mr. van Miert, said that

"the whole set up is layer upon layer of exclusive deals"?

Only yesterday, in the Belgian Parliament, did not Mr. van Miert say that

"Unlike national governments the European Commission would not bow to pressure from the sport"?

Why are Ministers so indulgent and so ineffectual about such blatant malpractices?

Mr. Griffiths: I have not followed the proceedings of the Belgian Parliament as closely as the hon. Gentleman, but we support the full and fair application of European Community competition rules. The involvement of particular individuals does not affect our position.

Offshore Fabrication Yards (Construction Contracts)

12. **Mr. Godman:** If she will list the construction contracts won by United Kingdom-based offshore fabrication yards in the past two years. [25696]

The Minister for Science, Energy and Industry (Mr. John Battle): I have placed in the Library of the House a detailed list of all construction contracts worked on or secured by UK offshore fabrication yards in 1996 and 1997 and known to the Department. My hon. Friend will note that it is an extensive list running to some 130 contracts. It reflects the current competitiveness of the UK fabrication industry, which is winning orders for UK engineering and technology and underpinning jobs.

Mr. Godman: I am sure that my hon. Friend agrees that our fabrication yards are among the best in the world. One such company is UIE, which is now located at an excellent facility in my constituency. What assistance is given to yards in respect of the international market for offshore structures? Is not much of the foreign competition underpinned by state and regional government subsidies?

Mr. Battle: The former Scott Lithgow shipyard in my hon. Friend's constituency is currently being used for offshore construction work and has won orders. There has been a shift in the industry away from fixed rigs and towards floating platform systems. The Department recently launched the fabricators forum to enhance the UK fabrication industry. At the outset, the oil industry was told that 18 per cent. of its work would be within the United Kingdom. The figure has now reached 17 per cent. Significant fabrication requirements for Norway, Denmark, Canada, America and other international markets are being won by the expertise in our shipyards to which my hon. Friend referred.

Mr. Skinner: I wonder whether my hon. Friend will tell me about another offshore fabrication? Will he tell me why an offshore fabrication document has gone to hundreds of thousands of retired miners and miners' widows saying that they have to use another form of fuel and that they will lose 12, 14 or 16 bags of coal? The Minister is responsible, so will he give a guarantee—

Madam Speaker: Order. The Minister might be responsible, but the question is out of order.

Mr. Skinner: It was a good try.

Madam Speaker: It was not even a good try. I do not mind when it is, but it was a very poor one.

Electricity Industry

15. **Mr. Rendel:** What plans she has to promote investment in new technology within the electricity industry. [25700]

Mr. Battle: My Department is heavily committed to research in the new technologies for the electricity industry and their use. The foresight programme, to which my right hon. Friend the President of the Board of Trade and Industry referred, has identified opportunities that we

are considering with the electricity generation industry. This year, DTI and research council budgets for research, particularly into new and renewable energy items such as advanced fuel cells and photovoltaics, have been supported to the tune of more than £18 million. We also support the non-fossil fuel levy orders in respect of renewable energy technologies to ensure that we take forward renewable energy in electricity generation in accordance with the targets that we have set.

Mr. Rendel: I am grateful to the Minister for that response, but I was thinking more in terms of domestic users. Does he agree that, in respect of domestic metering, the United Kingdom is still living in the dark ages and that new meters are now available that enable and encourage users to make much better use of electricity and perhaps reduce waste? The introduction of such metering systems will probably depend on the Minister's introducing a national standard. That would allow suppliers to invest in meters while retaining competition between them.

Mr. Battle: As electricity competition opens up, electricity companies will see what can be done to improve metering. The technology exists and I hope that companies are not waiting to see how the market pans out before introducing it, as it could make a significant contribution to—dare I say it—reducing the price of electricity. I take the hon. Gentleman's point. I shall refer the question of standards to the regulator, who is responsible for such matters.

Mr. Hoyle: Will my hon. Friend look into new technology for answering the telephones in the electricity industry? Norweb and Manweb fail on that.

Mr. Battle: I compliment my hon. Friend on his ingenuity. He championed his constituents and intervened on their behalf during the difficult period over Christmas when the weather brought down lines. I take his point. He said during an Adjournment debate that communication with people whose electricity supply is cut off is vital throughout the industry. I hope that the industry hears what he has said. The regulator has been asked to report on the issue.

Mr. Paterson: What will take priority in the Government's strategy for the British electricity industry: providing the cheapest possible electricity to the consumer; honouring the commitments of Kyoto; or protecting jobs in the coal industry? I asked a similar question at the most recent Trade and Industry questions. Several of my constituents commented on the unsatisfactory answer that I received.

Mr. Battle: Our policy is clear: competition where possible and regulation where necessary. Rather than simply directing regulators to focus on competition, we intend to put consumers at the heart of the process. That will be a great change from the approach of the Conservatives when they opened up the markets.

Manufacturing Exports

16. **Mr. Barry Jones:** What additional help she proposes to provide to assist the promotion of manufacturing exports. [25701]

Mrs. Beckett: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Northampton, North (Ms Keeble), in which I referred to our expansion of support for trade fairs and missions, as well as general export promotion.

Mr. Jones: Does my right hon. Friend agree that British Aerospace is a fine exporter for Britain, earning an average of £4 billion each year and creating and sustaining some 40,000 skilled and well-paid jobs? May I thank my right hon. Friend for the magnificent part that she played recently in ensuring that £120 million of launch aid came to my constituency for British Aerospace? I invite her to come to my constituency and see the development of wing technology at the Airbus factory. We would like to say a proper and sincere thank you for all her help to the industry.

Mrs. Beckett: I am grateful to my hon. Friend. He is right: the programme of launch investment that the Government have agreed with British Aerospace will secure 2,000 high-tech and innovative jobs in the United Kingdom. With the engine supply work that Rolls-Royce has secured, almost 50 per cent. of the Airbus 340X will come from the United Kingdom—a further example of British technological success and achievement.

Mr. Hayes: Will the right hon. Lady comment on the damage that the strength of the pound is doing to manufacturing industries that export? Is she aware of the damage to morale and business confidence, which a survey in my area showed were falling because of the Government's inability or unwillingness to deal with the strength of the pound? What proposals does she have to tackle those problems?

Mrs. Beckett: I do not know whether the hon. Gentleman was in the Chamber earlier, but I have already answered that question several times. The Government are well aware of the concerns in some sectors of industry. We have put in place policies that we believe will produce low inflation and sustainable growth in the long term. We also believe that our policies will secure a stable and competitive exchange rate over time.

Mr. Sheerman: Is my right hon. Friend aware that one of the most effective ways of increasing the export potential of small and medium firms is to put together those who export and those who have not yet exported? Is she aware of the success of export clubs across the country? We welcome the money that she announced in answer to a previous question. Will some of that flow towards the greater stimulation of export clubs and the transmission of knowledge, which is vital for us to ensure export development?

Mrs. Beckett: My hon. Friend is entirely right. He gives a very good example. The process of mentoring and learning from other best practice is now widespread in British business, where it has a great deal to contribute. I entirely share his view that such advice and support can increase our exports.

Minimum Wage

17. **Mr. Ruffley:** What representations she has received from small businesses regarding the impact of the introduction of the minimum wage. [25702]

Mr. Ian McCartney: I have received a number of representations from organisations representing small businesses about the introduction of a national minimum wage.

Mr. Ruffley: Will the Minister note that, in a survey of small and medium business men in my constituency, the overwhelming majority opposed the national minimum wage? When will the Minister finally start listening to small and medium business men?

Mr. McCartney: I should point out that the Federation of Small Businesses voted overwhelmingly in support of a national minimum wage. I should also point out that successive business surveys have favoured a sensibly set national minimum wage. The only people in Britain who are opposed to it are apologists for low pay and Conservative Members.

Mr. Grocott: Does my hon. Friend agree that the national minimum wage policy possesses four characteristics that often go hand in hand these days: it is morally right, economically right, popular with the voters and opposed by the Tories?

Mr. McCartney: My hon. Friend is absolutely right. Those of us who are running the Bill in Committee have managed to get rid of the Tories' filibuster and are well on the way to ensuring that a minimum wage will become law.

18. **Mr. Hammond:** What representations she has received from her ministerial colleagues with regard to the exclusion of groups of workers, occupations or sectors of industry from the scope of the national minimum wage. [25703]

Mr. Ian McCartney: The national minimum wage aims to cover all workers. The limited scope for exemptions is set out in the Bill and reflects the result of discussions between Ministers.

Mr. Hammond: The Minister has not answered my question. The House will be aware that the Government suffered a humiliating U-turn this morning in having to disapply the Bill to the armed forces as a result of the Secretary of State for Defence's spectacular victory in his battle against the Department of Trade and Industry. Many employers in the agriculture sector are hoping that the Minister of Agriculture, Fisheries and Food has made similarly successful representations that will persuade the Government to reconsider the way in which agriculture workers are treated and allow agricultural wages councils to continue outside the scope of the minimum wage. Even at this late stage, will the Minister consider changing the Bill to allow that?

Mr. McCartney: The hon. Gentleman and I must stop meeting like this; people will start to talk. He is a member of the Standing Committee on the National Minimum Wage Bill. The Government have not made a humiliating U-turn; we are well on the way to establishing a minimum wage regime to cover all workers of all status. The arrangements for the armed forces mean that they will be covered by the pay review body. That means that every worker in Britain will have some form of pay body to determine their pay and ensure that they receive proper minimum standards of pay. For the first time in Britain, special arrangements have been made, in the National Minimum Wage Bill, for home and agency workers. Agriculture workers, including farmers, agree on minimum wages for agriculture workers.

Mr. Winnick: Would not it be interesting to know the total income of Tory Members of Parliament who, on every occasion, oppose the national minimum wage? Why do not they declare their income, since they believe in starvation wages for others?

Mr. McCartney: My hon. Friend will not be surprised to know that, in Committee, Opposition Members have spent hours filibustering, supporting low-pay employers who pay home workers as little as 30p an hour. Opposition Members have been exposed for what they are: apologists for low pay. We shall end low pay by introducing a minimum wage as soon as we can.

Miss McIntosh: Does the Minister agree that there are very strong grounds for arguing for exclusion of workers in hotels and the tourism industry generally? Their work is seasonal, and insisting on a minimum wage in that sector would lead to higher unemployment.

Mr. McCartney: As a former low-paid catering worker, I can tell the hon. Lady that there are absolutely no grounds to continue poverty pay in the hotel and catering industry. Large and small companies now recognise that a minimum wage will be as good for their business as it is for their employees.

Working Time Directive

19. **Mrs. Humble:** If she will make a statement about the implementation of the working time directive. [25704]

Mr. Ian McCartney: Our aim is to publish draft regulations, for consultation, around the end of March and complete the consultation in time to have regulations in force by 1 October.

Mrs. Humble: Does my hon. Friend agree that this directive is a sensible and flexible measure which introduces minimum standards that already apply in Europe? Will he share my hope that the Opposition will stop scaremongering about the impact of the directive and recognise that British workers deserve the same rights as workers in the rest of Europe?

Mr. McCartney: My hon. Friend is absolutely correct. For the first time in Britain, some 2.5 million low-paid workers will be entitled to paid holidays. Millions of other workers will gain the right to consultation with their employers before being forced to work unsociable, unhealthy and long hours. Some employees—mainly low-paid workers—work 80 or 90 hours a week on some occasions. The directive will give them minimum

standards and protection and the ability to negotiate with their company a sensible package in terms of their working hours and the right to paid holiday leave.

Mr. Page: In view of the vital contribution made to our economy by the offshore industry, what guarantees will be given to that industry that it will be protected from this measure? I ask the Minister because the Government have given up the protection of Maastricht and embraced the social chapter.

Mr. McCartney: The current directive excludes that industry, which is playing a part in the discussions about the further extensions of the directive. The industry is committed to high standards of employment practice. It will work with the Government and the European Commission to ensure that, whatever arrangements are put in place, it will remain at the forefront in terms of high standards of employment and conditions.

Small and Medium Enterprises

20. **Dr. George Turner:** What action she is taking to provide information relating to the work of her Department to small and medium companies. [25705]

Mrs. Roche: My Department provides more than 1,100 publications giving information and detailing the initiatives and programmes carried out across all parts of the DTI. All titles are listed in our "Publications in Print" catalogue, which is also on the internet. Included is a series of booklets and factsheets produced specifically for small businesses.

Dr. Turner: I acknowledge the work being done in the Department on the use of information technology. Does my hon. Friend recognise that nothing is more important for a small business to succeed in the new millennium than investing in IT? What is the Department doing to encourage that? Will she take to our right hon. Friend the Chancellor a clear message that any help that can be given in his Budget this year to small firms to invest in IT will be most welcome?

Mrs. Roche: I absolutely agree that the use of IT by small and medium enterprises is essential. In the Department, we are focusing our efforts on the promotion and uptake of the new information technologies, spearheaded through the information society initiative programme for business. I have seen for myself a number of businesses—particularly small businesses—coming in to use the local support centres, which is impressive. The message that we need to get across to small businesses is that the use of IT is not a luxury or an add-on; it is essential for their competitiveness and vital for British companies in an increasingly global marketplace.

Mr. Gray: If the Minister is so committed to the use of information technology, would she care to comment on the rumour circulating Whitehall that the backlog of unopened red boxes in the Secretary of State's office is such that extra shelves have had to be built in her office? She is simply not opening them, far less dealing with their contents.

Madam Speaker: Order. That question was a total waste of time.

Mr. Skinner: Can my hon. Friend or any other Minister in the Department of Trade and Industry shed any light on that other little bit of information that is being sent out to small and medium companies, concerning the delivery of concessionary coal to the 55,000 miners who look like losing up to 16 bags of coal? Will she reverse the contents of that circular?

Madam Speaker: Order. I think that we shall now move on to the statement.

Public Health

3.29 pm

The Secretary of State for Health (Mr. Frank Dobson): With permission, Madam Speaker, I should like to make a statement about public health.

On 9 December last year, I announced to the House the publication of our White Paper, "The new NHS", which set out our proposals to modernise the health service, so that in years to come people will be able to depend on it to look after them when they fall ill. Today, I announce the publication of our proposals to do more to stop people falling ill in the first place. The proposals are set out in the Green Paper, "Our Healthier Nation".

Health in our country has generally improved over the years, but far too many people still fall ill more often and die sooner than they should. That is bad, not only for the individuals concerned and for their families, but for the country as a whole, with 187 million working days lost to the economy through ill health every year.

There are huge inequalities in our society, and the worst are in health. Poor people are ill more often and die sooner. That is the greatest inequality of all: the inequality between the living and the dead.

Successive surveys have shown that over the past 20 years the gap between rich and poor has been growing. As a result, as recent official figures show, the health gap between rich and poor has also been growing. In the early 1970s, there was scarcely any difference in the percentage of deaths from heart disease between men in social class I and men in social class V. Today, men in social class V are three times more likely to die from heart disease.

Far from addressing those growing problems, the previous Government pretended that they did not exist. They even banned Department of Health officials from using the very words, "inequalities in health". Things have changed: we recognise inequalities in health, and we have changed the policies.

The previous Government concentrated their attention exclusively on trying to get people to change their personal life styles, which sometimes needs to be done, but they ignored the factors that made people ill but were beyond the control of individuals. The Labour Government are different: we recognise that poverty, poor housing, low wages, unemployment, air pollution, crime and disorder can all make people ill in both body and mind.

The Green Paper sets out how we intend to tackle the root causes of bad health; how we intend to concentrate on the major killers: heart disease, stroke, cancer and accidents; and how we shall take major initiatives to promote healthy schools, workplaces and neighbourhoods. We shall also give equal priority to mental health, which has been ignored for far too long.

The drive to promote better health is not a matter for the Department of Health or the national health service alone: it requires concerted action by the Government as a whole, in partnership with local organisations. That is happening already.

Far too many people have been made ill by what they eat. Food poisoning incidents have trebled in the past decade. We have already spelt out our detailed proposals for a Food Standards Agency. That will improve people's health.

Having nowhere decent to live is bad for health. We are already tackling the problem of homelessness and bad housing, and have already released the first £900 million of the takings from the sale of council houses for investment in new and better housing. That will improve the health of the worst-housed families.

Low wages leave people without the money to buy decent food or warm clothes, or to keep their homes warm in winter. That is bad for their health and for the health of their children. Therefore, the health of the worst-off families will improve when we introduce the national minimum wage. Being out of work makes people ill. It increases the incidence of cancer, accidents and suicide. That is why our new deal to get people back to work, using the £3.5 billion raised from the windfall tax, will improve the health of the people who get the jobs that are created.

The huge increase in crime and disorder has damaged people's health, and not merely those who are actually assaulted. Living in fear makes people depressed, and depression leaves people ill in mind and body. Our crackdown on crime and disorder will help them feel more secure and so feel better.

Air pollution makes people ill. It can make asthma worse—2 million people in England now suffer from asthma badly enough to need regular medical attention. Our transport policies to reduce traffic congestion and promote public transport will reduce pollution. That will improve people's health.

Therefore, right across Government we are already taking action. The changes that we intend to make to the national health service will make a big contribution. Health authorities will be required to produce and then implement health improvement programmes. Those programmes will include the local contributions to be made to the national targets, but—and just as important—they will also set local targets for improving the health of particular local groups. Those will reflect local circumstances and so will vary from to place to place. The top priority in Camden Town, Wigan, Gloucester or Loughborough may well differ from the top priority in Surrey. That will encourage people in every locality, by showing that what they are doing makes a noticeable and worthwhile difference to them, their families, their friends and neighbours. The cumulative effect of all that local effort will be to raise national standards.

This Green Paper sets out our proposals for concerted action by Government as a whole, in partnership with local organisations, to improve people's living conditions and therefore their health. It also recognises that there are limits to what the Government can do, so it spells out what the individual can do, providing the Government do their bit. It is what we call a "contract for health", working together to make it easier to be healthier.

The Green Paper explicitly recognises that, by its nature, life is risky. It is the job of Government to identify risks to health and assess them and, where appropriate, to take action themselves either to reduce the risks or to ensure that people who might be affected are aware of them and know what the odds are.

The Green Paper puts forward suggested specific targets for tackling some of the major killer diseases together with proposals for local action, but it is a Green Paper. This Government do not believe that we have a monopoly of concern, knowledge or wisdom. Therefore,

[Mr. Frank Dobson]

we are inviting everyone who is interested to let us have their comments on what we are proposing and to put forward proposals of their own. We can achieve a healthier nation only through a partnership with the people and with the professionals. That partnership starts now, before the policy is finally decided. We can succeed in getting a healthier nation only if everyone is pulling in the same direction. That means that we have to give everyone a say in deciding the direction in which we should go. That is what we are doing with this Green Paper today.

Mr. John Maples (Stratford-on-Avon): On Tuesday, I complained that the contents of the Secretary of State's statement had been comprehensively leaked to the press. The same has happened again today. On Tuesday, the right hon. Gentleman said that it was not only not his fault, but that he was very angry about it. I can now tell him where to look. He should ask the Minister for Public Health exactly what she was doing yesterday afternoon. I happened to be with someone then, who said, "Excuse me, John, but I have to go and make a telephone call. I've been asked to telephone the Minister of State, so that she can brief me on the Green Paper."

Therefore, Madam Speaker, we now know how those discourtesies arise, and it is time that that practice stopped and that the House was accorded the decency of being told first what the Government plan to do.

On Tuesday, the Secretary of State announced his decision on Bart's and got a nice headline. Yesterday, I visited all four hospitals in the Royal London group, including Bart's, and I could not find a nurse, manager or consultant who thought that he had made the right decision.

Mr. David Hinchliffe (Wakefield): This is about public health.

Mr. Maples: I was discussing public health with them. The trust thinks that the decision will cost it £20 million a year extra. That is the price that the people of east London will have to pay every year for one day's headlines for the Secretary of State.

On today's announcement, we entirely share the Government's objectives. Health policy must seek to improve health, not just treat ill health. In fact, much ill health has nothing to do with health services; it has more to with life style, environment and the genes that we inherit. The Government are building on previous policies. [HON. MEMBERS: "What about public health?"] I am coming to that. May I make my statement in my own time? The Government are building on previous policy: "The Health of the Nation" White Paper, published in 1992 and the excellent work of Sir Donald Acheson and his team. The aim of that policy was to improve people's health, and there has been substantial progress. The death rate from coronary heart disease fell by 20 per cent. for the under-65s; from strokes by 14 per cent; and from breast cancer for women over 60 by 10 per cent. We moved considerably closer to 18 of the 21 targets. The World Health Organisation commended the Government's strategy as

"a model for others to follow."

I hope that the new Government, with the measures outlined in the Green Paper, will be able to build on those successes.

I am pleased that the Government plan to continue with four of our priority areas: heart disease and stroke, cancer, accidents and mental health. Those are important causes of premature ill health and death. I am surprised that AIDS has been excluded just as we appear to be having some success with the public education programme and new drug treatments that seem to be able to arrest the disease. Above all, I am disappointed that the Government have dropped so many targets. They have set themselves only four, but we also need to target the underlying causes of many diseases. "The Health of the Nation" targeted smoking, blood pressure and diet. Without such targets, there is nothing to aim at. We must have some measurable objectives. How otherwise will we or the Government know whether the policy has been a success? I hope that during the debate on the proposals, targets will be reinserted. Without them, it will be difficult to make a serious assessment of progress.

When we launched "The Health of the Nation", the then shadow Secretary of State derided the targets as too easy. The right hon. Gentleman has set himself four, not 21, and all are easier than those in "The Health of the Nation". Will he say by what measures he wishes the policy to be judged? If not, it will seem that the Government want to avoid responsibility for failure in advance.

The Secretary of State made much of the evidence of the link between poverty and ill health, but I do not believe that the relationship is as simple as he makes out. If the Government think that all inequalities are caused by poverty, they will not only fail to correct them, but fail at huge cost. Where there is a link, I believe that it is through unemployment and depressing housing conditions. The previous Government tackled both. *[Laughter.]* I wondered how long it would take for the barracking to start. I cannot even say what happened in the past 18 years without attempts to shout me down. Unemployment has fallen dramatically over the past five years and there was a huge programme for improving council housing estates, especially the worst ones. I hope that the Government will continue both trends. There is definitely some direct connection: if people live in damp housing—

Mr. Hilton Dawson (Lancaster and Wyre) *rose—*

Mr. Maples: This is a statement; there can be no interventions.

Madam Speaker: Order. We are not in a debate. The hon. Member for Stratford-on-Avon (Mr. Maples) is responding to a statement by the Secretary of State.

Mr. Maples: Unemployment has fallen dramatically and many estates have been improved. I hope that that trend will continue. There is obviously some direct connection. If people live in bad, damp housing and get chest infections, there is clearly a connection. However, I believe that far more ill health is caused by smoking, the overuse of alcohol, bad diet and lack of exercise. We already know about all those things.

It may be—and it probably is—extremely difficult to get people to improve their life style if they are depressed by unemployment and awful housing, but in many cases

people can and must take more responsibility for their own health. The Government must not give people an alibi for their bad habits by allowing them to blame circumstances for everything. Nor must we overlook the enormous importance of our genetic inheritance. We must recognise that although some people are ill because they are poor, I suspect that there are many others who are poor because they are ill. Reducing unemployment and improving bad housing conditions will help, but getting people to improve their own life style is the key. There cannot be anyone in the country over the age of 10 who is ignorant of the danger of smoking, yet hundreds of thousands of people still do it.

I wish the Government well with their objectives. I hope that they will give greater recognition to individual responsibility. I also hope that they will set more measurable targets by which we and the nation can judge success or failure in tackling the causes of ill health, not just its incidence.

Madam Speaker: The hon. Gentleman's contribution contained very few questions for response by the Secretary of State, so, before I call them, I caution hon. Members that they must ask questions—this is not a debate. They must ask direct, brisk questions of the Secretary of State.

Mr. Dobson: The Secretary of State challenged me about leaks—

Mr. Maples: The shadow Secretary of State.

Mr. Dobson: Yes. I shall be able to go back to the office and tell people what to do, but the hon. Gentleman will not be able to do so.

The hon. Gentleman challenged me about leaks of my statement. All I can say is that if there were any leaks, they were from our election manifesto. As for Green Papers, in the past they were often not accorded a statement in the House, but we made sure that there was one today.

As for the apparent unpopularity of my decision on Bart's, I can say only that I must have seen a mirage yesterday when, in a rather strange reversal of the usual arrangements, I received in my office a large bouquet of carnations from the people on the cardiac ward at Bart's, who thanked me for that decision.

As for the questions that the hon. Gentleman actually asked, I emphasise that it is a Green Paper, and we are consulting on it. Provided that the points raised by Conservative Members are couched in reasonable terms, we may even listen to some of them, although I admit that that is not particularly likely.

We do not think that it is a good idea to proceed with as many as the 27 targets that the previous Government set—for instance, their effort to reduce teenage pregnancies. To set such a target in areas where the level of teenage pregnancies is well below the target does not gain very much.

We want to set four major targets. Every health authority will be obliged to contribute to those major targets under their health improvement programmes. They will set themselves particular targets to meet their particular problems. Those targets will be vetted by the national health service, and progress towards achieving them will also be vetted. We believe that that effort, which is specifically designed to try and deal with the circumstances that arise in particular places, is better than a lot of generalised targets.

We also believe that we must target the fundamental causes of ill health. I make no apology for talking about that in my statement. I do not seek to excuse people for not trying to look after themselves properly, but many people in our country today suffer because they live in lousy housing and have no job, or, if they have a job, they receive low pay for it. They also have to cope with massive air pollution and crime and disorder on the streets or in the park where their child would like to play. The problems that hit the worst-off are like the sorrows referred to in "Hamlet", because

"they come not single spies,

But in battalions".

We will roll back those battalions.

Mr. Hinchliffe: Bearing in mind the fact that the public health policy of the previous Conservative Government appeared to consist almost entirely of insulting remarks by Mrs. Edwina Currie about northern males, may I welcome the significant change in approach announced by the Secretary of State today? In accordance with your direction, Madam Speaker, I should like to ask him two brief questions.

First, in view of the success of local authority public health departments—until their abolition by the Conservatives in 1974—in impacting on significant local health problems, what consideration have the Government given to restoring a public health function within local authorities?

Secondly, will my right hon. Friend give me an assurance that the Government recognise that the fundamental improvements in public health that he outlined today depend on a fundamental redistribution of wealth in the direction of poorer communities?

Mr. Dobson: My hon. Friend raises two significant points. Local authorities will have a massive involvement in any programme to improve the health of the people, because health authorities will have to draw up health improvement programmes in collaboration with other parts of the health service, local authorities, voluntary bodies, and anybody else who is involved in a particular locality. All who are signed up to the programme will have to contribute to its development. It is our intention, subject to the outcome of the consultation document to be produced shortly, to place on local authorities a basic duty to promote the economic, social and environmental well-being of their area, as we said we would before the election.

On my hon. Friend's point about targeting resources predominantly on the areas that are most deprived, the Government are already doing that. In the new deal for jobs, the areas where jobs are needed most are almost certainly those where people will benefit from the introduction of a national minimum wage; they are the areas that frequently suffer most from air pollution, and the areas where people are ill most often and die sooner.

Dr. Peter Brand (Isle of Wight): We welcome the fact that the Government, unlike the previous Government, recognise the important link between poverty and ill

[Dr. Peter Brand]

health. Will the Secretary of State and the Chancellor ensure that some of the nation's wealth is redistributed to improve the nation's health?

I hope that local targets will not be an excuse for complacency or defeatism. It is no more acceptable to have an unwanted teenage pregnancy on the Isle of Wight than it is in the centre of London, and if one is suffering from asthma, it is as bad on the Isle of Wight as anywhere in the country.

I welcome the four specific targets, but will the Government commit resources to achieve them? On heart disease and strokes, the biggest step that the Government can take is to ensure that GPs' prescribing budgets are adequate for them to prescribe lipid-lowering agents. With the cost-limited drugs budget that was recently introduced, that might be extremely difficult.

On accidents in the home, will the Government take steps to set up a screening programme for osteoporosis, and encourage its treatment, so that we can avoid some of the hip fractures, of which there are 70,000 each year and which affect women, predominantly?

Will the Government look at the effectiveness of the Health and Safety Executive in investigating accidents in the workplace?

Will local government be funded to make cycling on our public highways safer for children?

On cancer services, will there be the resources fully to introduce the Calman/Hine proposals? Will the Government extend—*[Interruption.]* They are all very brief questions.

Madam Speaker: Order. I shall instruct the Secretary of State to answer only the first two questions if this goes on. We shall be here for the entire afternoon if the Secretary of State is required to answer all those questions. The hon. Gentleman has seen the interest that there is in the statement. There can be only one or two questions asked on the statement.

Dr. Brand: May I finish on mental health?

Madam Speaker: Yes.

Dr. Brand: Will the Government ensure that social services are sufficiently resourced so that they have adequate day centres, which are staffed by adequately trained people?

Mr. Dobson: I shall try to answer quickly. The basic object of concentrating on poverty-stricken areas in an effort to reduce ill health is already covered by the priorities of the Government's spending. The new deal for jobs, which is geographically targeted on those areas, the release of funds for building new houses, and the other things that we have done, such as reducing VAT on fuel, will certainly benefit people in those areas. As we promised at the general election, huge sums are already going into the areas that most need them. There is no question of local targets being sloppy and slack. The whole object is to ensure that each locality with its particular problems sets and meets tough targets—tougher than national targets—because, in the most deprived areas, unless we make a lot more progress than the national average, we shall never reduce inequalities between different areas.

Osteoporosis is one of the major causes of accidents and injuries to old people. As part of our drive on accidents, we shall seek to prevent osteoporosis. I am perfectly prepared to consider setting up general screening for osteoporosis, but I cannot just accept it standing at the Dispatch Box. The same goes for many of the other points that the hon. Gentleman made. I emphasise that we have issued a Green Paper, and if hon. Members on either side of the House want to make sensible suggestions and proposals for improvements, we are very happy to listen.

Audrey Wise (Preston): I, too, add my congratulations to my right hon. Friend on the welcome recognition of the link between poverty, bad housing and ill health. Will he make quite sure that the needs of children are fully addressed? Poverty has a great impact on children, and there are worrying trends in the field of child mental health. Obviously, when we are considering children's health, we are considering future public health. Will my right hon. Friend keep those facts in the forefront of his mind?

Mr. Dobson: I thank my hon. Friend for her kind words, which are also addressed to the Minister for Public Health, my good and hon. Friend the Member for Dulwich and West Norwood (Ms Jowell), who has made a major contribution towards the production of this Green Paper.

I share the concern of my hon. Friend the Member for Preston (Audrey Wise) about the impact on children because some children's afflictions are getting worse, not just among the worst-off. Child mental health is declining and we need to do something about it. As my hon. Friend points out, if we can influence children from the start, we shall stand a chance of having a generation that grows up taking health much more seriously. That is why we shall have a healthy schools initiative. We are reintroducing nutritional standards for school meals, which is a step forward. It is worth remembering that in 1906 a Labour Member of Parliament said that a hungry child cannot learn. That is just as true today as ever it was, which is why schools must now introduce breakfast clubs, so that children get a decent meal and can learn.

Mr. Andrew Rowe (Faversham and Mid-Kent): The Secretary of State will be pleased to note that we all share his vision of a teetotal, non-smoking nation, cycling from new homes in the green belt to new jobs provided through the new deal. Does the Green Paper go into detail about how such people can be persuaded not to spend their increasing wealth on more alcohol and tobacco, and on trading in their bicycles for the kind of car that creates the very pollution to which he objects?

Mr. Dobson: Although I do not drink very much, I am relieved to say that the medical advisers at the Department of Health constantly advise me that a glass of this, that and the other in moderation probably does people good. I would not want to suggest for a minute that the Government endorse the idea of a teetotal world. What we want is a tobacco-free world as soon as possible,

and the drive must be to stop tobacco companies recruiting children. Few adults take up smoking, and we must make that drive to stop children smoking.

Mr. Patrick Nicholls (Teignbridge): What about formula one?

Mr. Dobson: The hon. Gentleman refers to formula one. Let me remind him that, as a result of the negotiations carried out by the Minister for Public Health, a Europewide directive will soon come into operation to ban advertising and reduce sponsorship all over Europe. The directive could have been introduced years ago if it had not been blocked by the stupid, backward-looking Tory Government.

Dr. Lewis Moonie (Kirkcaldy): For me, as one of the few possessors of an original copy of the Black report, today has been a long time coming. Does my right hon. Friend accept that it is for local communities to decide on their health priorities in the light of the health experience of their population, and for the Government to set the general scene? With that in mind, will he consider reinstituting the office of medical officer of health?

Mr. Dobson: I thank my hon. Friend for his remarks, which draw on his professional experience. I can go one better than him, because I possess two copies of the Black report. Between us, we have 3 per cent. of all the copies that were printed: the previous Government wanted to keep it quiet. I agree that it is right for the Government to set the general scene, and for local people and professionals to decide local priorities to address the particular problems of each locality.

I have some sympathy with my hon. Friend's point of view on the post of medical officer of health. It is no good me denying that, because I am on record as saying so before the general election. I was disappointed that no one took up the idea of a medical officer of health when the Labour party consulted on the future role of local government. What we must and shall do through the health improvement programme is to raise the status of the promotion of public health in each locality. We shall give real status to the people involved, because it was ripped away when a long-dead Tory Government got rid of the medical officers of health.

Mr. John Wilkinson (Ruislip-Northwood): There is a much higher percentage of smokers in social class V than in social class I. They are proportionately much more susceptible to the three main killer diseases that the right hon. Gentleman cited: heart disease, stroke and cancer. How are the Government actively promoting his vision of a tobacco-free world to help those people? Is it by providing British taxpayers' money for European Union subsidies to tobacco-growing countries?

Mr. Dobson: I personally believe that European subsidies for tobacco growing are ludicrous, but that is the ludicrous situation we inherited from the previous Government. We want to persuade people to stop smoking, and we shall produce a White Paper setting out our intentions. We propose not only to ban advertising, but to use other methods to reduce the number of children who take up smoking. I am not making excuses for anyone, but for single parents living on a rundown estate with three or four kids, very little money, not much grub and a world of worry when they wake up every morning, a cigarette every now and again may be their only relaxation, and I find it hard to condemn them.

Mr. Kevin Barron (Rother Valley): I welcome the Green Paper and the consequential consultation. Does my right hon. Friend agree that, by tackling inequalities in many aspects of our lives, the Government will improve the health of the nation? There are no lessons to be learnt from the Opposition. For 18 years they governed this country and created many of the inequalities that cause people to suffer ill health.

Mr. Dobson: I entirely agree. Let me remind the House of a plain statistical fact. In the 1970s, the incidence of death from heart disease was the same across all social classes—for men, that is. Now men in social class V are three times as likely to die from heart disease.

Mr. Peter Bottomley (Worthing, West): Is not that because the lives of some have not changed? Is not that the lesson that we learn both from Keith Joseph's studies following his "Cycle of Deprivation" speech and from the Black report—of which there are two copies in our household? *[Interruption.]* I am not saying that we have done better than the Secretary of State; I am saying that we have the same number of copies as he has.

Is it not true that the only significant aspect that the right hon. Gentleman omitted from his introduction to the Green Paper is sexual health? Is it not also true that people in this country are more likely to contribute to the statistics for conceptions and terminations than they are to take up smoking? The figure for the former is 6,000 a week, while the figure for the latter is 5,000 a week.

The Secretary of State spoke of using reasonable terms. Should he not try to unite the House rather than artificially divide it?

Does the right hon. Gentleman not accept that members of all parties come to the House with the aim of reducing avoidable disadvantage, distress and handicap, and acknowledge that by working together we can learn from each other? To argue that we have started from scratch with this Green Paper is to deny that he has read the last one.

Mr. Dobson: We appear to have tracked down five of the 100 copies of the Black report. I do not know whether anyone else has a copy.

The fact that I did not mention sexual health—AIDS and HIV, for instance—in my introduction does not mean that it is not mentioned in the Green Paper. There is an awful lot in the Green Paper, and a good deal of work has been done.

I must be fair to the hon. Gentleman. When he was a Transport Minister, he did a substantial amount to reduce the number of accidents and deaths from accidents, and he deserves credit for that. As I said at the beginning, we are willing to listen to points that people make, and it is true that the previous Government made some efforts to promote health; but they were unwilling to recognise one factor. I believe that it was the other half of the Bottomley duo who ruled out the use by officials of the words

[Mr. Dobson]

"inequalities in health", because she did not like to hear them. If people will not listen to the words, it is very unlikely that they will address the problem.

Mr. Eddie O'Hara (Knowsley, South): Does my right hon. Friend agree that public health is a matter of concern not only for every locality, but for every Department of State? Will he assure us that his Minister for Public Health will be responsible for the co-ordinating and shaping of public health policies across all Departments?

Mr. Dobson: We promised at the election that we would appoint the first-ever Minister for Public Health. My hon. Friend the Member for Dulwich and West Norwood has that task. We are co-ordinating efforts right across the Government, and my right hon. Friend the President of the Council chairs the Cabinet Committee with that responsibility.

Mr. David Tredinnick (Bosworth): The right hon. Gentleman will be aware that demand for complementary and alternative medicine is at record levels. Has he any plans for greater use of the 750,000 complementary and alternative practitioners in the national health service? Does he accept that, as most complementary and alternative medicine is currently available only in private practice, poorer people are being discriminated against?

The right hon. Gentleman mentioned heart disease and asthma. Is he aware that very effective homoeopathic and herbal medicines are available to treat those conditions?

Mr. Dobson: I certainly recognise that complementary and alternative medicines work for some people in some circumstances. We are looking at the report produced by the Prince of Wales's group on what should be done to promote them, while protecting people from charlatans. After all, one of the reasons for the regulation of the medical profession was the fact that there used to be charlatans in it. If we are to allow people to practise, we need some rules and regulations, and those are being extended. I hope that they will provide the protection that people need, while also giving them the opportunity to use treatments that work on them. That is the test in the end: if something makes people feel better, it obviously works.

Mr. Dale Campbell-Savours (Workington): Does not the delivery of targets greatly depend on the quality of local authority services and advice? What does the Green Paper propose in order to make social services and other advisory departments work closely with NHS departments? That conflict is at the heart of problems in many parts of our health service.

Mr. Dobson: My hon. Friend makes a valid point. Since we came to power, I have been concerned about the Berlin wall between the NHS and social services. Some of the proposals in the White Paper that was published in December are intended to address that problem, as are some of the suggestions in today's Green Paper. We shall also produce a White Paper on social services. We must reach the stage where people who need treatment and attention will simply be dealt with. They will go to officialdom, and officialdom will treat them. It should not be up to them to sort out whether to go to a community trust, a mental health trust, an acute trust, a social services department or a voluntary body. They should be able to go where they know that the best that is available will be given to them straight away when they need it. That is the object of all our changes.

Mr. Philip Hammond (Runnymede and Weybridge): I am pleased to see the inclusion of targets in the Green Paper, which speaks of setting tough new targets in the context of various causes of death. None of those targets is new: they are all included in the White Paper entitled "The Health of the Nation", and none of them is tough, because every Green Paper target is lower than the corresponding one in the White Paper. Why has the Secretary of State reduced those causes-of-death targets?

Mr. Dobson: I have not.

Helen Jackson (Sheffield, Hillsborough): I wholeheartedly welcome the Green Paper. My right hon. Friend spoke about local circumstances. When such circumstances include specific problems affecting public health, such as water supply and lead piping, will the Secretary of State expect all agencies, public and private, to co-operate with health authorities to remedy them?

Mr. Dobson: I shall. That is covered in the Green Paper, as is the need to make sure that adequate water supplies are available to everyone at prices that they can afford. That applies especially to large families or to families in which someone is incontinent and they need a great deal of water for laundry.

Mr. Tony Baldry (Banbury): Does the Secretary of State appreciate that his statement will sound a bit hollow to councils, for example, in Oxfordshire where, as a consequence of this year's local government settlement, millions are being cut from the social services budget? Does a penny of new departmental public spending go with the Green Paper?

Mr. Dobson: I do not know how any member of the Tory party can complain about the allocation of funds to social services, because we are allocating to them this year for next year more money than the Tories intended, even if the witless Liberal Democrats did not notice it when they issued their press releases yesterday. We are allocating £1.5 billion more to the national health service. I should like to see more than that and I hope that more will go into the NHS eventually. We look forward to that, but I will accept no criticism from that lot opposite.

Dr. Howard Stoate (Dartford): As a proper doctor, I welcome my right hon. Friend's statement. Does he agree that the role of a caring and compassionate Government should be to narrow the health gap between rich and poor? How will the Green Paper set about doing that?

Mr. Dobson: Over a lengthy period, I think that there will be a gradual improvement in the health of all social classes. Our object is so to target the additional resources and address the problems that batten down on the health of the worst-off that their progress will be faster than that of the well-off and reasonably healthy. That is the thrust

of what we are trying to do, and I hope that we shall command support throughout the country. Our White Paper on the organisation of the health service has proved extremely popular with the professionals who will have to implement it, and I hope that today's proposals will be too because, as with the White Paper, this Green Paper is based on much talking by us, but even more listening.

Mr. Andrew Lansley (South Cambridgeshire): I represent the healthiest constituency in Britain, but it is by no means necessarily the richest, so perhaps the Secretary of State will accept that there is no straight-line relationship between those two facts. Will he have the good grace to acknowledge the gains that were made in public health after "The Health of the Nation" White Paper? Will he explain how those gains can be built on by dropping some targets, diluting others and shuffling responsibility for public health away from his Department and on to every other Government Department? Furthermore, will he explain how a healthy schools initiative will be furthered in my constituency by the Department appearing to consent to the abandonment of the school nursing service?

Mr. Dobson: I believe that the hon. Gentleman was working in the Cabinet Office before he was elevated to the House of Commons. I say again that the spending totals that may have caused his local health authority not to be able to afford the school nursing service were set when he was advising the previous Government; I do not know whether he gave bad advice and they took it, or good advice and they ignored it.

There has been no dilution of targets, although they have been changed. The point that I try to make at all times is that there are some national targets, but we intend that there should be local targets that reflect local needs. Those targets are going to be tough and the people responsible will have to meet them.

Ms Margaret Moran (Luton, South): Is my right hon. Friend aware that, in my constituency of Luton, South, the incidence of tuberculosis is twice the national average and is clearly linked, despite the comments of Conservative Members, to unemployment, bad housing and poverty? Will he join me in commending one of our local preventive health projects, called "Our House", which works primarily with women and children from the Kashmiri and Bangladeshi communities? Will he seek to extend that type of project, so that we can begin to tackle the appalling health inequalities that are the legacy of 18 years of Tory government?

Mr. Dobson: The scheme to which my hon. Friend refers is precisely the sort of local initiative that we wish to encourage.

Dr. Evan Harris (Oxford, West and Abingdon): Sex was an area that the previous Government were not good at in terms of delivering good public health and meeting their targets on things such as sexually transmitted disease, teenage conceptions, and HIV infections—particularly in specific groups such as young gay men—which continue to occur. Will he give an assurance that—by working with other Departments, if necessary—the HIV strategy to follow will be adequately financed, that sex education can be brought into the national curriculum so that it can be delivered effectively, and that the stain on our law that is section 28 of the Local Government Act 1988, which prevents good sex education in schools and elsewhere, will finally be abolished?

Mr. Dobson: I was rather taken aback by the hon. Gentleman's opening remarks in relation to the previous Government; I personally try to avoid any moralising about anyone. It is certainly true that we need to ensure that further efforts are made to reduce and to stop the further spread of HIV and AIDS. It is also important that we find the resources to give treatment, which appears to be working in either restraining or, apparently in some cases, almost setting back the disease altogether. It is expensive, but it is worth while, which is why we have made additional funds available for the forthcoming year and why I personally ensured that those funds were still targeted at hospitals and areas that provide the bulk of the service, which have developed the necessary expertise and to which some people wish to go for reasons for anonymity, rather than going to their local hospital. However, we must counter any feeling which may develop that, because it may be possible to treat the disease, we need not care any more about whether we catch it.

Ms Tess Kingham (Gloucester): How do the Government intend to address the wide regional variations in the level of infant deaths, which are clearly unacceptable?

Mr. Dobson: As I explained, the object is to have four national targets and to require each health authority, in collaboration with the rest of the health service, local authorities and other people, to say what is needed to deal with a particular problem, and then to get on with addressing it. The whole object is to achieve real, targeted, effective effort in each locality, addressing the problems of that locality. Having 27 targets did not really do the trick, although I do not deny that some progress was made and they helped in certain spheres. However, we do not think that they did the trick of encouraging the effort to be made where it was needed.

Mr. Neil Gerrard (Walthamstow): My right hon. Friend will realise from some of the comments that have been made this afternoon and from some of the speculative media coverage of the Green Paper, that the identification of four main targets is being misinterpreted by some people as suggesting that other issues, particularly sexual health and HIV, have dropped off the agenda. Will he consider what he can do during the next few months to ensure that people, particularly those who do not read the Green Paper itself, realise that that is not the case and that they are still regarded as important? Will he ensure that, particularly for a condition such as HIV, which tends to be concentrated in a small number of health authorities, the health authorities that do not have many cases are not absolved from responsibility for doing some preventive work and setting their targets, even though they may be different from targets in high-prevalence areas?

Mr. Dobson: I commend my hon. Friend on his work as the chair of the all-party group on HIV and AIDS.

[Mr. Dobson]

There is no question of our downgrading the effort; we want to upgrade the effort. As one of my local hospitals, the Middlesex, is one of the world's leading hospitals in the treatment of HIV and AIDS, I have a close interest in what goes on there and I do not want to see anything that it is doing held up or reduced. However, as my hon. Friend says, we must ensure that every health authority and trust makes a proper contribution to the fight against the spread of those diseases and, where possible, to treating them.

Several hon. Members *rose—*

Madam Speaker: Thank you. We shall now move on to the business statement.

Business of the House

4.22 pm

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): With permission, Madam Speaker, I should like to make a statement on the business for next week.

MONDAY 9 FEBRUARY—Opposition Day [7th allotted day].

Until about 7 pm, there will be a debate on the Child Support Agency, followed by a debate on railway services. Both debates will arise on motions in the name of the Liberal Democrats.

TUESDAY 10 FEBRUARY—Consideration in Committee of the Scotland Bill (Third Day).

Motion relating to the beef bones regulations.

WEDNESDAY 11 FEBRUARY—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Until 7 pm, motions on the Welsh Revenue Support Grant Reports. Details will be given the *Official Report*.

Consideration of Lords amendments which are expected to the Greater London Authority (Referendum) Bill.

THURSDAY 12 FEBRUARY—Consideration in Committee of the Scotland Bill (Fourth Day).

FRIDAY 13 FEBRUARY—Private Members' Bills.

The provisional business for the following week is as follows.

MONDAY 16 FEBRUARY—Second Reading of the Human Rights Bill *[Lords]*.

TUESDAY 17 FEBRUARY—Consideration in Committee of the Government of Wales Bill (Sixth Day).

WEDNESDAY 18 FEBRUARY—Until 12.30 pm, debate on the first report from the International Development Committee on Montserrat, followed by a debate on the first report from the Education and Employment Committee on teacher supply.

Debates on the motion for the Adjournment of the House.

Motions on the Social Security Benefits Up-Rating Order, the Social Security (Contributions) (Re-Rating and National Insurance Fund Payments) Order, the Guaranteed Minimum Pensions Increase Order and the Social Security (Incapacity for Work) (General) Amendment Regulations.

THURSDAY 19 FEBRUARY—Until 7 pm, motions on the Scottish Revenue Support Grant Reports.

FRIDAY 20 FEBRUARY—The House will not be sitting.

The House will also wish to know that on Wednesday 18 February there will be a debate on the Court of Auditors report for 1996 in European Standing Committee B. Details of the relevant documents will be given in the *Official Report*.

[Wednesday 11 February:

Relevant Reports—The Local Government Finance Report (Wales) 1998–99; The Limitation of Council Tax (Relevant Notional Amounts) Report (Wales) 1998–99; Special Grant Report (No. 2) (Wales) 1998.

Wednesday 18 February:

European Standing Committee B—Relevant European Community Document: OJ No. C348, Court of Auditors Report for 1996. Relevant European Legislation Committee Report: HC 155-xiv (1997–98).]

Mrs. Gillian Shephard (South-West Norfolk): I thank the Leader of the House for her statement. I am sure that she will wish to reassure the House that if there are developments in the situation in Iraq, the Government will want to update the House regularly on any changes.

May I remind the right hon. Lady that this is the third week that I have asked her whether we could have a debate on the national health service? This week, there have been two statements on the national health service, and the two papers have produced an enormous amount of material. I hope that we can soon have a debate on that very important matter so that those statements and other issues can be aired.

I commend the right hon. Lady for including debates on two Select Committee reports on 18 February. Inevitably, those debates will have to be held at the expense of Members' Adjournment debates, but the serious work of Select Committees deserves the serious scrutiny of the House. Their inclusion is very much in the spirit of the work of the Modernisation Committee.

What, sadly, is not in the spirit of the Modernisation Committee is the Prime Minister's continuing refusal—or perhaps inability—to give straight answers to straight questions at his once-weekly appearances in the House. Two weeks ago, I asked the right hon. Lady to convey to the Prime Minister our concern that he appears to prefer bluster and lecturing to straight answers to sensible questions from Opposition Members. I think that she, like the rest of us, will have noticed that there has been widespread press comment echoing that view.

I have noticed that the Prime Minister seems to be a little more successful with questions that he has prepared in advance. I begin to wonder whether, to get some sense out of those sessions, Opposition Members should perhaps give him a crib. Certainly that might have enabled him yesterday to know by how much farm incomes have fallen in the past year—although I suppose that farmers might have expected him to know that anyway, given that the figures came from his Government and were issued only last Friday.

Will the right hon. Lady arrange for the Parliamentary Secretary, Lord Chancellor's Department to come to the House to explain the Lord Chancellor's extraordinary utterances on press censorship—or, as he calls it, "prior restraint"? Is it the Government's view that press reports of stories embarrassing to the Government should be suppressed at source, as the Lord Chancellor seems to imply? What is the Government's policy on that important matter? Is it the same as the Lord Chancellor's? If not, why not?

Will the right hon. Lady tell the House the Government's position on the Wild Mammals (Hunting with Dogs) Bill? Is it the Government's view that the Bill is seriously defective? If so, for how long have they held that view? Would it not have been less wasteful of public resources to make that known a little earlier? Is the Government's policy towards the Bill one of strict neutrality, as is reported in the press this morning? I think we should be told.

Mrs. Taylor: The right hon. Lady raised several questions. She first asked me to give an assurance that the House would be kept informed of any developments on Iraq. She will be aware that Foreign Office Question Time will be held on Tuesday, and that my right hon. Friend the Foreign Secretary will be here. I know that he hopes also to make a statement next week to ensure that the House is kept fully informed of all developments, which will be of benefit to all hon. Members.

In respect of the right hon. Lady's request for a debate on health matters, she rightly pointed out that this week my right hon. Friend the Secretary of State has made two statements to the House, both of which have been widely welcomed. He has made seven statements since we were elected, so he has been extremely good at making himself available to debate such issues.

The right hon. Lady knows that we have a crowded programme. As I have explained to her on one or two occasions, although we have much to discuss and to boast about in respect of health matters, our crowded programme means that it is not always possible to have all the debates that we should like.

I am glad that the right hon. Lady welcomed the fact that we are debating the Select Committee reports on Wednesday morning. It is true that there is always a great deal of pressure on time for such debates, and indeed for Adjournment debates. She knows that the Modernisation Committee is looking at the matter seriously and I hope that eventually we will come up with some suggestions that will be of benefit to the House and to those who do so much work on Select Committees.

In respect of the right hon. Lady's point about Prime Minister's questions, it is not the quality of the answers that worries me, but the quality of the questions, which are not always trying to elicit a reply. I know that my right hon. Friend the Prime Minister has been giving the Opposition answers that they do not like, but they will have to get used to that in the next few years.

The right hon. Lady will know that issues of privacy have concerned hon. Members on both sides of the House at different times. She referred to my right hon. Friend the Lord Chancellor's statement in response to questions during an interview. There is no change in the Government's position. We have not reached a final view on these matters. We are currently discussing them with the Press Complaints Commission with the objective of strengthening the present system of voluntary self-regulation, as my right hon. Friend the Lord Chancellor made clear during his interview.

Mr. Gerald Bermingham (St. Helens, South): Will my right hon. Friend consider having an urgent debate on sport and the importation of players, particularly in rugby league? As she will be aware, it is difficult to obtain the services of Australian rugby league players, but easy to obtain the services of Russian football players. Does she agree that the matter needs to be sorted out so that we have a commonality of policy? I declare an interest on behalf of St. Helens rugby league club. It is not a personal interest. It is important that we have a common policy in respect of all sports.

Mrs. Taylor: Perhaps I should declare an interest. As my hon. Friend may know, my local rugby league

[Mrs. Taylor]

club, Dewsbury, has an interest in the matter. I cannot promise a debate, but I shall ensure that my hon. Friend's concerns, as well as those of other members of the rugby league group, are passed on to the Department for Education and Employment.

In my reply to the right hon. Member for South-West Norfolk (Mrs. Shephard), I did not address her point about the fox hunting Bill. The Government's position remains neutral. If she reads the *Hansard* report of the Committee debates, she will see that, just before Christmas, the Minister said that if there were technical problems with the Bill, assistance would be forthcoming. There followed discussions between my hon. Friend the Member for Worcester (Mr. Foster) and the Minister, and the latest announcement—that technical assistance is available—is a consequence of that.

Mr. Paul Tyler (North Cornwall): Has the Leader of the House noticed the increasing support, particularly among Labour Members, for early-day motion 689 to which I referred last week?

[*That an Humble Address be presented to Her Majesty, praying that the Jobseeker's Allowance (Amendment) Regulations 1998, (S.I., 1998, No. 71), dated 15th January 1998, a copy of which was laid before this House on 23rd January, be annulled.*]

Early-day motion 709 also relates to that issue.

Has the right hon. Lady seen the leading article in the *Financial Times* today which draws attention to the fact that the Government have still not made an announcement on the reappointment of Eddie George, the Governor of the Bank of England? Is that statement not long overdue? When can we expect it? Is not the delay causing some uncertainty—indeed, instability?

Will the right hon. Lady confirm that, on the explicit instructions of the Prime Minister, the long-awaited and heavily trailed White Paper on lifelong learning has been scrapped—indeed, pulped? Will she confirm that the comprehensive, united document is to be replaced by a series of consultation documents? Does she recognise that that will be a huge blow to all those who felt that this was the right moment for a full statement on the Government's intentions?

Mrs. Taylor: The hon. Gentleman asked about the jobseeker's allowance last week. I cannot add to my reply then or tell him anything about the Bank of England appointment that he referred to. He mentioned stability. He will know that the thrust of the Government's policy on economic and financial matters is to increase stability. We shall do nothing to cut across that.

A great deal of work is going on in the Department for Education and Employment on lifelong learning. It is taking on board many other issues. There is not always time to do everything on one day.

Mr. Tam Dalyell (Linlithgow): Albeit that I have been lucky enough to secure an Adjournment debate on Friday 13 February on the military situation in relation to a possible attack on Iraq, is it not important in a parliamentary democracy that unpalatable views should be heard? That cannot be done through Foreign Office questions, or even statements. We should be told the legal basis for military action.

Mr. Marc Weller of the centre of international studies in the university of Cambridge said in *The Times* that preventative war was unlawful. I have discussed the issue with four international lawyers, whose names I have given to Downing street. Three of them believe that Mr. Weller is correct. Should there not be a full statement on the basis on which this country might go to war? Matters of war and peace should be discussed in the House of Commons.

Mrs. Taylor: I congratulate my hon. Friend on obtaining his Adjournment debate. I have already told the right hon. Member for South-West Norfolk that the Government will keep the House informed. My right hon. Friend the Foreign Secretary is planning updates whenever necessary or possible. We take our responsibilities to the House seriously. I do not rule out a debate on the issue, but I think that my hon. Friend will agree that the timing of any debate needs careful consideration. It is most important that the House should be kept as informed as possible. We should also maintain the diplomatic momentum.

Mr. Nicholas Soames (Mid-Sussex): In acknowledging what the right hon. Lady has said, may I push her further and support the views of the hon. Member for Linlithgow (Mr. Dalyell)? We hope that the diplomatic initiatives are successful, but it looks increasingly as though we are sliding inexorably towards more aggressive action against Iraq. Is it not important that the British armed forces—there is a substantial carrier group in the Gulf actively training for any operation—should know that the will of the majority of the House of Commons is behind them in the event of their having to go into action?

Mrs. Taylor: The hon. Gentleman is reinforcing my point. The House has to be kept well informed. We are well aware of our responsibilities to the House. I have not ruled out a debate. I have said that we would have to give careful consideration to the issue.

Mr. Dennis Skinner (Bolsover): Will my right hon. Friend have a word with the Department of Trade and Industry with a view to a statement being made about a document that has gone out to hundreds of thousands of retired miners and widows of retired miners? The Government assumed control of the delivery of concessionary coal after the privatisation of the industry. It seems clear from the circular that as many as 55,000 of those widows and retired miners will receive up to 16 cwt less smokeless fuel than before. It is pretty clear that a mistake has been made. Will she ensure that the relevant people in the Department of Trade and Industry make a statement or make everybody happy by withdrawing the circular?

Mrs. Taylor: I cannot promise my hon. Friend a debate on that subject, but I shall ensure that Ministers respond to the points that he has raised.

Mr. Eric Forth (Bromley and Chislehurst): Does the Leader of the House believe that it would be in the Government's interest to have an early and urgent debate on press freedom? Is it not extraordinary that the Lord Chancellor should make a statement and then be slapped down by No. 10 Downing street? That is a very serious Government split on an important issue. Surely the

Leader of the House agrees that it is in the Government's interest—not to say that of the House of Commons, the electorate and the readership of newspapers—that we all know what on earth is going on. At the highest level of government, two completely contradictory statements are being made.

Mrs. Taylor: As I said, our objective of strengthening the system of voluntary self-regulation was mentioned by the Lord Chancellor in that argument. There is therefore no need for a debate of the kind that the hon. Gentleman mentioned.

Mr. Harry Cohen (Leyton and Wanstead): First, and most important, will my right hon. Friend ensure that the Prime Minister makes a statement on Iraq when he returns from the United States? She will know that I favour action against the regime, but not war against the innocent people of Iraq.

Secondly, did my right hon. Friend see that outrageous survey that put Leyton Orient bottom of the league for food in football clubs? Instead of going to war with Saddam Hussein, would not it be better to invite him to lunch at Leyton Orient on match day?

Mrs. Taylor: I should choose my words carefully on both matters. I cannot add to what I said about the importance of keeping the House informed on Iraq. I think that I have made the position clear.

On the survey of food at football grounds, I must declare an interest. As yet, Bolton Wanderers is not in the same division as Leyton Orient, so I can safely keep off the issue. My hon. Friend has made his point, but I do not think that it will be possible to have a debate on the issue.

Mr. Peter Viggers (Gosport): Does the Leader of the House share my concern that 910,000 taxpayers—one in nine of all required to do so—failed to complete self-assessment forms by 31 January, and therefore face fines and penalties? Does she agree that that is likely to impact most heavily on smaller business people? Will there be a chance to raise the issue next week? I am sure that there would be widespread support for the proposition that, in this unique situation, the implementation of the deadline should be delayed by one month.

Mrs. Taylor: I remind the hon. Gentleman that his Government not only introduced the system but set the time scale. Many people managed to meet the deadline. I also remind him that it is Treasury Question Time on Thursday.

Mr. John McAllion (Dundee, East): May I ask for an early debate on the multilateral agreement on investment—certainly before the Government sign it in April? My right hon. Friend will know that the proposed MAI, like the existing North American Free Trade Area, forbids Governments to discriminate against multinationals. She will also know that NAFTA contains clauses that are supposed to protect the environment in other areas, but unhappily have proved totally inadequate. For example, one American multinational is suing the Canadian Government for $250 million because they dared to ban a dangerous dioxin—on the ground that, as the multinational was the only producer of that dioxin, it would be discriminatory to ban it. We should have a full-scale debate on such issues before the Government commit us to an agreement that will give multinationals massive rights but very few responsibilities.

Mrs. Taylor: I am afraid that there just is not time for all the debates that hon. Members would like. My hon. Friend could apply for an Adjournment debate, or he may wish to approach Ministers in other ways.

Mr. David Maclean (Penrith and The Border): May I return the right hon. Lady to the subject of the Government's policy on privacy? Although the Lord Chancellor said, among other things, that he would like a strengthening of the voluntary code, we heard today the head of the judiciary—the man who is second in precedence to Her Majesty the Queen, and is a senior figure in government—pronounce with all the authority that he could muster that the press should be prohibited, barred, from revealing the events of the Foreign Secretary's sacking a civil servant to replace her with someone else. The right hon. Lady cannot pretend that the Lord Chancellor's comments were blandly reciting Government policy. We must have a debate to get to the bottom of the matter.

Mrs. Taylor: The right hon. Gentleman asked whether he could return to the subject, and then confirmed that what I said the Lord Chancellor had said was in fact the truth. What he went on to imply is not so. I have absolutely nothing to add to what I said earlier.

Mr. David Winnick (Walsall, North): Would not one advantage of a debate on Iraq be that Members would have an opportunity to discuss the very important matter and dwell, as we should, on the terrifying weapons of mass destruction, which have been well publicised in today's newspapers? A vote at the end of such a debate would show the overwhelming support in the House of Commons for action if Saddam Hussein refuses to allow any flexibility in weapon inspections. That vote would undoubtedly reflect the feeling in the country.

Mrs. Taylor: I think that I have made the position clear about a debate on Iraq. My hon. Friend's comments about the overwhelming majority of the House supporting the Government's position are important. Statements so far have demonstrated that support.

Mr. John Wilkinson (Ruislip-Northwood): May I refer the Leader of the House to the three hours only that she has allotted on the evening of Wednesday 11 February for consideration of Lords amendments to the Greater London Authority (Referendum) Bill? Is she not aware that the two amendments in question are of the greatest significance to Londoners? One concerns whether Londoners should have an opportunity, as their lordships rightly suggest, to see the Bill, rather than only a White Paper, before they exercise their vote in the referendum. The second concerns asking Londoners two questions: whether they want a mayor and/or an assembly. Is not allowing only three hours a grotesque abuse of democracy? Will the debate be time-limited? Will she

[Mr. John Wilkinson]

impose a closure motion with her big majority or will we be able, if we wish, to debate such matters beyond 10 pm on Wednesday?

Mrs. Taylor: I did not say that the debate would be time-limited. The hon. Gentleman's presumption is incorrect to start with. I remind him that the House has already passed its opinion on such matters.

Mr. Derek Twigg (Halton): In view of the many positive initiatives on education, such as extra money for schools books, the abolition of the assisted places scheme, which allows money to be put into reducing class sizes, the greater flexibility for primary school teachers so that they can spend more time on numeracy and literacy, and, of course, the year of literacy, will my right hon. Friend find time for a debate on those issues?

Mrs. Taylor: I understand why my hon. Friend wants a debate on those matters. All of us have schools in our constituencies that have been told that they will receive £1,000 for books in the near future, which is good news for every school. As he says, changes to the curriculum have been widely welcomed by teachers. We shall soon be hearing about savings from the abolition of the assisted places scheme, which will go into reducing class sizes. As I have said on other occasions, it is not always possible to find time for debates on all the issues about which we would like to talk and, indeed, boast. I am sure that his constituents appreciate as much as mine the progress that has been made.

Mr. Ian Bruce (South Dorset): I raised with the Leader of the House last week—and in previous weeks—the time it takes for Ministers to reply to letters. May we have an urgent debate on this matter? I know that if I ring the private office of a Minister, I can get an answer within a minute on any complicated matter. If one tables a priority written question, the answer is almost always late and takes twice as long as it is supposed to.

I have now received answers from most of the Ministries about how long it takes them to reply to Members' letters. The Home Office, for example, has said that it is hitting its target of 15 working days—which is lamentable—only 13 per cent. of the time. That is appalling. We must have a debate about getting information out to allow Members of Parliament to do their job. After all, we are all just wasting our time if we do not have the right information.

Mrs. Taylor: The hon. Gentleman has raised this matter with me before, and I have invited him to send me specific details. One or two hon. Members have done so. It is important that we get answers to questions and letters as soon as possible, but it is also important that we get thorough answers. It is significant that the volume of correspondence and the number of parliamentary questions in some areas has increased significantly. I am monitoring the situation as best I can, although some information I get is anecdotal. We are aware that there are problems in certain areas, and I will be happy to receive any representations from the hon. Gentleman or any other hon. Member.

Mr. Philip Hammond (Runnymede and Weybridge): Does the right hon. Lady remember the Fossil Fuel Levy Bill, a one-page Bill which received its Second Reading on the Floor of the House three months ago today, but for which the Government have apparently not been able to find time to schedule the Committee? Does she recall that the Select Committee on European Legislation recommended in December that there should be a debate in European Standing Committee B on the harmonisation of energy taxation? However, the members of the Committee have been told that the Government have no plans for such a debate. Is she aware of the growing belief in the House that the Government are trying to manage their business to avoid the possibility of discussing the Government's energy policy, particularly with regard to coal mining? Can she tell the House when these issues will be debated?

Mrs. Taylor: Not next week.

Mr. Matthew Taylor (Truro and St. Austell): I hope that the Leader of the House will join me in expressing concern and sympathy to the 300 families in Cornwall who today heard that the Government will not give any support to keep open what is not only Cornwall's last tin mine but Europe's last tin mine. I understand that, despite the many months that the Government have been considering this matter, they have today been unable to give any firm answers on any kind of package to help ameliorate the effect of those job losses in the poorest county in England and one of the highest unemployment and lowest wage areas within that county. I understand that the Government will not be able to give any firm indication in tonight's Adjournment debate either.

Is it not time that the Government had an answer for those families hit by the decision? Would it not be appropriate for DTI Ministers to come to the House as quickly as possible to say what they are going to do if they are not prepared to keep open Cornwall's last tin mine?

Mrs. Taylor: We have just had DTI Question Time and, as the hon. Gentleman pointed out, there is an Adjournment debate pending on this matter. It would be wrong for me to anticipate anything that might be said in that debate.

Mr. Owen Paterson (North Shropshire): War widows receive a small military pension. If caught cohabiting with a man, they lose that pension. Now that public funds are available to spend on unmarried partners of Ministers to fly around the world, could we have a debate to look at the unfair anomaly that prevails on war widows?

Mrs. Taylor: The hon. Gentleman reminds me of the headline in yesterday's edition of *The Times* which suggested that the Tories needed more thought and less trivia.

Mr. Roy Beggs (East Antrim): Will the Leader of the House give early consideration to a full debate on agriculture so that we can properly consider the very serious financial straits affecting every sector of the industry throughout the UK?

Mrs. Taylor: My right hon. Friend the Minister of Agriculture, Fisheries and Food has been extremely good at informing the House of the issues affecting the farming community, and what he is doing about them. I realise that there are serious issues involved, but there is no time in the very near future for a debate on the matter. I will draw the hon. Gentleman's concerns to my right hon. Friend.

Points of Order

4.55 pm

Mr. David Maclean (Penrith and The Border): On a point of order, Mr. Deputy Speaker. I seek your guidance on two issues. Fifteen days ago, I had a debate on the transactions of the Paymaster General. Following that Wednesday morning Adjournment debate on 21 January, I tabled down a series of priority written questions to the Chancellor; the first such questions I had tabled in about 12 years. So far, 15 days later, only one has been answered. I think that I am right in saying that if Ministers in the previous Government had behaved with such callous indifference to the House, Labour Members would have rushed in here, protesting and seeking emergency debates. I have waited patiently to see when my questions would be answered; only one has been.

What can be done to ensure that Ministers answer questions from Opposition Members? We rarely put down priority written questions, but when we do it is not for fun or amusement—it is because a serious issue is at stake. We should like Ministers to answer them occasionally. *[Interruption.]* Labour Members are laughing in arrogance. That is typical of the arrogance of the Government.

Mr. Deputy Speaker (Mr. Michael J. Martin): The right hon. Gentleman must pursue the matter with the Minister concerned.

Mr. Maclean: On a related point of order, Mr. Deputy Speaker. If Ministers continue to refuse to answer, I shall come back to the matter. The related point is that the one question that the Chancellor answered was one in which I asked for a definition of a blind trust. He said that it was a

"trust under which the Minister is not informed of changes or investments or the state of the portfolio".—[*Official Report*, 2 February 1998; Vol. 305, c. *459*.]

I wrote to the permanent secretary at the Treasury—as did the shadow Chancellor, my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley)—to ask for his definition of a blind trust. He said:

"We agreed with the Paymaster that a trust would be one where he would receive no information about changes in investment or the state of the portfolio of assets and would make no suggestions for changes in the portfolio."

I have one answer from the Chancellor of the Exchequer, and a different answer from the permanent secretary at the Treasury. What can be done to bring the Chancellor to the House to give us the whole truth on this question, or to bring the permanent secretary to account?

Mr. Deputy Speaker: That is not a matter for the Chair. It looks as if the right hon. Gentleman now has two Ministers to pursue for answers.

Local Government Finance

Mr. Deputy Speaker (Mr. Michael J. Martin): Before I call the Secretary of State, I should inform the House that Madam Speaker has ruled that there should be a 10-minute limit on Back-Bench speeches.

4.57 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): I beg to move,

That the Local Government Finance Report (England) 1998–99 (HC 506), which was laid before this House on 2nd February, be approved.

As this debate is to be one and a half hours shorter than last year's debate—and as many hon. Members will wish to take part—I shall try to follow the spirit of Madam Speaker's demand. I hope to be reasonable in my contribution.

The House will recall that on 2 December I issued full details of my settlement proposals. The reports before the House today represent the outcome of lengthy discussions with local government, including the formal consultation process launched by my statement in December. These consultations ended on 13 January.

My proposals included the overall provision for local authority spending, known as total standard spending. They included the level of support distributed by the Government for the spending and my proposals for calculating standard spending assessments. I also announced provisional capping guidelines.

My colleagues and I have received written representations from 248 local authorities and have met delegations from 95, as well as from the Local Government Association and the Association of London Government.

We have considered carefully all the points raised during the consultations, and the reports set out our conclusions, which reflect the principles that I explained to the House in December. The settlement is fairer, better and more flexible. It is fairer, because the authorities with real need will get more resources; better, because it is the biggest increase for local authority services for years and includes £835 million for schools; and more flexible, because capping is less restrictive than under the previous Government.

The vital services provided by our local authorities affect everyone's quality of life. I want to express my appreciation to all those involved in providing such services under the most difficult circumstances.

Before I go into the details of the reports, I want to remind the House that, as well as any local authority funding that we are discussing today, the Government are also providing an additional £1.3 billion to improve the state of our school buildings, through the new deal for schools, and £800 million extra for housing, through the capital receipts initiative. That is good news for local government, and certainly for those in receipt of the services.

Mr. Christopher Gill (Ludlow): May I draw the right hon. Gentleman's attention to my Question 44 on page 2796 of today's Order Paper:

"To ask the Secretary of State for Education and Employment, what additional funding he is making available to Shropshire Local Education Authority; and how the decision was announced."?

I understand that a decision has been made to allow the LEA to spend more money, but I, as a Shropshire Member, have not been informed about it, and neither has my hon. Friend the Member for North Shropshire (Mr. Paterson). I understand that the Government saw fit to make the announcement in a private letter to a Labour Shropshire Member. That is a disgraceful contempt of Parliament, and entirely the wrong way in which to proceed. Does not it make a mockery of open government?

Mr. Deputy Speaker: Order. That was far too long-winded.

Mr. Prescott: The hon. Gentleman is referring to capital contributions made by my right hon. Friend the Secretary of State for Education and Employment, and he knows that those are not part of the settlement. He has recorded his views on the matter.

Mr. Gill: Answer the question.

Mr. Prescott: I am trying to answer it in the best way that I can. I am making it clear that it has nothing to do with the settlement. If the hon. Gentleman feels slighted by the procedures adopted by my right hon. Friend the Secretary of State for Education and Employment, his protest has been recorded.

Under the SSA for Shropshire, there is a 4.7 per cent. increase for education, and that must be welcome, especially as we rightly ensured that it would not be at the expense of other services, as it was provided for in the revenue support grant. Shropshire has done well, and got more than it could have expected from the previous Government. Education, in particular, has done far better than it would have done under the Conservatives.

Mr. Gill: I am most grateful to the right hon. Gentleman for giving way to me again, but I think that he is being most disingenuous, because the extra money is not to be provided by the Government: Shropshire council tax payers are to be allowed to borrow it at their own expense.

Mr. Prescott: It is nothing new for local authorities to borrow money. They are all doing it. I suggest that the hon. Gentleman protests to the local authority. His protest in the Chamber has been noted, and there is nothing more that I can add, other than to say that education is doing far better in his area under this Administration than it did under the Conservatives, both in the resources that are available for improving schools and in the quality of education, including nursery education. That is the contribution that the Government have made to his area and to many others.

Mr. Dennis Skinner (Bolsover): I am interested in this discussion between my right hon. Friend and the hon. Member for Ludlow (Mr. Gill), because we in Derbyshire

were also looking forward to a better settlement and did not get it; but my right hon. Friend might like to know that Derbyshire, having lost £220-odd million because of the previous Tory Government's cuts, will be quite happy—as will I—for him or any other Minister to send a letter about the settlement to anybody in the county. I do not care who it is, as long as there is some money attached to it. I could be the last to know, and I would be delirious.

Mr. Prescott: I am certainly grateful for my hon. Friend's support, as indeed I was when we discussed the channel tunnel rail link. As he knows, despite the considerable difficulties in Derbyshire—I acknowledge those, and they have been pointed out by other Derbyshire Members—an extra 5.4 per cent. has gone to education in the area. Derbyshire, like other shire counties, has done well, even though I acknowledge that it has had more than its share of problems arising from the difficulties of arranging the settlement.

Mr. A. J. Beith (Berwick-upon-Tweed): Someone else who might want a letter from the Secretary of State is the Labour leader of Northumberland county council, who is faced with the lowest increase of any shire county and who says that, although he told people last year that things would be better this year, he will now have to give them worse services at higher cost. He says that Labour has let us down, even though the council presented a constructive case for a fairer settlement. What does the Secretary of State intend to do about that?

Mr. Prescott: I am almost bound to cite the record, which I am sure is known to the right hon. Gentleman. The increase for education in his county was £5.1 million. That is far more than was promised by any political party, including his own.

Mr. Beith *indicated dissent.*

Mr. Prescott: The evidence is clear. Whatever the difficulties about other services—and it is legitimate to deploy arguments about them—we have certainly done well by education. That is a reflection of our "Education, education, education" priority. We have only made a start, and there is much more to do, but the record shows that we have allocated extra money for the improvement of education, of nursery education and of the fabric of schools. That is reflected in the settlement, and we have every reason to be proud.

On 2 December, I announced proposed total standard spending for England in 1998–99 of £48.2 billion, which included the provision for local government reorganisation. The figure is substantially unchanged, but the provision to cover the cost of council reorganisation has decreased slightly; I referred to that in December, and I shall expand on it in a moment.

The TSS figure of £48.2 billion represents an increase of 3.8 per cent. over the adjusted 1997-98 figure; so next year local authorities will have £1.78 billion more to spend than this year. We would all like to give more money, but we can at least say that local authorities are getting an increase in real terms, even under the current difficult circumstances.

Ms Julia Drown (South Swindon): I welcome my right hon. Friend's statement, and the Government's support for Swindon borough council. He knows that I am keen that we should deliver everything that is in our manifesto and everything that is good for local democracy. When does he intend to reverse the Tories' destructive policy of rate capping and return more control of business rates to local authorities?

Mr. Prescott: This is the last year in which I intend that the crude capping principle of the Tory party should apply.

Within the total, we have been able to provide an extra £835 million for councils to spend on education, every penny of which will be covered by the extra £835 million of revenue support grant from the Government, so there is every reason for us to expect that the moneys that have been given should go to education and not be used for other services.

Mr. Andrew Miller (Ellesmere Port and Neston): My right hon. Friend says that the money is allocated for education. Will he make it clear to local education authorities that by education we mean education, and not items such as expensive lawyers for special needs tribunals?

Mr. Prescott: I do not know the circumstances to which my hon. Friend refers, but I have a personal interest in education in his area, because I went to the Grange secondary modern school in Ellesmere Port. I know that moneys are needed in that area, and that has been recognised in the settlement: £10.7 million is to go there, and that money is well deserved and much needed.

Mr. Geoffrey Clifton-Brown (Cotswold): I welcome those passported increases through to education, but in Gloucestershire they are putting severe pressure on the social services budget. One hundred national health service beds are blocked by people who could be clinically discharged, but there is not enough money in that budget to provide a home services, residential or nursing home package. Clearly, that makes no sense on a national scale when a hospital bed costs upwards of £150 a day, yet such a social services package costs between £30 and £50. Will the right hon. Gentleman urgently tackle that problem to find out what can be done nationally as well as in Gloucestershire?

Mr. Prescott: The hon. Gentleman makes a fair point about the difficulties of community care. All hon. Members are well aware of the problems in their constituencies. In this settlement, we have provided about £350 million towards that. It is never enough. The difficulties are considerable and we are all aware of people who have to be kept in hospital because no beds are provided outside, which is much more expensive.

Many aspects of the community care programme have been welcomed, but when the hospitals were closed an awful lot of people were dumped into the community. That was the policy pursued by the previous Administration and it has given us extra problems. Nevertheless, we have to find more resources. We have tried to do it this time by providing £350 million because we believe that local authorities are under pressure. As the hon. Member for Cotswold (Mr. Clifton-Brown) knows, we may say that the money should go to community services—we certainly hope that it will—but

[Mr. Prescott]

it is very much within the discretion of the local authorities. We have made it clear that that is a reasonably high priority and that that amount of money should be spent in that way. The Secretary of State for Health has made that clear and the education priority has been made clear. That raises the more fundamental question of how much Governments decide to ring fence and how much is at the discretion of the local authority. That may well be an issue that we shall be judging after this settlement, because we have made it clear that a lot of those resources should be spent in the way that we have stated; that is particularly true of education.

Mr. Clifton-Brown: That is precisely what has happened in Gloucestershire under the largely Liberal-dominated group. Money is not going to where it should be going to relieve that problem. Will the right hon. Gentleman look into it and find out whether he can direct the resources to solving the problem?

Mr. Prescott: Again, every Member of Parliament finds himself in that position and is advised in all quarters about how much is being given in every local authority. It is terrifying trying to understand how each local authority has so much for housing and for education. I am advised that the extra resources given to the hon. Gentleman's constituency amount to about £1.42 million for social services. I am certainly aware of the problem. Every Secretary of State who has stood at this Dispatch Box to tell the House what the settlement is, has been told by hon. Members that the expenditure is not enough in various areas. There is no doubt about that.

There are real problems with the priorities for expenditure, as well as the total. The priorities are not in the right order at present and that is why we will be undertaking a review with the local government associations to find a better way. Indeed, that question is related to the whole principle of capping and expenditure priorities. Shortly, having conducted the discussions with those associations we hope to be able to come to the House with a better way. I predict that however good I might think the new system, there will never be enough resources when I appear here. I am sure that hon. Members, carrying out their obligations and duties, will be telling me why not. That is the nature of democracy, and I accept that that is the case. This settlement is fairer, but it is not an easy one. It is tough and we readily accept that there is still a price to be paid.

I referred to the £835 million in revenue support grant for education and we have included a further £70 million for children's social services—the first substantial increase for three years. Again, that is to be welcomed. It is much better than local authorities could have expected under the previous Government. However, I recognise that the settlement is still tight for many authorities.

In 1998–99, we have gone as far as we can to help local authorities, within our public spending targets—commitments given in the House and during the general election campaign. Extra money has gone to our priorities. The total of aggregate external finance—known as AEF, which is the money distributed by the Government through grants and business rates to help meet the TSS—will be £37.52 billion for England, which is about £10 million higher than the amount that I announced in December. I explained then that less provision might be needed for the transitional costs of local government reorganisation and that has proved true. Within the total of £37.52 billion, the amount of money provided from central Government to local authorities through the revenue support grant will be £19.51 billion—up some £10 million for the same reason.

Mr. William Cash (Stone): Can the Secretary of State explain something? In his discussions with the Treasury, to what extent have the Maastricht criteria been raised? To what extent are the decisions that have been taken in respect of the constraints on public expenditure, which are causing much trouble in Staffordshire because of the increases in council tax in three of the district councils in my constituency, driven by Treasury requirements that are themselves dependent on compliance with those criteria? Has the right hon. Gentleman had those discussions and what did they produce?

Mr. Prescott: I must admit that I have not had discussions with the Treasury about the effect on the settlement of the Maastricht agreement, although I well understand that arguments about the difficulties of public expenditure can be extended into arguments about the Maastricht agreement. We were more concerned with putting the public finances on a proper footing because we inherited quite a mess. The settlement was motivated more by that than by consideration of that agreement.

In December, I proposed a number of changes in the way in which the revenue support grant is shared out between local authorities—the standard spending assessments. The aim of our changes is to remove some of the unfairness in the system. We discussed a range of options with local government during the summer. Ministers then had to choose the most justified options, which most contributed to making the system fairer. We proposed five main changes. Clearly, we needed a new basis for the SSAs for educating children under five following the abolition of nursery vouchers and we needed to move towards our aim of making universal provision for three and four-year-olds.

Now, the SSAs will be distributed on a basis that reflects the number of pupils for whom local authorities currently provide. Authorities will be able to get help from the Department for Education and Employment, where they need to expand their nursery education provision. Of course, that is in addition to the out-of-school hours learning clubs, which will be supported by the new opportunities fund. We have reformed the measures of neediness within the SSA formula. Those carried little credibility before. We have now been able to apply explicit principles to determine what should be included in the formula. The result is a clear improvement on the previous system.

We have overhauled the formula for residential social services for the elderly, using the research commissioned by the Department of Health from the university of Kent, to take proper account of the changes in social services following the introduction of community care. We have also changed the treatment of debt incurred by local authorities before the SSA system was established in 1990. We now treat authorities that opted to invest their capital receipts broadly on a par with those that chose to repay debt.

Also, we have looked afresh at the way in which we take account of visitors and commuters. We have ended the link with the density and sparsity of population and also put an end to the assumption in the old formula that visitors and commuters have the same economic and social characteristics as the residents of the area that they are visiting. That was the nonsense that meant that people staying at the Ritz were treated as being as deprived as local people. That gave rise to absurd results, which were often debated in the House. From 1998–99, we shall take as much account of visitors and commuters as is fair.

We have received representations on many aspects of the SSAs and considered them carefully. Of course, some focused on the short term. There were complaints from those who felt that they had lost out this year as a result of the changes that I have described. Some pointed us more towards areas that we might want to look at again in the future, but where the full facts need to be established.

The result of those considerations was to confirm the methodology for 1998–99 that I proposed in December. However, we do not have closed minds on all this. Our present review of the local government finance system will look at grant distribution for the longer term. For the next settlement, we will look at further improvements in the SSAs, both in the criteria and the period of review.

Mr. Tom King (Bridgwater): I apologise to the right hon. Gentleman for not being here for the beginning of his speech. He says that he has abandoned the sparsity factor, but I am not clear whether he has done so for this settlement. Rural poverty has recently been debated in the House. Is he aware that in Somerset, home care provision for the elderly is half that available in urban areas with a greater population density?

Mr. Prescott: There are some genuine concerns in the right hon. Gentleman's complaint, but I should correct him about sparsity, which related only to commuter issues. There are real issues in community services and SSAs must address that. There is a general feeling in the House that it is time for a review, and we are conducting one. When we have reached conclusions, it will be right for the House to discuss them.

Mr. Gill *rose—*

Mr. Prescott: No, I have given way several times.

Several hon. Members have asked us to examine area cost adjustments. Local authorities may want to urge further changes on us for next year. We shall work closely with the Local Government Association in considering both the short and long term. Hon. Members whose local authorities were disappointed that changes were not made this time round should encourage them to make their case via the LGA.

Sir Teddy Taylor (Rochford and Southend, East): Before the right hon. Gentleman gets on to area cost adjustments, were any changes made to the figures as a result of the mass of deputations that went to see his Ministers? I took part in one on behalf of the borough of Rochford, and I think that hon. Members sometimes wonder whether such meetings are worth while. I think that he knows that while I was happy with the deal that he did for Southend-on-Sea, and said so publicly, poor old Rochford was hammered.

Mr. Prescott: I confirm that changes were made for several reasons such as traffic flows and the use of roads. All sorts of things were considered, including whether mistakes were made in the figures. On the hon. Gentleman's constituency, the change in the Essex area was as much as an extra £3 million, based, I think, on figures for road and traffic movements. We made changes where it could be shown that we had made mistakes in the figures or in the criteria used to assess a local authority. His area was lucky to get an extra £3 million.

Judy Mallaber (Amber Valley): I welcome my right hon. Friend's statement that he will seriously examine the issues in the forthcoming year. The head teacher of a school in my constituency, who had come from Hampshire, told me that because of the disparity in education SSA between us and some southern counties, he would have had £300,000 more for the school had it been there and would have had fewer statemented kids. Does my right hon. Friend accept that such anomalies have had a serious impact? That is why Derbyshire is in its current difficulties. The cumulative effect has been exacerbated by many years of Tory intransigence to counties such as Derbyshire. The impact of that needs to be examined.

Mr. Prescott: I accept a great deal of what my hon. Friend says. It is a mystery to me why the difficulties in financing Derbyshire under the previous Administration went on for so long. It seems to have been discriminated against for some years. That is history. It is clear that our settlement gave considerably more, as I said before in respect of the education increase of 5.3 per cent. Even that is less than the class average for the shires, which I think is about 5.7 per cent. We need to address such matters, and I shall do so in the Local Government Association assessments that are going on.

Mr. James Gray (North Wiltshire): Wiltshire is run by a Lib-Lab pact. Half a dozen Labour councillors keep the Liberals in control. *[Laughter.]* They find it funny. Were it not for the Labour party, the Conservatives would be in control. I was interested by the right hon. Gentleman's response to the hon. Member South Swindon (Ms Drown). She is apparently happy with the education settlement for Swindon. That is not the case elsewhere in Wiltshire, where there have been deep and damaging cuts across the county because of financial incompetence in other budget areas. Will the right hon. Gentleman undertake to look into that incompetence and, in particular, into the off-balance sheet financing, which is coming back to bite? Will he find ways of getting the 5.7 per cent. that he mentioned through to Wiltshire children?

Mr. Prescott: I take on board some of those points, but, whatever the arguments, the education settlement for the hon. Gentleman's area means an increase of £7.4 million. That is more than he could have expected under the previous Administration. It is fine for him to declare that he is proud to be a Conservative, but the people, and children, of his area are better off under a Labour Government than a Conservative one.

Mr. Gray *rose—*

Mr. Prescott: No. On phasing in, or what the jargon calls damping—which could be applied in the hon.

[Mr. Prescott]

Gentleman's case—I said in December that I would pay a special grant to phase in changes for authorities that have lost SSA as a result of the changes in methodology. I also made it clear that we need to make the phasing in—the damping grant—fairer. I shall therefore set the threshold for grant in terms of council tax equivalent. That will be fairer to areas with high needs and a low tax base. I shall also limit the amount of grant spent on phasing in the larger corrections to SSAs so that grant will be limited to the equivalent of half the SSA reduction. I shall also pay a damping grant to phase in the changes for certain police authorities on a similar basis. The Special Grant Report (No. 31) will establish those grants for 1998–99, and some £102 million will be distributed to authorities for that purpose.

I am maintaining my proposal to damp council tax increases that are a direct result of reorganisation and come above a £52 threshold at band D, £1 a week, for authorities reorganised in April 1998. The threshold will be £104 a year at band D for authorities recognised in earlier years. That scheme will result in the payment of grant worth £11.5 million and will benefit council tax payers in Cheshire, Newbury, North Lincolnshire, Reading, Rutland and Wokingham. I shall lay regulations to implement the scheme before the House tomorrow.

On notional amounts, I am specifying a base budget for authorities that are being reorganised or whose budgets are affected by the abolition of nursery vouchers. That will allow me to make a fair comparison between years for capping purposes. The amounts are specified in my report on relevant notional amounts for 1998–99.

Finally, I come to my proposed capping criteria. I have listened carefully to the arguments put to me to adjust or relax the provisional criteria that I announced in December. However, I have decided to maintain those provisional criteria. As I advised the LGA conference last year. I will take final capping decisions after authorities have set their budgets and ensure that caps are reasonable, achievable and appropriate to local circumstances. Let me make it clear that although my capping principles for 1998–99 give authorities more room for manoeuvre, I do not expect every authority to spend up to its cap. This year, 70 authorities are between them spending more than £150 million below their caps. There is no reason why local authorities should not do so again. We look to local authorities to set sensible budgets that will keep council tax increases as small as possible.

Mr. Edward Davey (Kingston and Surbiton): On capping, we in Kingston are disappointed that despite representations from me and Kingston council, the right hon. Gentleman has decided to maintain the cap at 3 per cent. When he said that Kingston was a leafy borough, did he realise that it has areas of deep deprivation on a par with some of the neediest areas of inner London? Will he reconsider, even at this late stage, the capping limit for Kingston? Our borough needs that money for social services to protect people in great need.

Mr. Prescott: The capping limit is more generous than it was last year. That is not to say that the hon. Gentleman's area has not had difficulties. Most councils have difficulties with tough budgets such as this. I do not doubt that, and I am trying to explain the judgments that I reached. I cannot reconsider the position. We have given much thought and discussion to the matter. That is why we arrived at our conclusions.

The Government are committed to ending the system of crude universal capping, and we will do so. When we do so—and I mean when, not if—the freedom will carry with it responsibility. We have also made it clear that reserved powers will remain to protect council tax payers. We will shortly be consulting widely on the best way to do that as part of our review of local government. The sooner we can reach consensus on change, the sooner we can consign the old Tory capping system to the dustbin. I intend this year to be the last year of crude, universal capping.

Mr. Mark Todd (South Derbyshire): I certainly say hear, hear to that. Will the effects of the past eight years of capping influence my right hon. Friend's judgment on the appropriate level of cap after the relevant budgets have been set?

Mr. Prescott: We have been in government for nine months, so I am afraid that that decision will not be reached overnight. We will, however, consider all the relevant factors. We have already started the review on which we gave a commitment. We did not agree with the crude universal capping practised by the Tories, which caused great damage to the quality of our public services. Our job is to come to the House with an alternative to that arrangement. Discussions are under way and we will learn from the experience gained in the years in which that capping arrangement has been in operation.

When I addressed the House in December I said that the way in which we talk about local government finance is somewhat obscure, overcomplicated and designed to make the subject inaccessible to the average person. I am pleased to announce that this week we published a plain English guide to local government finance, as I promised to do in December. To do that in two months is not bad. I have already sent a copy to Matthew Parris. I am glad that we have managed to produce that guide and I am pleased that it has been given the crystal mark by the Plain English Campaign. I offered to attend one of its courses, but it felt that I was too far gone and a hopeless case. Nevertheless, I am pleased to be the Secretary of State who introduced that guide. I hope that it will be a small but worthwhile contribution to making the democratic process understandable to many more people.

I have dealt with the main issues considered in the three reports before the House. I recognise that this year's settlement will be tough for local government. That is the price we must pay for the fiscal incompetence of the previous Administration and in order to put public finance on a sound footing. Despite the constraints that we face, this year's settlement is better, fairer and offers more flexibility for local choice than has been the case for many years. I commend it to the House.

5.31 pm

Sir Norman Fowler (Sutton Coldfield): I shall try to be brisk because the time available for the debate has been truncated and it is clear that many hon. Members want to speak.

Three months ago, the Government announced to the House how they intended to distribute the resources available to local government for this coming year. Since

then, the Secretary of State has received letters from almost 250 authorities and Ministers have seen almost 100 delegations from local councils. The net result—this is a more direct reply to my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) than that offered to him by the Secretary of State—according to the Secretary of State's press release of Monday and what he said today is that there will be no changes in the standard spending assessment methodology or in the capping guidelines. Apart from the use of slightly more updated statistics, nothing has changed.

The Secretary of State has claimed that this year's statement is, to use his words, "better, fairer" and more flexible. Many council tax payers and many councils that face increases in council tax of 10 per cent. or above will not see it in those terms. Councils such as those in London and the shires have been hit by the changes to the funding formula that the Secretary of State has introduced.

In last year's debate, the right hon. Member for Holborn and St. Pancras (Mr. Dobson), then the Opposition spokesman on local government, said:

"Conservative Members will be voting for a settlement that will force through average council tax increases of 6 per cent., equal to £40 extra for every household, together with cuts in services to local people."—[*Official Report*, 3 February 1997; Vol. 289, c. 691.]

This year, even according to the Secretary of State's figures, Labour Members will be voting for an even higher council tax increase than that which they condemned last year. That is a fact.

It is fascinating to re-read the 1997 debate and see how the language used by those on the then Opposition Front Bench, including the hon. Member for North-West Durham (Ms Armstrong), now the Minister for Local Government and Housing, has changed.

Twelve months ago, we heard about how the Labour party would fundamentally challenge the system for financing local government. It claimed that a radical new system would be introduced. According to the leaked letter from the Minister for Local Government and Housing, the fear in her Department now is that the Labour party will disappoint its friends in local government because of the lack of radicalism in the Government's plans. In that letter, the hon. Lady warned that relations between Ministers and the Local Government Association could "quickly break down". We will soon learn what the Secretary of State's words about capping mean, but it is clear that they do not mean its abolition.

In the past few months, the Government, far from improving the budgetary position of councils, have imposed new cost burdens on local government. It is an issue of fundamental importance and there is no disguising some of those cost increases. I shall draw attention to what the Labour Government insist on seeking to conceal for some reason—the impact of the pensions tax announced in the Budget. It is a hidden iceberg of cost which will cost local government £300 million each year. It is not a one-off tax, but one that will continue to have an impact on pension funds year after year. The Government say that if the tax fell evenly over all local authorities it would add almost £20 to band D council tax. That average figure conceals the fact that several councils will be hit severely.

Cambridge county council has sent a letter in which it says that the Government's decision will cost it nearly £4 million a year, and more than £6 million a year when all other employers' contributions are taken into account. Devon county council has also written to say that its costs will be increased by between £7.5 million and £8 million. West Sussex county council has said in a letter that not only might there be a 30 per cent. increase in its costs, but its actuary considers it would be prudent to make additional contributions in the intervaluation years. In other words, contributions should be made in the years immediately to follow 1998. We have heard of similar reports from the authorities of Essex, Norfolk, Kent, Surrey, South Yorkshire, Greater Manchester and Merseyside, all of which complain that costs have been pushed up by the pensions tax.

The Minister for Local Government and Housing is trying to claim that that tax will have no impact on local government in 1998–99. The reality is that it has already taken effect. There has been an impact on local authority pension funds from the time the tax was introduced. In that respect, it is entirely the same as any other pension fund or personal pension. The pension tax is a £5 billion a year tax on pensions. It affects local authorities just as it affects everyone else.

Ministers claim that no assessment of the tax can be made until there has been an actuarial revaluation. They argue that since that revaluation will not take place until later this year, there will be no impact on local authorities until 1999. Let us be clear that the actuarial revaluation will simply measure the deficit; the impact is being felt now. All that Ministers are saying that is that the bill for the pensions tax will be postponed until 1999.

Last year, the Local Government Association sent a circular to councils in which it stated:

"From the accounting and actuarial viewpoints, it would clearly be prudent to make advance provision, say by way of an agreed voluntary uplift in contribution rates."

It went on to state, however, that regulations prevent councils from acting in that prudent way and noted:

"The LGA has been advised by the Department of the Environment, Transport and the Regions that authorities do not possess the legal powers to increase contribution rates in these circumstances."

We need to be clear where the Government stand on the issue. Do they intend to change the regulations to allow councils to act prudently, or will they guarantee that every penny of the increased cost to local government of the pensions tax will be met by central Government? In other words, will the bill be picked up by taxpayers, many of whom have had to pay increased contributions to their occupational pensions and their personal pensions? The Government should clear up the confusion as a matter of urgency, because, the longer the issue is postponed, the greater will be the bill. If contributions are not increased until 1999 or 2000, the bill for local government will approach £1 billion.

Mr. Phil Woolas (Oldham, East and Saddleworth): The right hon. Gentleman is raising concerns about the occupational pension schemes of many people in the local government sector. Does he agree that the biggest factor that undermined occupational pension schemes was the introduction of personal pensions, the mess of which is still being cleared up?

Sir Norman Fowler: I am not sure that the hon. Gentleman is quite on beam or that he comprehends what

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is being said. I do not remotely agree with what he says. Nor is there the slightest evidence that the introduction of personal pensions, which have benefited the vast majority of people who did not have pension schemes—unlike the right hon. Gentleman and me—has done the slightest harm to local government schemes.

Why do not the Government address the point that we are making? They introduced a £5 billion a year pension tax. There is no question about that. That cannot be contradicted. It is not just a one-off tax. It comes each year and has an impact each year. Every pension fund in the country and every personal pension provider is taking note of that, but local authorities are not.

Mr. Prescott: The House will recognise the right hon. Gentleman's concern for pensions. Our point is that the costs, which are not included this year, are still right. My right hon. Friend the Chancellor has said that he will review the situation. The right hon. Gentleman should be aware that he was the Secretary of State who dealt with National Bus, which was robbed of £250 million of its pension fund—and we have to find a solution. I shall bear in mind his record when listening to his remarks today.

Sir Norman Fowler: The right hon. Gentleman is wrong. I do not mind having a debate on National Bus, National Express and transport generally, but all the proposals that the Conservatives made on transport when I was Secretary of State were successful and they were consistently opposed by the right hon. Gentleman.

As for the Government's pension proposal, it is absolutely clear that the blustering Deputy Prime Minister does not understand a word of what is being said to him. I calmly ask him whether he in any way doubts what I have said: that the pensions tax is currently having an impact on local authority pension schemes throughout the country. Yes or no?

Mr. Prescott: The only argument that the right hon. Gentleman has made is that some pension trustees are saying that they should prepare for it now. They should have heard what the Chancellor said: we will assess it properly when the charge becomes due.

Sir Norman Fowler: Why was there a £300 million bill for local authority pension funds—*[Interruption.]* Of course it is a bill. The LGA wants to know how that bill will be met. Does the right hon. Gentleman believe that the regulations should be changed so that local authorities can make proper provision? What is clearly untenable is the position of the Minister for Local Government and Housing, who says that this is having no impact on local authorities. That is laughable.

Sir Paul Beresford (Mole Valley): Does my right hon. Friend agree that competent local authorities do not look at one year in isolation, but look further ahead? They really need to know the balance and shift of money in the coming financial year and the next, the effect that the pensions tax will have and who will foot the bill. Surrey is looking at a shift of between 5 and 10 per cent. If the bill is not paid by central Government, it will be picked up by local council tax payers—and it will be bigger because of the knock-on effect.

Sir Norman Fowler: My hon. Friend is right. That is precisely the point that I am making. If there is a bill this year of £300 million, a bill next year of £300 million and by the time the Government get round to doing anything there is another bill of £300 million, local government will have to pick up a bill approaching £1 billion. The Government would do well to address that point.

Of course, the pensions tax is not the only additional cost that has been imposed on local government since May. Inflation has risen since the Government came to office, and the Government have missed the inflation target every month. Prices as measured by the gross domestic product deflator are expected to be some $1\frac{1}{4}$ per cent. higher in 1998–99 than under the November 1996 forecast. In effect, that leads to an estimated cost to local government of about £350 million a year.

The Secretary of State made much of the additional resources for education, but he neglected to mention that the money was taken from the reserves left by the Conservative Government. In other words, the money was already in the previous Government's spending plans.

The principal difference between Labour and Conservative policies is that Labour's higher inflation means that the value of the increase in funds is much less. Once the increase in the GDP deflator is taken into account, the benefit of £835 million is substantially reduced.

Not only services will be adversely affected by Government policies. Substantial council tax rises are clearly on the way. Capping has been relaxed deliberately to allow the council tax to take the strain. According to *The Sunday Times* Ministers evidently believe that council tax rises are "less visible" than rises in income tax, but there should be no doubt about the impact. A 10 per cent. rise in council tax is equivalent to an average of £69 for a family in a band D house.

As we heard again today, the Government claim that none of the council tax rises have anything whatever to do with them, so in areas in the country that have a Labour council, under a Labour Government, it is entirely logical to blame any rises in council tax on the Conservative party. [HON. MEMBERS: "Hear, hear."] Exactly.

In his statement on local authority funding, and again today, the Secretary of State tried to claim that council tax rises of 7 per cent. would have occurred if the Conservatives had been re-elected, but many thousands of households face rises of substantially more than 7 per cent. If councils spend at cap, every London borough will increase its council tax by more than the Secretary of State's figure of 7 per cent.—and so would 18 metropolitan authorities, 32 new unitary authorities and more than 200 shire authorities. In total, almost 300 councils could increase their council tax by more than the figure that the Secretary of State has given.

Where such increases occur, who does the Secretary of State think should shoulder the blame?

Mr. Paddy Tipping (Sherwood): Will the right hon. Gentleman give way?

Sir Norman Fowler: Not for the time being.

Only councils' efforts to improve efficiency—or decisions to cut services—will prevent increases of this magnitude. People throughout the country will have to pay significantly more council tax, but will get worse services. That is precisely the point that was made in last

year's debate by the right hon. Member for Holborn and St. Pancras. That is the result of the current Government's policies.

Anyone who believes that the new Government are good news for our essential services should read what Home Office Ministers have to say on the subject. Defending his policy, the Home Secretary said:

"The police are the only local authority service to have had an increase greater than inflation in each of the last four years."

Under the Conservative Government.

In yesterday's debate, the Minister of State, Home Office made the position clear when he said:

"The effect of the formula and capping principles to be applied by . . . the Deputy Prime Minister . . . means that two police authorities—Surrey and Lincolnshire—will be disappointed by the settlement. To be blunt, they are disappointed by it and have said so.

The chief constables of those forces came to see me with representatives from the police authorities to express their concerns over the Government's funding proposals for 1998–99. I listened to them carefully, but my view remains that the special funding that they were given in 1997–98 cannot continue.

Tough choices are sometimes necessary for the greater good. The Government stand by their tough decisions in respect of Lincolnshire and Surrey."—[*Official Report*, 4 February 1998; Vol. 305, c. 1070.]

Mr. Prescott *indicated assent.*

Sir Norman Fowler: I am glad that the Deputy Prime Minister assents to that. I wonder whether the public in Lincolnshire and Surrey will be so cheerful about the prospect of police cuts.

Mr. John Hayes (South Holland and The Deepings): Despite the fact that the police in Lincolnshire have less manpower than the national average, the net result of the change is that the number of policemen on the beat in Lincolnshire will be cut at the same time as the council tax rises. That is the reality of the settlement for the people of Lincolnshire. It is deeply unpopular, not only with the police but with the public.

Sir Norman Fowler: That is precisely the point. This has nothing to do with any decisions taken by the last Conservative Government. The police in Lincolnshire—

Several hon. Members *rose—*

Sir Norman Fowler: Let me finish the point and then I might give way.

My hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) is right. The number of police officers will fall and the council tax will rise. If the Secretary of State for Health were here, he would condemn outright such a policy.

Mr. Tipping: The right hon. Gentleman has made great play of the rise in council tax. Will he reflect on the last Budget plans of the previous Government and then acknowledge that they implied a 7 per cent. rise, which he has just complained about?

Sir Norman Fowler: I have dealt precisely with that argument. The point that the hon. Gentleman misses is on the redistribution and distribution of the SSA. In opposition, Labour's entire approach—we have heard a bit of it this afternoon—revolved around their dislike of Conservative councils such as Wandsworth, Kensington and Chelsea, Bromley and, of course, Westminster. What irritated Labour Members most of all was the sight of Conservative councils proving year after year that good, efficient local councils could keep council taxes down. The result was that the Labour party vowed to change the distribution formula, which is precisely what the Government have done. That is their responsibility—it can be nobody else's.

Dr. Alan Whitehead (Southampton, Test): Will the right hon. Gentleman give way?

Sir Norman Fowler: No, I shall not.

No one but the Government can be blamed for those changes. They started by asking Westminster to cope with a 12 per cent. cut in SSA provision per head in one year. Worse still, in targeting Westminster, the Government have hit the rest of London too. In all, seven London councils, including Camden, Islington, and Hammersmith and Fulham, are having their per capita SSAs either cut or held constant in cash terms. This year, London borough councils have fared worse than county councils and unitary councils, and far worse than metropolitan councils with which they have most in common. In 1998–99, more than 80 authorities are having their SSA provision cut in cash terms.

That, however, is not the end of the story. As a direct result of the Government's changes in the funding formula, Bromley will lose £640,000 from its SSA, Croydon will lose £1 million and Lambeth will lose £1.7 million. Furthermore, London is not alone in being hit by the changes to the formula. In response to a written question tabled by my hon. Friend the Member for South Suffolk (Mr. Yeo), the Government listed eight sets of changes made to SSA methodology for 1998–99, not one of which helps shire England. Indeed, they seem designed precisely to shift money away from the shires.

The Government are rewarding councils that built up huge debts in the 1980s and penalising other, more prudent, ones. Changes to social services funding, including services for the elderly, have also affected the shires, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) said. Overall, Oxfordshire loses £8 million from its SSA as a result of the Government's changes, while Kent loses £7 million, Wiltshire loses more than £4 million, Dorset loses £3 million, and East Sussex loses more than £2 million. Many of those cuts are hidden by the overall increase in education budgets, but they are nevertheless real cuts that not only affect councils this year but will affect them in years to come. As a direct result of the Government's changes in methodology, the shires lose nearly £100 million from their SSAs, and £55 million is taken from London.

If some authorities lose out, others must gain. Sedgefield is an outstanding case in point because it has done better than almost every other council in the land. It has a massive 13 per cent. increase in SSA and it does not even deal with education. Thus, the principal local authority in the Prime Minister's constituency provides an excellent illustration of precisely how the changes in methodology have worked. Sedgefield's 13 per cent. increase is more than double that for any London borough

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or new unitary authority. It is more than double the percentage increase for Birmingham or Coventry, three times that for Liverpool or the Wirral, and seven times that for Manchester.

Mr. Barry Gardiner (Brent, North): Will the right hon. Gentleman give way?

Sir Norman Fowler: No, I shall not.

Had Brent received the same percentage increase in SSA as Sedgefield, its provision would have gone up by £24 million. Doubtless Labour will once again pose as a friend of London in the May elections, but it is the deeds, not the words, that count. In changing the funding formula, the Government have discriminated against London.

As the Deputy Prime Minister made clear, this is just the first year of changes. We are now told that further reviews are to take place. Seeing how many reviews can take place at the same time is becoming the sign of the Department of the Environment, Transport and the Regions' success. In a revealing reply on Tuesday at Question Time, the Minister of Transport claimed credit for the fact that this was the first Government for 20 years who had produced a White Paper on transport. They have not actually provided it, but that is what he claimed—not action, legislation or investment, but a White Paper.

The same is true of local government, only the Minister for Local Government and Housing does not seem to be quite as bullish about her paper exercise as the Minister of Transport. According to the *Local Government Chronicle*, she has written a letter to the Deputy Prime Minister about the issue. The mind boggles at the prospect of one Minister in a Department writing to another in the same Department, but that seems to be how they communicate in that massive Department. I know from personal experience that the Deputy Prime Minister is extremely fortunate to receive a letter from the Minister for Local Government and Housing; I wrote to her on 20 November and am still waiting for her reply.

The warning to the Deputy Prime Minister is stark. The hon. Lady wrote:

"We have to recognise"

that our plans

"may be presented as conflicting with expectations created by the announcement of the review, coverage in the local government press and the approach we have taken so far.

There is a danger that if we do not seek views on the range of options we have discussed with the LGA and others, our new partnership approach to local government, which we have proclaimed loudly to considerable acclaim from our own backbenchers and local government, would quickly break down."

The letter reveals the hon. Lady's concern about policy, because she says:

"We need to be particularly careful in how we present the issues in the consultation papers . . . We should avoid boxing ourselves in too soon".

Mr. Woolas: Will the right hon. Gentleman give way?

Sir Norman Fowler: No, I shall not.

It is worrying when the Government talk about reform and change, because that is another way of saying that there will be new taxes for the public and for business. The Labour party is not the only party to talk about that. In the debate last week on London Underground, the spokesman for the Liberal party—I am sorry, the Liberal Democrat party—

Mr. Andrew Stunell (Hazel Grove): That is the first thing the right hon. Gentleman has got right this afternoon.

Sir Norman Fowler: I shall get this right, too. In that debate, the hon. Member for Carshalton and Wallington (Mr. Brake) offered three concrete proposals on taxation. First, he suggested a charge on non-residential car parking spaces in London which would raise £150 million a year. Secondly, he wanted a congestion tax, which would raise £795 million a year in London. Thirdly, he wanted a temporary increase in business rates for London, which would raise £150 million a year. In that short debate, the Liberal Democrats committed themselves to £1 billion extra taxation for London. What concerns me is that that is precisely the same way that the Deputy Prime Minister wants to go. He is putting his hand up.

Mr. Prescott: I do not think that the right hon. Gentleman would want to do the Minister for Local Government and Housing an injustice. The letter to which he referred was sent to my hon. Friend, and was passed on three days later to the Home Office because it was about fire alarms. He is as confused about these letters as he is about his analysis.

Sir Norman Fowler: I am delighted, because that is the first information I have had about the letter since 20 November. What has happened to it? It was about local authority fire alarms. I do not care which part of the Government is in chaos: all I say is that one part is in absolute chaos and it is about time they got their act together. They obviously have the gravest difficulty sending letters. If they cannot do that, God help us when it comes to running the country.

More relevant than the Liberal Democrats—and almost everything is more relevant than the Liberal Democrats—are the Government's plans. In opposition, Labour talked about returning responsibility for business rates to local authorities. In government, its line has changed, but not to the benefit of business. National rates are to be retained, but there is now the prospect of councils having the power to levy a supplementary rate.

Another proposal that the Government are examining is for local authorities rather than the Department of Social Security to meet any extra bill for council tax benefit. That is an important change and it will be the council tax payer who will pay more.

In her winding-up speech, the Minister should tell the House precisely what she is proposing. What is her position on business rates? What is her position on council tax benefit? Are the Government considering increasing the number of council tax bands, or have they abandoned that proposal?

This afternoon, the Government's agenda for local government is becoming all too clear. It involves loading new costs on to councils and forcing the council tax payer to foot the bill. It involves rigging the system to hit London and the shires. That is not what people voted for last May and we should not vote for it this evening.

The Government talk about holding local referendums. We do not need periodic referendums in local government: we need consistent local government providing the best value for the council tax payer. That is what the Conservative party wants and stands for and it is the platform on which we shall fight the local government elections in the coming 18 months. Above all, it is why we reject the Government's proposals.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. Before I call any Back Bencher, I remind hon. Members that they are restricted to 10 minutes.

6.4 pm

Mr. Jim Marshall (Leicester, South): In the past 33 minutes, the right hon. Member for Sutton Coldfield (Sir N. Fowler) made an entertaining speech, but it did not advance the cause of local government. Nevertheless, he entertained his right hon. and hon. Friends. That may be the first time that that has happened since the election last May. I was bemused by his peroration. He used the term "consistent local government". Consistency was the last thing that local government faced while the Tories were in power from 1979 to 1997. Year in, year out, local authorities were faced with turmoil. I look forward to relative peace and tranquillity—if that is possible with my right hon. Friend the Deputy Prime Minister—for local authorities in the next four or five years.

My right hon. Friend said that tough choices must be made, and I agree. Representatives from my local authority in Leicester have been to see his ministerial colleagues: they are part of the special pleading brigade. The outcome of those discussions is that tough decisions were made, but they were to the disadvantage of Leicester. I want to make a case on behalf of my local authority.

I realise that the Government have faced some difficult choices. I cannot help but think that the commitment to maintain the previous Government's spending limits has imposed restraints, but those are the parameters within which we are working. I welcome the additional resources that the Government have made available, especially to education.

I welcome the commitment to a fundamental review of local government finance, which is long overdue. I hope that it will bear fruit in the not-too-distant future. I hope also that when the review is finalised, the outcome for Leicester will be more equitable than the present settlement.

I made a similar speech 12 months ago under the previous Government, so the House will know that the revenue settlements for Leicester over the past few years have been bad for the city. Before 1997–98, when Leicester was a district council, it fared badly as a consequence of funding formula changes introduced by the previous Government. As a result of those methodology changes, Leicester received £6.9 million in standard spending assessment reduction grant. That was the highest figure outside London.

In 1997–98, which was the first year that Leicester was a unitary authority, it fared little better. There were further losses in SSA, again because of methodology changes, with only a 1 per cent. permitted increase in the cap. Budget cuts to the tune of £17 million had to be made, but that was perversely accompanied by a 13 per cent. reduction in council tax. Despite the arguments that we put to the previous Government, they were not prepared to allow us to balance cuts with increases in council tax. As I said, last year, budget cuts to the tune of £17 million had to be made—and, as my hon. Friend the Minister of State knows, Leicester's woe continues into 1998–99. It is true that Leicester's SSA has been increased by a small amount, but the increase is smaller than that allowed to similar authorities, and the entire SSA reduction grant has disappeared. As a consequence of that and other changes, council tax in Leicester will increase by 26 per cent., and budgets will have to be cut by £2 million.

Let me briefly explain to my hon. Friend the Minister what that will mean in terms of service provision on the ground. It will lead to the closure of, probably, two training centres, and may well lead to the closure of a hostel for elderly Asians. It will also lead to the closure of an advice centre. Charges for meals on wheels will increase for 1,800 people, and 400 people using day centres will have to pay a new charge of £1 a day.

That is just the tip of the iceberg. The full horror of the cuts will materialise only when individual committees set their budgets in the coming months. The final picture could well be more horrendous than the one that I have presented.

Notwithstanding what was said by the right hon. Member for Sutton Coldfield, I concede that, in many ways, Leicester's problems arise from decisions made by the previous Government. As I have said, methodology changes in the SSA have had an impact on Leicester over the past four or five years. Nevertheless, I hope that, even at this late stage—I know that only another three hours and 50 minutes remain before the final decision is made—the Government will take steps to alleviate Leicester's problems. *[Interruption.]* Did I get the time wrong? [HON. MEMBERS: "Yes."] I do not want my arithmetic to be as bad as that of the Opposition.

Leicester's problems could be alleviated in a number of ways. One way would be to provide a slightly more generous cap for unitary authorities, covering the whole class of such authorities. But, as my hon. Friend the Minister knows from detailed studies of the figures, that would lead to only a slight increase in overall national expenditure—indeed, in terms of overall national expenditure, an insignificant increase. My hon. Friend could also introduce more protection for authorities that had been receiving SSA reduction grant that then disappeared overnight—the damping to which my right hon. Friend the Deputy Prime Minister referred. There is no doubt that the loss of the £3.6 million that Leicester received last year will have a major impact on the level of council tax in the coming financial year.

My hon. Friend could—here I refer specifically and directly to Leicester—make a technical adjustment to the cap to reflect the fact that the council has lost out because of the introduction and subsequent abolition of nursery vouchers.

Let me make two final suggestions that the Government should consider in their review of local government finance. First, education data changes can have a profound impact on the budget. The Government should consider introducing a clamping mechanism—I am sorry; I meant a damping mechanism. *[Laughter.]*. Perhaps my right hon.

[Mr. Jim Marshall]

Friend the Deputy Prime Minister made a similar slip. The Government should consider a damping mechanism for below-average changes in pupil numbers.

Secondly, the new system should recognise more fully the needs of deprived urban areas. If a system akin to the SSA is retained, more weighting should be given to indicators of need and deprivation.

6.14 pm

Mr. John MacGregor (South Norfolk): "Education, education, education" was the Labour rhetoric before the election. In Norfolk, hoping for a Labour Government, the ruling Labour party—aided and abetted by the Liberal Democrats—had, during the previous four years when it was in power, done a number of things. It had run down the reserves, abandoning the prudence of the preceding Conservative administration on the assumption that it would receive a good deal more when Labour came to power. Furthermore, before the election it had written to every school, urging those in charge to write to their Member of Parliament pointing out what a poor result there was for education in Norfolk. Again, there was a clear hint, or implication, that the council hoped that more money would come from Labour.

The people of Norfolk can now forget the rhetoric; what they are seeing, and getting, is the Labour reality. According to the 3 February edition of our local newspaper, the *Eastern Daily Press*, this was

"one of these most catastrophic rounds of cuts in memory".

That was after a deputation consisting of Norfolk Labour Members—Conservative Members were excluded—and members of the ruling Labour council went to the Minister for Local Government and Housing pleading for more. They were rewarded—perhaps rebuffed is a better word—with a further cut of £400,000, £268,000 of which related to education. The *Eastern Daily Press* described that as

"a final insult piling on more misery".

In view of the shortness of time, I shall concentrate on the county council, although my South Norfolk district council has also had a lousy settlement. That is not very good from its point of view, given that it was chosen as one of the best-value "pilots" with no resources to help it.

For the county council, all this means real cuts of between £12 million and £15 million, along with a council tax rise of up to 17 per cent. I was amused to hear Labour Members talk of expecting a rise of 7 per cent. if the Conservatives were in power: we now face an increase 10 percentage points above that. That is not what we are saying; the Labour party in Norfolk says that that will be the consequence.

The people of Norfolk are now paying a heavy price for the running down of balances to pay for the higher expenditure of their Labour council in the hope of more jam tomorrow from a Labour Government. What we have is less; it might be described as a thin crust. The combination of a Labour council and a Labour Government is proving pretty lethal.

What are the likely implications? One likely implication—again, I quote what the Labour county council in Norfolk is saying—is that many teachers will go. That is why Labour's rhetoric about "education, education, education" sounds so hollow. Norfolk schools are being given a much worse deal than the one that they criticised last year. Moreover, the idea that more resources are being given is phoney: it is a myth. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) pointed out, the money was drawn from the reserves. Last year, the Conservative Government increased local authorities' education resources in exactly the same way. It was announced a little earlier this time, but there has been no change in the method. I think that, in terms of education, Norfolk will be worse off. I shall say more about the impact on social services shortly, but if there has to be some virement from the education budget to the social services budget to cope with the catastrophic position of the social services departments, education will suffer more.

There is also likely to be a considerable reduction in the number of front-line social services staff, and in free transport to schools, which is so important in rural areas. Day care centres for the elderly and residential homes are likely to close. Fewer older people will be taken into care this year than last, and there are substantial implications for roads and highways.

How has all that come about? It is one of the consequences of the switch of resources from rural to urban areas that was mentioned by my right hon. Member for Sutton Coldfield. In SSA terms, the shire counties have had a poorer deal than metropolitan and urban areas—apart from London—yet the cost of providing services in rural areas can be substantial. I refer the Minister for Local Government and Housing to the recent study for the Rural Development Commission by Rita Hall and to one that she is doing for Norfolk. I hope that the Minister will pay attention to that study because it shows that in some cases the cost of providing services in rural areas is as high as in urban areas.

The switch from rural to urban areas is the first reason for the bad settlement for Norfolk. The second reason is that, of the shire counties, Norfolk has the second lowest SSA increase, at 1.5 per cent., which is a reduction in real terms. Among a number of reasons for that, the most important is that, as the Minister will know, we have suffered a £5 million reduction in the social services budget. However, Norfolk has a higher than average proportion of elderly people, especially those over the age of 85, and that is rising.

All the implications for social services that I have described, including the blockage of hospital beds that was mentioned by my right hon. Friend the Member for Sutton Coldfield, result from the reduction in cash. That is the result of changing the formula on attendance allowance by putting considerable weighting on it in the formula for the distribution of the social services budget. So far, there is no strong evidence that that is one of the ways to achieve a more accurate distribution of the social services budget, and the change is the subject of dispute.

One of the consequences of the change is that it will encourage authorities that have so far not put many resources into encouraging a bigger take-up of attendance allowance to do that. That will increase overall public expenditure. My additional concern is that that is related to take-up rather than to need, and I am not sure that it is a fair way to allocate resources to need. I understand that there is to be no damping of that this year, which means that there will be an immediate £5 million reduction as a result of one small change in the formula. I noted what

the Deputy Prime Minister said about looking at damping. Can he confirm that there will be no damping of that for Norfolk this year?

The Government's proposals are not the best way to target better the social services budget. They are not fairer and I ask the Minister to examine the matter again. Whatever she says, it is plain that there are serious implications for Norfolk that may have a spill-over effect on education. The situation is unlikely to be better next year.

My right hon. Friend the Member for Sutton Coldfield spoke about pension funds. The Government have said that they will look at that next year, but that tax will have a considerable effect on local authorities. If they meet it in full, they will require several hundred million pounds next year and I do not think that, on top of a normal revenue support grant settlement, they will provide enough resources to meet the whole effect of the pension fund tax. Serious problems will arise next year as a result of the introduction of the pension fund tax. No matter how it is timed, it will have a serious effect on local authorities.

The damage to Norfolk has been done for this year. The Government have said that there will be no closed minds when they look at changes to the formula next year. I have two pleas. First, I ask the Minister to look again at the issue of attendance allowance to determine whether the change in the formula is fair, especially in view of the weighting that is attached. Secondly, I ask her to take rural issues fully into account when considering changes to the formula and the area cost adjustment. From studies that I have seen, I am not convinced that rural areas are being fairly treated this year and I do not think that the switch in the SSA from rural to urban is justified.

There is no doubt that the hints to the people of Norfolk about what the local government settlement would be like under a Labour Government have proved to be totally false. We face one of the worst settlements that we have had for a long time.

6.24 pm

Ms Jean Corston (Bristol, East): I was fortunate to be called in the debate on local government finance this time last year, and said that at that time in Bristol the mood verged on despair, not just in local government but in business and in the voluntary sector. That was because of the prospects for Bristol as a result of the then Government's financial settlement for that year and previous years. Bristol had less Government financial assistance per head than any comparable city. It was the lowest spender per head of all the big urban authorities, but was in the anomalous position of having to levy the third highest council tax in England.

I said in last year's debate that the standard spending assessment and the area cost adjustment were manifestly unfair and that after the general election there would be no Tory Members in Bristol. That was greeted with derision and hoots of laughter by Conservative Members. It is nice to have the last laugh because all the Bristol seats are now held by Labour Members who are co-operating as a team to represent the interests and needs of the constituents in our marvellous city.

I now refer to this year's settlement. Bristol city council met on 13 January and passed the following resolution:

"Council welcomes the improvements in Bristol's financial circumstances brought about by Labour government decisions. In particular, we welcome the substantial additional money for education and housing services and a local government financial settlement which requires spending and service reductions of approximately half those which could have been expected under the previous government.

However, Council continues to express great concern that the existing local government financial regime manifestly fails to recognise Bristol's needs, and results in the imposition of low spending on council services, low government grant and unfairly high council tax."

It is plain that the election of a Labour Government has been good for Bristol.

Miss Julie Kirkbride (Bromsgrove): Will the hon. Lady give way?

Ms Corston: I have just 10 minutes in which to make my speech. Perhaps the hon. Lady could make her own speech.

It is plain that Bristol remains disadvantaged by the area cost adjustment. That is because, although it is bracketed with the rural south-west, it has M4 corridor costs. In terms of education, the budget increase of 4.7 per cent. this year as a result of extra Government funding is the best news that we have had for years. It will improve teachers' morale and raise their concept of professionalism. It will help governors who have complained to me about the way in which they have had to operate under the previous Government's disguised education market, and it will go a long way towards reducing under-achievement.

Structural problems remain, especially in the context of the SSA and its future. I understand that the future determinant will be need. The image that is conjured up by the mention of Bristol is of a dynamic financial centre with high-skill industries such as British Aerospace and Rolls-Royce. Clifton suspension bridge is another of the features that remind people of Bristol. But Bristol follows the familiar pattern of wealth and poverty cheek by jowl, each virtually ignorant of the other and separated by dual carriageways and main roads.

I hope that my ministerial colleagues will pay special attention to research that will soon be published by Bristol university's statistical monitoring unit. One of the authors of the unit's report, Professor Peter Townsend, is my husband. He has an international reputation as a social scientist, but that has no bearing on my role as a Member of Parliament. I mention that for the record in case anyone should think that I have tried to disguise his part in the authorship of that report.

The report is the first to look at need beyond regions and districts—an examination of Bristol in conjunction with a deprivation map might not reveal any helpful information. The research report contains an analysis of all 10,500 electoral wards in England, Wales and Scotland, and it provides for the first time a deprivation map of this country's wards.

Eight different measures were used to show how Britain's wards compare with one another in terms of deprivation and conditions: the Townsend z-score, which is the most widely used index, the Department of the Environment, Transport and the Regions' index of local conditions, which is the current "official" index, the social deprivation index, a weighted index using indicators drawn from the national "Breadline Britain in the 1990s" survey, the Carstairs (Scotland) index, the new Jarman index, the Bradford index and the Oxford index.

[Ms Corston]

Results were also compared with the ranking of wards according to outcome indicators, that is, standardised mortality rates, standardised illness ratios and average earnings—so the report is pretty comprehensive.

Bristol has 34 wards. The new report shows that 10 of them—about 30 per cent.—are in the top 20 per cent. of Britain's most deprived wards. They are the wards of Lawrence Hill, Filwood, Ashley, Whitchurch Park, Southmead, Knowle, Kingsweston, Cabot, Lockleaze and Bishopsworth. Some of those wards are in the constituency of my hon. Friend the Member for Bristol, West (Valerie Davey), who is present in the Chamber. The ward at the top of the list, Lawrence Hill—which is in my constituency—is the 242nd most deprived ward in England, Scotland and Wales.

In other deprivation indices, Lawrence Hill's position is worse: it ranks 35th, 75th, 100th and 140th. It is true that URBAN funding will be spent in the ward to improve employment prospects, but those figures—which show an extent of deprivation that has never been hitherto acknowledged, and patterns of deprivation that we have never appreciated before—should go a long way in persuading the Government to have an SSA regime that genuinely reflects a concept of need. I urge the Government to ensure that the report, which draws together much evidence and other available information, will be used in the reformulation of the SSA.

Bristol does not want any undue favours. Bristolians are proud people and do not expect to go round with a begging bowl. Like most people, they value their public services. Bristol city council is popular, as is the Labour party's commitment to local democracy, to the political legitimacy of local government and to the position of local councillors as elected representatives, with the same status as us, but Bristol's population wants fairness and a recognition of the extent to which the Conservative party, over 18 years, damaged our city, in ways that some people considered to be unbelievably spiteful.

That is why a seat that was previously held by a Conservative Chief Secretary to the Treasury, no less, now has a Labour Member of Parliament with a majority of over 1,000. The people of Bristol have spoken. They are pleased with the mid-term report. They recognise that these problems cannot be solved overnight and look forward to a local government regime that is fair and seen to be fair.

6.32 pm

Mr. Paul Burstow (Sutton and Cheam): As part of my preparation for today's debate, I read some of the local government settlement debates in the House, and I have listened to the exchanges so far between the Government and Conservative Front-Bench teams. It sounds as though they have exchanged not only offices and Benches, but scripts. Labour is learning the language of fantasy figures and the Conservative party is beginning to relearn the reality of what happens when Governments impose the sort of settlement that this Government are imposing.

> "This settlement does not take the pressure off councils' budgets and local government's ability to deliver services."

Those are not my words, but those of the Labour-controlled Local Government Association in response to this settlement. It is right. This settlement does not mark the beginning of a new relationship between local and central Government. Rather, it is another milestone in the long and dreary succession of damaging settlements that have so undermined local services. As the hon. Member for Leicester, South (Mr. Marshall) pointed out, how could it be otherwise when a Tory Government conceived the spending plans that underpin the settlement?

Even the Secretary of State for the Environment, Transport and the Regions has admitted that the settlement is tough and that a price will have to be paid, so for many people in local government the settlement represents business as usual: more cuts, more hard choices about what to sacrifice and what to save and, to add insult to injury, a council tax rise well above inflation.

Like Labour, Liberal Democrats were highly critical of the previous Government for failing to make allowance for inflation, pay increases and the cost of providing extra services for the growing number of older people and children at school. Therefore, we might have expected this year's settlement to be different, but it is not. Indeed, the Local Government Association's own figures show that local government will be £800 million short of what is needed just to tread water in the coming year.

For many councils, the choice will be between not growth and the level of the council tax increase, but how deeply to cut services and the level of the council tax increase. This is about not real growth, but reshuffling the pack and moving money around. One county council was quoted by the Local Government Association in its recent report:

> "Our expenditure will rise by 3.09 per cent., our council tax will go up by 10.4 per cent., yet we will still be cutting services drastically."

This year, for example, Somerset county council is allowed to spend an additional £10.6 million, but only £600,000 of that will come from extra revenue support grant and business rates, so the rest will come from council tax. Is that what new Labour mean by redistribution? To protect services, councils will be forced to tax and to spend up to their capping limits and still people will pay more and get less for it.

The Government have made much of the extra money that they will spend on education. All council leaders have had a very friendly letter from the Secretary of State for Education and Employment warning them not to spend the money anywhere else.

Mr. Nigel Jones (Cheltenham): I also have had one of these very polite letters from the Secretary of State for Education and Employment asking me to ensure that the £11.2 million of additional funding goes into schools in Gloucestershire, but I look at the figures and find an increase of only £4 million in the revenue support grant. I am happy to suggest to my colleagues on Gloucestershire county council that they put that £11.2 million extra into education, but that means that social services will be desperate for funds and that the fire and rescue service and all the other services will suffer from cuts as well.

Mr. Burstow: My hon. Friend is absolutely right. Such fantasy figures are trotted out every year to try to persuade people that much additional Government money is going in, but local authorities, which are already often spending more than SSA for education and social services, have to

face the fact that they will have to make cuts to accommodate the Government's bizarre view of what is necessary to keep services at a standard level.

Because of the small print in last July's Budget and the cost pressures on local education services, the extra money for education will not be enough to enable schools just to stand still and to continue to do what they are doing. For example, there is a requirement for an extra £137 million to meet the cost of an additional 55,000 children coming into schools this year. The Chancellor took full account of the extra revenues generated by changing the inflation assumptions in the Budget, but he failed to compensate public services for the cost of the extra inflation, so, in the coming year, under this settlement, even after the extra money for education, local authorities will be £48 million worse off in real terms.

As one inner London local authority put it:

"We are fully committed to using all the additional schools' SSA increase to increase educational achievement . . . but . . . we are going to have to make large additional cuts in other services or have a very large increase in council tax."

In England as a whole, there is a £562.9 million gap between the Government's rhetoric on education spending and the budget realities of individual councils. Gloucestershire county council, which has been mentioned a couple of times, has a gap of £8.8 million. For many councils, delivering the Government's promises on class sizes and school standards will mean that, for every extra £1 that goes into schools, £1 will have to come out of another local service. Perhaps that is what Labour means by redistribution.

That leads me on to social services. Everyone knows that community care is underfunded and that, increasingly, councils are in the business of rationing care rather than meeting need. Again, the settlement does little to relieve the pressure. With social services departments spending on average 9.5 per cent. above their SSA in the current year, I sometimes wonder what would happen if councils spent down to their SSA.

For many local authorities, demand-led services are putting severe stresses on staff and budgets. Already, many have had to tighten their eligibility criteria and raise charges for care services. On the Local Government Association's own figures, seven out of 10 authorities will have to tighten their eligibility criteria further, and six out of 10 will have to raise charges still higher.

Only yesterday, at the Local Government Association's health and social affairs committee, it became clear that social services will bear the brunt of many of the cuts that will have to be made as a consequence of the cuts. Newcastle is set to cut £500,000, which will exacerbate bed blocking there. Hartlepool is about to make a 5 per cent. cut in social services. I understand that Gateshead will be cutting £800,000, and so on. Under this settlement, it will be granny and granddad who will pay for their grandchildren's education through inadequate care and higher home help charges.

Much has been made of the Government's extra £835 million for education—one-off money from the Government's reserves. As we have already demonstrated, that money effectively compensates local services for the extra inflation in the small print of the July Budget. There is no money to pay for smaller classes—another early pledge delivered late. To make a difference, Liberal Democrats have made it clear that we remain committed to the idea of an extra £2 billion being invested this year and every year. That is extra money above inflation.

Mr. David Watts (St. Helens, North): Another penny on income tax—it is spent already.

Mr. Burstow: The same penny being applied to the same purpose yet again. *[Interruption.]* Labour Members may not like the fact that the Liberal Democrats are clear about their commitment to invest in education, but that is the reality.

Our plans would mean that the average primary school with 250 pupils would receive an extra £16,000, and a typical secondary school with 1,000 pupils would get an extra £110,000 this coming year.

Work by the independent Institute of Fiscal Studies shows that the Government have as much as £3 billion which they could spend in the coming year and still meet their golden rule for borrowing. It is therefore clear that it is dogma rather than debt which is stopping the Government putting money into public services in the coming year. The public will not understand if the Government allow that money to become part of their election war chest rather than using it to give local councils the fair deal that they so desperately need.

In the longer run, Liberal Democrats welcome the Government's commitment to overhaul local government finance. We want a system that ensures greater accountability, raises taxes that are based on the ability to pay and guarantees greater freedom of action for local councils. It is good news that this is the last year of crude capping, but what will Labour's subtle capping be like? Will it be a case of new Labour, new capping? Capping distorts local priorities and undermines local accountability.

In reforming local government finance, the Government must accept that greater financial independence is only one pillar. With it must come greater freedom of action allied to stronger democratic accountability. Liberal Democrats want to see a shift of tax raising from national to local government, with more of what local councils spend raised through local income tax and local business tax. A buoyant and independent source of revenue would do much to rejuvenate local government. It would strengthen local accountability. The funding of local government must be seen in the context of its powers and accountability.

Is the future of local government to be a mere administrative unit of the Government or will it be about being autonomous decision makers? In conclusion—*[Interruption.]* I am conscious of the time and of hon. Members pointing at their watches, but as a Front-Bench spokesperson I want to ensure that the Liberal Democrats' position is clear.

This question is a crucial test for the Labour Government. It goes right to the heart of the Government's commitment to real reform. In short, does the Labour party really trust local government? The Government's rhetoric has raised expectations in local government, but there are still far too many control freaks in the Government who believe that Westminster knows best and that Whitehall can lay down national blueprints for everything.

The Government must do far more to convince their colleagues in local government that they will adopt a radical agenda of reform so that they restore trust between

[Mr. Burstow]

local and central Government. This year, we shall begin to see whether the Government will honour the promises that they made to their colleagues in local government in the run-up to the general election and whether they are willing to trust to local solutions rather than impose national blueprints.

This year's settlement is another kick in the teeth for the innovative local government that many local councils of all parties offer throughout Britain. The cut in local authority budgets inherited from the previous Government, the hidden costs of the July Budget on local authority pension funds and the inflation fiddle mean that, for local government, it is business as usual—another year of cuts and hardship. That is hardly the fair deal that we were told was on offer. It is not the way to start a constructive partnership with local government. The settlement is another turn of the screw that the Conservative party used for years. It will lead to further false economies and damage local communities.

That is why, despite the fact that, for the first time in 18 years, Conservative Members will vote against the local government settlement, we shall hold our nose and go through the same Lobby to ensure that we stay true to our principles.

6.45 pm

Mr. Paddy Tipping (Sherwood): I begin by thanking the Minister for Local Government and Housing for talking to me and Nottinghamshire county council about the tough choices that the county council faces. I commend her for what she has so far achieved in nine months. Local government finance is complex and difficult. It will take time to unwind it and bring forward major changes. However, there are things in the settlement of which we can be proud.

I do not minimise the publication of "The plain English guide to local government financial settlements". It is important for accountability and democracy that people know who is responsible and who pays for the services. At the moment, local government blames national Government and national Government blame the local councils. We must do better than that. The publication of that document will move us away from the situation where it can be said only that responsibility for the settlement can be fudged.

I draw the attention of the House to annexe II of last year's draft local government finance report, which defines the council tax base for revenue support grant purposes. The formula in question is:

"[(R-(S+T+U+V+W)) + (0.75xV) + (0.5xW)] x X/Y"

We must do better than that, and we are determined to do better than that to ensure that people know where responsibility lies and how local government is financed.

The significant thing about the settlement is the extra money for education—£835 million extra for education, of which £12.2 million comes to Nottinghamshire. Even allowing for the teachers phased pay settlement, that allows for 2 per cent. real growth for Nottinghamshire schools. Governors, teachers, parents and pupils welcome that as an important first step on the way forward for major change under the Government.

Thirdly, it is right that there has been a real attempt to move resources to areas of need. I can see that happening, but I am not convinced that it has happened entirely. I am concerned about what has happened to shire counties, particularly coalfield shire counties such as Derbyshire and Nottinghamshire and those in the north-east which my hon. Friend the Minister knows so well. It is disappointing that Nottinghamshire's SSA has been reduced by £8 million. At the same time, the Government task force aiming at the regeneration of coalfield areas is spending time in the area offering a better solution. Both matters are dealt with by the same Department. We can and must do better than that, and we can do so by the next settlement.

Taken together, Nottinghamshire's problems have led to real difficulties. Passporting into schools, an SSA reduction and a 3 per cent. cap on growth mean that non-education services are threatened. I shall focus on only one service—Nottinghamshire's library service. Until today, there were plans to close nine libraries. Across the library service, hours are being cut by 11 per cent., which comes on top of erosion of the book fund over recent years amounting to tens of thousands of pounds. Nottinghamshire is not alone in having to make library cuts, which are proposed also in the library services of Oxfordshire, Derbyshire, Shropshire and elsewhere. If we are serious about raising reading standards and achievement, we have to support our library service.

I pay great tribute to those in Nottinghamshire who have campaigned against library closures, and especially to the tremendous efforts of the *Nottingham Evening Post* in its "save our library" campaign. I commend its success. Only this morning, the county council listened to local voices and to local need, and at its budget meeting made it clear that an extra £77,000 will be made available to keep open those nine libraries. I praise the county council for making a tough decision—although it has yet to find that £77,000, which will mean service cuts elsewhere.

What might be done to help areas such as Nottinghamshire? My right hon. Friend the Minister of Transport recently met a delegation from Nottinghamshire to discuss the Robin Hood railway line. The county council is one of only three in the country that supports a passenger line, paying £1 million annually out of council tax to support that line. If the council were a passenger transport executive, it would have some prospect of recouping that money. My right hon. Friend said that he will consider the matter sympathetically, and I hope that he will do so.

I hope that we shall examine also the strange SSA for education of under-fives. There have been changes in methodology in determining that SSA, and grant will be based on the number of four-year-olds in nursery classes. In gross terms, Nottinghamshire provides more nursery places than any other county. However, some of those youngsters are three-year-olds and will therefore not be included in the equation. If we aspire—we do—to including more three-year-olds and four-year-olds in nursery education, we should be rewarding, not punishing, councils such as Nottinghamshire.

We should take action also to deal with bigger issues. As many hon. Members on both sides of the House have said in this debate, we have to re-examine the area cost adjustment. For Nottinghamshire, the adjustment acts like Robin Hood, but in reverse—taking money away from deprived areas and applying it to the affluent south. I hope that my hon. Friend the Minister will take action to change that. The previous Government examined the

matter, but they were weak, listening too much to the voice of local government and asking for consensus. I tell my hon. Friend that she will never find consensus, but will have to drive through change.

Ultimately, local government finance needs radical reform. I am delighted that universal crude capping will go, and that this is its final year. More important, we must broaden local authorities' tax base. It is ludicrous for 75 per cent. of local council finance to consist of external support. Local authorities must be masters in their own kingdom and have the opportunity to broaden their financial support, so that they can develop local solutions to local needs.

Most important, we have to form a new relationship between central Government and local government and develop a partnership of equals. The sign of a good partnership is that two partners still talk to one another even if there are substantial differences. If we reform local government finance and give councils greater responsibility and autonomy, we shall be able also to expect things from them. We must be assured that, in partnership with others, they will work as champions for change, moving and being in touch with the needs of local voters. We have to ensure that we have empowering councils that, for the first time, have the opportunity to effect the real change that they need and to which their inhabitants aspire.

6.54 pm

Mr. Peter Brooke (Cities of London and Westminster): The honour paid to Nottinghamshire local government in the new year's honours was matched by the speech of the hon. Member for Sherwood (Mr. Tipping). I represent the rich merchants of London who, in the middle ages, were regularly mulcted as they passed through his constituency. In the context of this settlement, nothing seems much to have changed in my own area.

It will probably not surprise the House to hear that I sought to catch your eye, Mr. Deputy Speaker, as the City of Westminster is widely regarded as the local authority which is most adversely affected by this revenue support grant settlement. That arises primarily out of two conditions: the first relating to the treatment of visitors and commuters, and the second to changes to the damping mechanism. I do not think that there will be much dissent from the view that Westminster is primarily and exceptionally affected by the application of the population density factor—obviously in relation to visitors and commuters. If anyone doubts that, I can bore for England with statistics on the subject.

The Deputy Prime Minister had a cheerful soundbite about the Ritz hotel that he used in his statement of 2 December, both in his initial remarks and in his reply to my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler). I was not surprised that he used it again today. He knew—for he is not one of those Ministers against whom the charge is laid that they do not read their papers—that Westminster city council had withdrawn that particular argument some time ago.

Westminster still argued that the treatment was a proxy for the density factor as relating to visitors and commuters. Westminster was one of a number of central London local authorities that commissioned the KPMG report to examine the actual costs that central London authorities incur in the context of visitors and commuters. That chimed admirably with the Minister's own requirement that any changes to standard spending assessments must be based on sound research.

The Minister for Local Government and Housing, who is temporarily absent from the Chamber, will herself be aware that the KPMG study was done in conjunction with researchers at Bristol university—to whom the hon. Member for Bristol, East (Ms Corston) has charmingly paid tribute—who have standing in their field. By comparison, the report of the Special Interest Group of Municipal Authorities—on which the Department of the Environment Transport and the Regions relied heavily—was desk bound, and its evidence was selective and anecdotal.

The Treasury Solicitor commented on the DETR's comparison of the two reports, saying that it had examined the statistical methodology and the evidence on both sides, weighed that competing evidence and concluded that Westminster had not made its case. A bystander might remark that, in line with the Minister's own criterion, it was for SIGOMA rather than Westminster to make out its case. Westminster's case was that the system adopted since 1991 should be maintained. It was therefore for SIGOMA to make out its case that the statistical methodology and evidence relied upon in all previous years was incorrect. The KPMG study, regardless, came to the unequivocal conclusion that there is an interaction between visitors and commuters and density.

The practical consequences of the Deputy Prime Minister's preference for SIGOMA's views is that Westminster will receive £18 million to deal with those expenditure items, whereas KPMG assesses the actual costs of non-residents at £33 million.

Mr. Peter Bradley (The Wrekin): Will the right hon. Gentleman give way?

Mr. Brooke: No, I shall not give way, partly because of time and partly because—if the hon. Gentleman will excuse me saying so—he did not mention in advance, on 21 January, that he planned to mention my name in the debate. May I give him one piece of advice, which was given to me by the hon. Member for Bolsover (Mr. Skinner) when I was first elected to the House? He asked, "Have you come from a council?" I acknowledged that I had been a councillor. He said, "Well, forget about being a councillor; concentrate on being a Member of Parliament, particularly if you come from a different part of the country." I commend that advice to the hon. Gentleman and I respect the hon. Member for Bolsover for it.

I shall be astonished if Westminster residents and electors are not deeply resentful of the transfer to residents, who are largely irrelevant to the expenditure, of the cost of visitors and commuters. I acknowledge, however, that they will be affected if the immense cost of street cleansing, environmental health, consumer protection, licensing, trading standards and waste disposal that non-residents impose cause those services to deteriorate, to the detriment of residents as well as tourism, the business community and inward investment.

The Government must ask themselves whether it is sensible to hobble the golden goose which London represents on a national basis, generating £2 billion of tax

[Mr. Brooke]

revenue which is then deployed outside London. If services deteriorate, the golden goose—which is a free-range goose—may go off its feeding and thus its laying. Even if we treated SIGOMA on its chosen criteria—under which libraries and museums were cases where the characteristics of clients were more relevant than the characteristics of the area—a fairly obvious rebuttal would be prostitutes' cards which the city council has to clear.

If the Government seriously believe that prostitutes' cards in telephone boxes, which are singularly prevalent in Westminster, are essentially addressed to local residents, they are attributing to my constituents, who are more elderly than the national average, capacities of energy, stamina and sexual proclivity which the Department believes are not remotely matched in other parts of the country. Currently, 4 million cards annually, or 11,000 a day, have to be collected—and not unviolently.

To his great credit, my noble Friend Lord Whitelaw introduced the licensing of sex shops in 1981, when there were already 164 sex establishments in Soho, and they were seeping outwards. His measure represented a generally effective dam. The Department's attitude to prostitutes' cards should be similarly discouraging instead of weakening the defences.

Westminster, however, is adult in more ways than that. It recognises—even if it thinks it is a wrong judgment—that the Department preferred SIGOMA's views to its own. Its mature response was to commission further, more detailed research on the actual costs that visitors and commuters engender and it has so advised the Department and the Local Government Association.

I shall now deal with damping—the smoothing out of reductions in SSAs—where the Government have chosen to cut the protection available by 50 per cent. at the level of reduction that applies to Westminster and the City of London. That represents a double jeopardy for residents of Westminster, which is sustaining an overall reduction, as my right hon. Friend the Member for Sutton Coldfield said, of £26 million or 12 per cent. of its budgetary requirement, but it applies to other councils, too, causing the Association of London Government to voice concern at a dangerous precedent for the future.

I mention the wider London effect of the change in damping because it had a significant effect on the changes to the Metropolitan Police precept, which was debated in the Chamber yesterday. I could not participate in the debate as I was chairing a Select Committee upstairs, but I watched the screen and was surprised that no London Labour Member voiced concern at the effect of the damping changes on what London council tax payers will have to pay.

If I had more time to speak, I would refer to the specific cost approach over the area cost adjustment and to asylum seekers. However, in the context of costs, Professor Elliott's study, of which the Minister will be aware, specifically determined that labour costs are differentially higher in Camden and parts of Southwark and Lambeth as well as the two Cities, so they, too, will be losers. It is a bipartisan issue.

Labour Members cheered the Deputy Prime Minister's soundbites about the Ritz on 2 December as they interpreted them as being anti-Westminster. So far, however, the Government are profoundly anti-London. It seems not to be chance that Ministers representing London constituencies are at the base of the ministerial pyramid and not at the apex. London is genuinely threatened and hon. Members on both sides of the House should make common cause with the *Evening Standard* to defend London's interests.

An erstwhile resident in one of my Cities said in the 18th century:

"They now ring the bells, but they will soon wring their hands."

A 17th century resident in the other said:

"And therefore never send to know for whom the bell tolls; it tolls for thee."

The Government have come—or gone—for Westminster in the settlement, but they will come—and go—for the rest of London when the elections and the referendum on 7 May are out of the way, and I hope that the whole of London will be watching.

7.4 pm

Mr. Jeff Ennis (Barnsley, East and Mexborough): I start by thanking my right hon. Friend the Deputy Prime Minister for his speech in December on the provision of settlement when he openly recognised the problems faced by "beleaguered Barnsley". All my constituents appreciate that, after 18 years of non-recognition by the previous Government, Barnsley's grant funding problems are at last being addressed.

Barnsley has undeniable social and economic problems as a direct consequence of the demise of the coal mining industry. The local gross domestic product is currently estimated as 65 per cent. of the UK average—well within the conditions for objective 1 status—and anticipated growth over the next four years is the fourth lowest of any metropolitan district in great Britain. In addition, 35 per cent. of households have at least one person with a long-term disability. That is the highest proportion in any metropolitan district. Under previous Governments, SSA settlements failed to recognise those factors, famously classing Barnsley as less deprived than Kingston- upon-Thames. The 1998–99 settlement is a welcome first step in addressing the issues.

New social and economic indicators more closely reflect reality and have improved SSAs for coalfield and other industrial areas such as Barnsley. However, other elements within SSAs do not reflect need adequately and still need to be addressed. Let me draw attention to two specific examples. The first is children's social services, where Barnsley's SSA per child is 22 per cent. of that for the average inner London authority, but the proportion of children on the child protection register is higher than in 60 per cent. of inner London boroughs. The second relates to the additional educational needs index. Only 29 per cent. of Barnsley pupils achieve five GCSEs at grades A to C, but inner London schools receive more than £1 million more per 800-pupil secondary school than schools in Barnsley. That cannot be justified. Why do so many London secondary schools—many of which have better overall records of academic achievement than Barnsley schools—need up to 30 more teachers to deliver the national curriculum than a comparable school in Barnsley?

Barnsley has always been recognised as a prudent and comparatively low spending authority. However, since capping was introduced in 1990-91, there have been cuts

of more than £50 million—or approximately 30 per cent. of the council's current net budget. As a consequence, many services are below national standards or cannot be provided. Barnsley has always responded well to initiatives such as challenge funding and best value and, prior to the Government being elected, it was introducing its own partnership strategy to improve educational attainment.

Economic regeneration has been high on the agenda—with some success—but the rapid closure of the coal industry has left the area needing to run to stand still. It has been estimated that Barnsley needs to create an additional 19,000 new jobs in the next few years just to reach the average unemployment rate for the UK—a mammoth task indeed.

Despite the welcome improvements, the local authority faces further cuts of £8 million in the next financial year. Barnsley intends to passport the increase in its education SSA through to schools. However, £8 million of cuts to other services will result in cuts of up to 20 per cent. in other departmental budgets. That will impact on key project priorities such as regeneration.

This year's settlement is an improvement on previous years. However, the legacy of underfunding and the demise of the coal industry mean that the improvement is only a good first step. As I have said before, under any formula-funded mechanism there will be winners and losers. It is crucial that the gap between them is closed. It cannot be right that some local authorities receive over 75 per cent. more grant per head of population than similar authorities to deliver the same level of service. There must be a dampening mechanism to reduce that yawning gap. Barnsley still faces considerable difficulties in financing its services. I hope that the Government will continue to listen and address those funding problems.

7.10 pm

Mr. David Curry (Skipton and Ripon): Given that the world was supposed to have changed dramatically on 1 May, the settlement has a curiously familiar feel. In its shape and most of its content, it could have come from the previous Government and I could have delivered it. Had I done so, Labour Members would have worked themselves into paroxysms of rage at the injustices inflicted on local government.

There is one important difference. The previous Government judged the council tax increases pretty cannily so that they remained below the pain threshold at 6 or 7 per cent. By raising the cap, but failing to provide the funding to go with that higher cap, the Government will push council taxes well above the pain threshold, with a 10 per cent. increase—three times the rate of inflation.

North Yorkshire will spend at cap and passport through all the education money to schools. Let us be clear that the money is to go to schools, not to education more widely. That will mean a cash freeze for all other services. The money going to schools will cause deep distress and problems in the social services departments of all local authorities. Even when the special grant for community care is set aside, there will be higher charges, a fierce application of the eligibility criteria for health, less frequent services and fees for private providers of residential care rising by well below inflation, if at all. That is all dependent on the local government workers' settlement. We have no idea what employees will get.

The precept for North Yorkshire, which was recommended yesterday, will go up by 13.4 per cent at band D—a £64 increase. The district precept for Scarborough will rise by 18 per cent. and that for Selby by a similar figure. Even if the figure for Harrogate falls slightly, because its funding has increased while its budget remains at cap, North Yorkshire council tax payers will be walloped.

North Yorkshire's education settlement has increased by £13.59 million on a comparable basis, but that must be set against the unavoidable increases. A significant amount of that—£6 million—will immediately be eaten up by pay increases for teachers and others. Our pupil numbers have risen by 2.2 per cent. against a national average of 0.7 per cent. That is another £3.2 million of unavoidable increase. There will inevitably be a knock-on effect for additional special needs and transport requirements. The burdens imposed by new legislation include the standards fund, which involves a higher local authority contribution, the second phase of the seat belts legislation and the last phase of the House of Lords equal pay adjustment.

That adds up to £15.7 million, leaving North Yorkshire with a funding gap of £2 million. North Yorkshire is not a profligate local authority. It dishes out 92 per cent. of its funding directly to schools. The rest goes on transport—the area has a widely scattered population—special needs and maintenance. It has desperately sought money to avoid cuts, but schools face a standstill budget. That is in a local authority that has had a relatively good settlement. It is like "One Day in the Life of Ivan Denisovich". The book describes a good day in his life and look how awful it is. This is quite a good settlement and it will still pinch very hard.

Who will pay? The rest of the education service will pay. Over the past four years—my Government must take some responsibility for this—other education budgets have been cut by 26 per cent., the discretionary grant has shrivelled to practically nothing, and charges have been introduced for music, outdoor education and a range of activities.

I should like to make some more general remarks about the settlement. The first is on the violence of the insistence that the money must go to schools. Old people's homes and care services are nowhere near as photogenic as young children in a classroom. We did some passporting. The Government must ask how long it will continue. There is supposed to be a principle of non-hypothecation. The Deputy Prime Minister gave some broad hints that the Government fancied a more formal mechanism to direct the way in which local authorities spend their money. We have to decide whether to give local authorities more freedom—I favour that approach and tried to deliver it as a Minister, but failed—or to continue with ever more hypothecation or formal direction. The Government appear to favour the latter option.

The Government have done some quiet modulation of the budget to push money towards the northern metropolitan boroughs. As my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said, that is not surprising, given that the constituencies of the Ministers involved are in Hull, Sheffield, Durham, Oldham and Wallasey. They have wangled that by taking more account of economic factors

[Mr. David Curry]

in the indices for the elderly, residential care and social services. They have given a sop to London in the way in which debt is accounted for.

The net result is a shift from inner London to the metropolitan authorities and outer London. The Deputy Prime Minister claimed to be giving the money where the need was greatest. Removing money from inner London is a curious way to achieve that. One cheerful consequence is the result for Camden, which I cannot bear not to mention.

I have always thought that if the Government do not remove capping in year one, they will not do it. I now think that they will not do it. The Treasury wants to keep capping. We shall have not crude capping, but sophisticated capping—the people's cap. It is like the torturer using more refined instruments of torture rather than simply hitting people on the head in the old-fashioned way. We have the old nudge and wink—little devices with the Audit Commission and referendums. All that glorious diversionary manoeuvring is designed to avoid the abolition of capping, which is what the Labour party led its people to believe would happen before the election.

The area cost adjustment is the equivalent of the search for the north-west passage. John Prescott is not John Cabot. The main discovery about the north-west passage was that it did not exist. The Government will discover that the magic formula for area cost adjustment does not exist either. Loyal, decent, intelligent civil servants have been searching for that philosopher's stone for years. They have not found it because it is not there. The Government will have to take a straight political decision, transferring the distortions from one formula to another, or abandon the search—unless they are prepared to spend millions of pounds searching for new data.

The Government have made great play of developing brown-field sites, not green-field sites. Will they contemplate directing SSA towards the urban areas in their review to compensate for some of the additional costs of developing contaminated brown-field sites? Do they intend to be consistent in their approach, using local authority funding as one means of fulfilling their planning objectives? I shall be interested to find out.

The Government have used sweet words about local government. The truth is that they suspect and mistrust local authorities, because they are a nest of old Labour. They want to divert our attention with mayors, cabinets and referendums, but really they want to duff up local government because that will go down well in the *Daily Mail*. There will be no new dawn for local authorities from the Labour party. They all thought that blessed it was that day to be alive, but they will soon regret that. Time will eventually show that on 2 May things only started to get worse.

7.19 pm

Mr. David Watts (St. Helens, North): I am very pleased to be called in the debate. I regard it as one of the most important in the year. The decisions taken tonight will have a dramatic effect on every man, woman and child in Britain. They will determine what sort of education and social services each of our local authorities can provide.

There are no easy answers to some of the problems that have been raised. That is because the Government inherited a mess. They inherited a system that had been corrupted by 18 years of Tory misrule. It has not just happened that the system has become so complicated. The previous Government made it so. I shall demonstrate some fiddles in the system later.

I shall talk first about St. Helens. I am very pleased to be the first St. Helens Member of Parliament for 13 years who has not got to go back to his local authority to find it faced with dramatic cuts in services and dramatic increases in council tax. I should like to put on the record my thanks to the Special Interest Group of Municipal Authorities, which has done tremendous work in trying to highlight some of the differences between one local authority grant and another. I am sure that it will continue to do such work over the next 12 months.

If there is one reason why we have today's problems, it is that the Tory party's sleaze has been pushed into local government. Such sleaze is no longer just among Back Benchers taking brown envelopes.

I am pleased with this year's settlement because it meets a number of the criteria. The changes are fair. We must recognise that the Government have had very little time to make changes—less than a year. Under previous Administrations, we were promised reviews and changes, but not one occurred. I am especially pleased to see changes to standard spending assessments for elderly people and the under-fives, as well as to the visitors element, which I shall come to in a minute. If I were asked to assess the Labour Government's performance this year, I would give them nine out of 10. I hope that they get 10 out of 10 next year.

The Opposition seem to be trying to reinvent themselves. I remember the previous Government as the Government of the poll tax, the council tax and council cuts. They cut £400 million from standard spending assessments over 10 years. They cut the police budget; they cut the fire service budget. Those are the Tories whom I remember from my 18 years in local government. They are now trying to tell us that the Conservative party is the party of local government, of fairness. They believe that the Conservative party is the party of low council tax. That was not my experience as a council leader. My local authority had its staffing cut by 11 per cent. It also faced cuts of almost £13 million in just two years. At the same time, it had the highest council tax increase in the north-west. There we were with the highest north-west council tax, cuts in services and cuts in staffing.

This year's settlement goes some way to addressing some of the problems, but to find the real reason why we face them I shall talk about Westminster council. Westminster is the same size as St. Helens, and has the same population of about 180,000. In 1994–95, St. Helens had capital receipts of £3 million, and Westminster of £81 million. St. Helens had usable capital of £1 million, while Westminster had £34 million. Revenue balances in St. Helens were £19 million, but in Westminster they were £68 million. Council tax in St. Helens—this is an interesting figure—was £651, whereas it was £247 in Westminster. That is because Westminster used its visitors grant not to pay for services for visitors but to cut council tax. That was the fiddle; that was why the council tax was so low. The SSA for St. Helens was £151 per

person; in Westminster, it was a staggering £571 per person. That is staggering considering the sizes of the areas and the difference in council tax.

I have mentioned the fiddle on the visitors grant in Westminster. Figures can vary, but someone told me that the estimate could be as high as £40 million. I have never known an overnight visitor need education, social services or all the other services provided by local authorities, but I do know—this is another fiddle, which I hope the Minister will take into account—that visitors often drive into Westminster, where they park their cars. I am told that that generates £27 million—

Mr. Peter Bradley: Profit.

Mr. Watts: Profit, I am told. If that is so, when the assessments are set, we should take into account Westminster's ability to generate such large amounts of money from visitors for whom, in the past, it has been given a large grant. Far from being a drain on the council, visitors generate such a profit.

I do not expect the Government to be able to change the whole of local government finance in two minutes. That will not happen, but they have done the right thing. They have picked out a couple of areas where the settlement is unfair and where a great deal of work has taken place over a long period, and have made changes this year. I do not believe that a solution to the area cost adjustment cannot be found. I believe that previously there was an unwillingness to find it. I hope that my Government will address that. I also hope that we can do something about the SSA for children. York university has done an awful lot of work in that area, statistics are available and changes can be made.

We hear of large council tax increases in some areas and of cuts in other areas. Given the system and the fiddles that we inherited from the previous Government, that is bound to happen. For poor Barnsley to be able to provide decent services from its allocation and not increase the budget, money must come from somewhere else.

We are looking for a fair system. We are not looking for one that spends more money. We are not asking for unfair treatment. We are asking for fairness based on fact. Nothing in the SSAs used by the previous Government over the past 18 years was based on fact. The Tories considered every possible way of cramming every Tory authority with the maximum amount of money. They tried to take away money from poor Barnsley and other local authorities, and at the same time tried to demonstrate that Westminster was more efficient than St. Helens. I must tell the House that that is not so. The district auditor said that St. Helens is at the forefront of efficiency.

I want Opposition Members to tell us what they will do about Lady Porter. It is absolutely scandalous that they gave her so much money, supported her for so long and allowed such corruption. It is a disgrace that they criticise a Labour Government for trying to put right 18 years of disgraceful sleaze.

7.27 pm

Mr. Patrick McLoughlin (West Derbyshire): For the past 17 years, the Labour party has criticised Conservative Governments for unfairness and insufficient spending on local services. It now seems that the spending plans set by us were given by God Almighty. One of the constant refrains that we hear from Government Front Benchers is that they have inherited the Conservative Government's spending plans. The Government have not inherited them; they have willingly adopted them. There was nothing sacrosanct about the spending plans; they were not set in statute. The Government could change them if they wished. That must be borne in mind in the debate on local government settlements.

For at least 10 years, the Labour party built up expectations that everything would be put right when it was elected, and said that the area cost adjustment was a big con: it would all go to the shire counties and everyone would be happy. I looked at the effects of area cost adjustment on the areas of respected members of the previous Government. My right hon. Friend the Member for Huntingdon (Mr. Major), the former Prime Minister; my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke), the former Chancellor; my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), the former Secretary of State for the Environment; my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), who understands local government finance better than most of us: their areas all received nothing from the area cost adjustment.

From my knowledge of the Treasury, I know that if there was any way in which it could have got around the area cost adjustment to take money from local government spending, it would not want that money spread across the rest of the country; it would cut the area cost adjustment. Why have the Government not changed the area cost adjustment, as they promised? Labour candidates built up that expectation throughout the country.

I was interested by the response of the Deputy Prime Minister to the hon. Member for Amber Valley (Judy Mallaber). He said that Tory intransigence had discriminated against Derbyshire for a number of years. If he feels that—and with the authority that the right hon. Gentleman has—I would not expect the people of Derbyshire to have to wait very long for that to be put right.

There is a lot of misunderstanding about local government finance, and I congratulate the Government on producing their plain English guide to local government. It is rather a pity that the guide does not mention the area cost adjustment—something which is controversial to some people. Their explanation of local government finance is, perhaps, selective; I wonder why. The Government have to move one step beyond that guide and ensure that we get proper information on how local authorities spend their money, because there are great variations across the country.

For instance, Department for Education and Employment figures show that Derbyshire holds back £135 more per pupil than the best delegator of local education budgets, which is Dudley borough council. Dudley, perhaps, is not a good example with which to compare Derbyshire, but let us look at Staffordshire. If Derbyshire delegated as much as Staffordshire direct to our schools, an extra £58 per child per year would be available. That could be targeted at primary schools in Derbyshire, which face a difficult budget this year.

Mr. Tom Levitt (High Peak): Will the hon. Gentleman give way?

Mr. McLoughlin: No, I will not give way. I only have 10 minutes, and the hon. Gentleman may have a chance

[Mr. McLoughlin]

later to make his point. One of the problems with the 10-minutes rule is that one cannot give way as much as one might like.

We must address how the money that gets to local education authorities is monitored. From 1986 to 1995, Derbyshire subsidised school meals to the tune of £150 million. Over the same period, Staffordshire—a neighbouring authority of a similar size—subsidised school meals to the tune of £64 million. Some £90 million more over 10 years was spent by Derbyshire on subsiding school meals. If a county council decides to spend money subsidising school meals rather than on books or teachers, that is its decision.

I was surprised to hear the Deputy Prime Minister's words, but I was encouraged. It means that, next year, Derbyshire will reach Jerusalem; we will get all the money. There will be no problems as far as the local government settlement is concerned. As the Deputy Prime Minister, no less, has told us that Derbyshire has been unfavourably treated, the people of Derbyshire can look forward to county hall flowing with the milk and honey which, perhaps, the whole country expected.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): The hon. Gentleman was not listening.

Mr. McLoughlin: I was listening very carefully—I wrote down what the Deputy Prime Minister said. It is true that it was a departure from his scripted speech, and he may not want to admit that he said it.

I wish to refer to capping. Doing away with capping and allowing local authorities to decide what they spend has its attractions. It has attractions for me—until I think back to what local authorities were like before we had capping. When I first stood for West Derbyshire, at a by-election in 1986, the county council had put up the rates by 26 per cent. in one year. That was the kind of increase that we saw across the country before we had the more rigorous system of capping. I do not want us to return to such increases, which hit those who were least able to afford them particularly hard. Although single people get a reduction of 25 per cent. under the new system of the council tax, they have faced huge increases in previous years.

Doing away with capping has superficial attractions—of course it does—but we must acknowledge that local authorities would go back to the spendthrift days of the 1970s and 1980s. That is not what the Government want, and I certainly do not want it. We need a more transparent system in terms of the way in which local government finance is distributed from central Government because—in spite of the Government's plain guide—it is still difficult to understand.

I would welcome a definitive answer from the Minister who is to reply about when the area cost adjustment review will be completed. Are the people of Derbyshire to get all the money to which the Deputy Prime Minister referred next year, the year after or the year after that? It is time for people to know where the local money is coming from. We all wait with interest for the answer.

7.37 pm

Mrs. Louise Ellman (Liverpool, Riverside): The context in which this debate is taking place is important in terms of the legacy of the former Conservative Government. For 18 long and hard years, the Conservative Government denigrated local government and did all they could to destroy it. They passed more than 200 Acts of Parliament which removed powers from the locality, and either centralised them or moved them to unaccountable quangos.

As far as my constituency is concerned, the Tory Government were far more interested in trying to punish the city of Liverpool than in assisting it in trying to meet its needs. Liverpool is an objective 1 area; that means it is among the poorest areas in Europe. The new index of deprivation that is about to be published shows that Liverpool has the highest urban need in the country; it has the highest level of deprivation.

Unemployment in my constituency is the second highest in the country, and health is the sixth worst. Liverpool has a massive housing problem, and the major loss of population over the past 20 years has created huge difficulties, leaving a large percentage of economically inactive people: the permanently sick, the disabled and the unemployed. Perhaps above all, it is clear, from the fact that 70 per cent. of our domestic properties are in band A—nearly three times the national average—that Liverpool's economic crisis is acute.

In local government settlements in the past 18 years, the Conservative Government failed to address the area's social and economic needs or to recognise the significance of 70 per cent. of domestic properties being in band A. The Conservatives' failure to recognise the scale of deprivation and the inadequacy of the local financial tax base meant that, in practice, the city's needs could not be met, because the local authority was not given the means to meet them, while at the same time local tax bills rose.

It is important to bear in mind the legacy of the past 18 years, but we should also consider what new commitment the Labour Government have brought to the country in general and to Liverpool in particular, in their relatively few months in power. The release of capital receipts has allowed £900 million to be spent nationally, and Liverpool is already benefiting from about £9 million of new capital spending for housing. At least 5,000 properties will benefit as we try to do something about the terrible backlog of housing need and dilapidation.

My constituency is already benefiting from the new deal for schools, with its capital allocations. St. Michael's in the Hamlet school and Pleasant street school will benefit significantly from much-needed new building. More than £4 million of new money has been made available for education, to help to improve standards.

Initiatives have been instituted in Liverpool to try to address more effectively the social and economic needs. The city has already been awarded employment zone status; the health and local authorities are working together on a proposal for a health action zone; and there are plans to apply for an education action zone.

In my constituency, and in Liverpool as a whole, many people who are working hard together to try to address the needs are delighted by the fact that, after 18 long, forlorn years, the new Government have already started to provide the resources needed to put things right.

Most people recognise that what has been wrong for 18 years cannot be put right in about eight months; but it is possible to make a start. Making a start in an area of such deprivation as Liverpool, which has been treated so badly for 18 years, is extremely difficult; but let us consider what has been done.

The Government propose a significant increase in standard spending assessment for Liverpool: about 4.5 per cent. in real terms. Capping has been softened, to allow £22 million of additional spending: more than twice as much as was anticipated.

The pledge to support education and provide additional hard cash in grant is being delivered: £835 million nationally and £13 million for Liverpool will be passported through and spent in schools. The city is engaged in a £20 million new school building programme: the first programme of any significance for decades. That will start to reverse the long years of decline. The Government are starting to address the real needs of areas such as Liverpool. The relatively small but deeply significant improvements will be delivered by a council tax increase that, I understand, will be less than 6 per cent.

We all recognise that the decades of inaction and the punitive approach by the previous Government cannot be put right in one Budget, but I am encouraged that a start has been made: a start in house improvements; in regeneration that will lead to employment; in a reassessment of standards in education and school buildings; and in reconsidering the SSA and the way in which the area's economic and social needs can be met.

I note my right hon. Friend the Secretary of State's comment that crude capping will not be continued, and I warmly welcome the Government's commitment to best value, rather than compulsory competitive tendering. I welcome the discussions on financing that are under way with the Local Government Association so that we can ensure that, as we meet the acute and long-standing needs of areas such as Liverpool, other areas will not suffer unduly.

Local government is a vital part of our democracy. It was attacked mercilessly throughout the country in the past 18 years. The previous Government thought that vibrant local democracy presented a threat. They did not want fairness or equity, preferring inequality and the punishment of cities such as Liverpool for having social needs.

Local government is a provider of services: a lifeline for local people. It is an enabler, and can work with the private and voluntary sectors to provide services and to regenerate an area. It can provide community leadership: at its best, local government speaks up for the citizen and for the city and represents people to central Government, to the quangos and to the European Community.

I am pleased with the steps that the Government have already taken to revitalise and reinvigorate the whole of our democracy. I look forward to the time when local government is restored to its proper place at the centre of our democracy, as the true voice of local people.

7.47 pm

Sir Paul Beresford (Mole Valley): I am intrigued to hear the hon. Member for Liverpool, Riverside (Mrs. Ellman) coming up with statements about local democracy, when the Secretary of State has just suggested moving towards hypothecation. He wants to remove capping but to ring-fence each of the budgets. My hon. Friend the Member for West Derbyshire (Mr. McLoughlin) has already made the point about capping. The hon. Lady should think carefully about the fact that democracy will be removed, especially in budgets, and that ring fencing will mean that capping is still effectively in place, but at a lower level.

My right hon. Friend the Member for Skipton and Ripon (Mr. Curry) mentioned similarities between our term of office and the current situation, and I endorse many of his points, if not all. He did not mention the subject, touched on by the Secretary of State, of councillors who complain to Ministers about not having been given enough money.

My right hon. Friend the Member for Skipton and Ripon and I saw a similar number—perhaps, slightly fewer—in our last session of meeting councillors. Many came to us with genuine points and many needed changes, which we recognised. Having done that job for several years, I also recognised that for some of the councils it was a ritual. I will not mention names, but one council used to send 15 people down from the north-west. They always arranged for an appointment first thing in the morning, so that they could come down the night before, first class on the train, have dinner and a night at a hotel, breakfast, a little shopping after the appointment and go home again, first class on the train. One member of the delegation of 12 or 15 would speak and it would cost the local authority in the region of £3,000. Some of the other local authorities—fortunately very few of them—used the same procedure and said the same things year on year, sometimes even forgetting to change the figures.

In the House, of course, the standard cry was to hit Westminster. I think that my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) dealt adequately with that. As he and other hon. Members pointed out, in hitting Westminster this year the Government have also hit a number of other local authorities, particularly in inner London, but also, I suspect, elsewhere.

Since I have little time but to touch on one point, my biggest complaint is about the change in the way in which capital is assessed—from notional towards actual. The net effect is to support many of the spendthrift authorities that my hon. Friend the Member for West Derbyshire mentioned—the authorities that were squeezed by capping. They were the authorities that played games, always seeking to borrow more with little attempt to pay their debts. Until they were prevented from doing so, they attempted to move revenue expenditure into capital and with the recent small change in the legislation, they may well be able to do so again.

The small change on capital is a fiddle. It is a means of moving money away from the shires, many areas in and around London and some of the inner London authorities to the big metropolitan, Labour-controlled authorities, many although not all of which are particularly incompetent authorities up north. I shall pick on one authority in particular. It is on the eastern border of the M25 and it is Labour-controlled and has been for many years. It consistently spends 60 per cent. above standard spending assessment, or more. If we compare its figures with those of the rest of the Audit Commission family, its incompetence shines out. Year after year, it has overspent. One small example is that its staffing level

[Sir Paul Beresford]

per 1,000 of population has consistently been twice that of the family average. What happens to that authority with the small change? It will get a 4.8 per cent.—nearly 5 per cent.—improvement in SSA. If that is not rewarding incompetence, I do not know what is.

Moving a little further round the M25 to Surrey, we come to my own Mole Valley council. It is Liberal dominated and is not run as well as it should be, although it may well be later. Its SSA has been cut by 3 per cent. in cash terms and it will have to carry the county council, which has also been clobbered with an 11 or 12 per cent. increase in the precept. The Surrey police precept will go up by 48 per cent. because of a summary cut in the transitional grant. The behaviour—and the subterfuge—is utterly politically irresponsible.

There is no reasonable explanation. When Surrey Members asked the Minister of State for one, we were given one answer, "It was in the manifesto," which seems to be the answer to everything. This procedure is hitting rural areas again and again. We have debated green-belt and brown-belt sites and we have seen some of the changes, but one mean little change is worth mentioning. The previous Government set in train a procedure whereby county councils in rural areas could ease the burden for village shops. To ease that burden and to help local authorities absorb the cost, grants were made available, but payments were allowed to be put outside cap. This Government have brought them back within cap and yet they will tell us that they are friends of the countryside.

7.54 pm

Mr. Harry Barnes (North-East Derbyshire): I must point out to the hon. Member for West Derbyshire (Mr. McLoughlin) that Derbyshire county council spends £21 per pupil on central administration, not £135 as he stated. Derbyshire is the third meanest shire in terms of provision for local education authority administration. The £21 is agreed with schools and it goes into school transport, child welfare and aspects of special needs, for example. Since the hon. Gentleman came here after that by-election, he has sought to do down Derbyshire county council at every opportunity and he has been successful, in that the Conservative Government picked up on those items and operated the formula in such a way that Derbyshire was one of the marked areas that they went for.

Mr. McLoughlin *rose—*

Mr. Barnes: I will not give way as the hon. Gentleman did not give way during his contribution.

Mr. McLoughlin: On a point of order, Mr. Deputy Speaker. Is it not the case that when a Member names another Member he gives way to that person? I did not name any of the hon. Members who asked me to give way.

Mr. Deputy Speaker (Mr. Michael Lord): It is for hon. Members to decide whether to give way.

Mr. Barnes: I hope that I will get injury time, Mr. Deputy Speaker. I shall begin my analysis. The previous Government fiddled and fixed local government financial settlements, especially after the introduction of the poll tax. The Local Government Finance Act 1988 is still in operation. The only part that has changed is that concerning the poll tax, due to the council tax provisions.

Two main devices have been used to manipulate the formula. The area cost adjustment was first used in education areas and then extended, with a large amount top-sliced for the south-east of England. The weighting could be altered so that that top slicing became reasonable instead of excessive, as it is at the moment.

Districts have mainly been affected because of the enhanced population figures. Although those have been slightly adjusted for Westminster, they have not been adjusted for the entire country. It is not the real population of an area that is taken into account, but the population that is there during the daytime, which allows for commuters, people travelling to work and so forth. Areas such as Westminster and Epsom and seaside resorts have received considerable extra sums of money and still receive extra money given the operation of the present formula. Areas such as north-east Derbyshire, where 18 per cent. of the population commute daily to other authorities, lose money.

Labour has a manifesto commitment to end those fiddles and to introduce a fair funding formula, which will require considerably more resources in areas of need. How far are we moving towards that objective? Initially, we waited because the previous settlement operated from April 1997, a month before we were elected. So, many of us told our constituents that they would have to wait until a later settlement, when there would begin to be adjustments.

The total standard spend has now increased by 3.8 per cent., partly due to the extra £835 million for schools from the July Budget. Otherwise, we have stuck to the two-year commitment to act on Tory spending limits. Therefore, resources for the needy areas can only come from relatively affluent areas as there is nothing more in the pot—apart from that odd bit for education, which is beginning to be available. That cannot happen in one fell swoop because it would undo commitments which areas of relative affluence have entered into. Hence, damping arrangements operate for those areas.

If the changes in methodology for determining SSAs lead to grants and expenditure entitlements being moved from Westminster to Barnsley or from East Dorset to Easington, that will be practical rough justice. What about mixed areas, where areas of serious social need and areas of relative affluence are within the same local government boundary? Are not such areas given extra money with one hand only for it to be taken away with the other? Further, if the Tories deprived such areas of resources in the past, they remain deprived of resources under the new arrangements. Areas so affected cannot see their way out of the crisis. Derbyshire is such an authority. Before the SSA system, it had the smallest class sizes of any shire county; now it has among the largest. It has high class sizes across the board, in both relatively affluent and poorer areas. Schools are dropping to bits. Children are in overcrowded schools that present teaching and safety problems.

The cumulative cuts in SSA in Derbyshire are tremendous, the worst of any shire. Essex has received the average cumulative increase since SSA was introduced in

1989-90. East Sussex has had increases 30 per cent. higher than has Essex and is top of the league table. Derbyshire is bottom, with 37 per cent. less than the average increase that Essex received. The county above Derbyshire is Warwickshire, which is 10 per cent. better off in terms of deprivation. As my hon. Friend the Member for Bolsover (Mr. Skinner) said, it is like being bottom of a ladder with two or three rungs missing. The situation in Derbyshire is horrendous because of the formula produced by the previous Government, which has not yet been tackled by our Government. We are now into a long-term review. Some of the factors that I have mentioned will have to be taken into account.

I am worried about next year's settlement. If it is based on the same sort of arrangements, with adjustments only here and there, Derbyshire will be caught in the same position again. We will still be stuck with Tory spending limits, which is another problem that we need to face up to. Instead, we require resources for the needy that are not internal transfers from one bit of an authority to another. We want some recompense for the cumulative years of deprivation that the hon. Member for West Derbyshire was at the forefront of creating and was able to grin at.

I wish briefly to turn to North East Derbyshire district council. That, and Easington where I originate from, are similar areas, and I have lived in them for about 30 years. They have former collieries surrounded by rural areas and new housing. In Easington, there is the new town of Peterlee. The only difference is that places such as Dronfield have wider areas of relative affluence than places such as Peterlee.

Under the new SSA arrangements, Easington gets an 18 per cent. increase in its SSA and is top of 238 district councils. North East Derbyshire gets only 0.7 per cent., which is below the inflationary increase, and stands 138th out of 238. Worse still, on SSA per head, North East Derbyshire gets £74, Easington £105 and Hastings, which is at the top, £127. We are in 221st place out of 238, Easington is 19th and Hastings is top. North East Derbyshire suffers the same problem as Derbyshire. It has a mixed population, with areas of relative affluence and areas of deprivation. The areas of deprivation have funds taken away to some extent by the formula because of how it operates for the areas of affluence.

North East Derbyshire is also hit by the enhanced population figures that I mentioned: 18 per cent. of its people work in or travel to other areas. As a 0.25 per cent. consideration is made for that in working out the calculations, we lose 4.25 per cent. of the grant that we would otherwise have received. Some 95 per cent. of its grant comes from the enhanced population category because it gets so little from other categories. Areas such as Easington and Hastings benefit from that provision. In terms of need, North East Derbyshire is probably the worst-funded district in the worst-funded county in England. That cannot go on for another year.

8.5 pm

Mr. James Cran (Beverley and Holderness): I have sat through the debate from the beginning and I am bound to say that I have not heard such a load of old tosh from Labour Members for a long time. It is clear that they have all raced to the Whips Office, picked up the brief provided by the Government or the Labour research department and, parrot fashion in the main, read it out as the Government would have wished.

It is clear why Labour Members have not chosen to quote from the letter that all hon. Members received today from Sir Jeremy Beecham, the chairman of the Local Government Association. I used to know him in Newcastle when he was leader of the Labour-controlled Newcastle city council. He could hardly be said to be a captive of the Opposition. He might be considered relatively impartial—someone who would tell his Government what things were really like rather than seeing them through rose-tinted spectacles as Labour Members choose to.

I venture to suggest that the LGA is a Labour-dominated organisation, but its briefing states:

"The LGA is disappointed that the Government has not done more to take the pressure off councils' budgets in response to representations from the LGA and individual authorities."

It follows that the Government have not listened to representations made, if I may say with a certain partisanship, by their own side. That is in contradistinction to all the stuff that we have had to listen to.

Sir Jeremy says:

"this is a tough settlement"—

the word "tough" is in bold black letters so that no one can ignore it—

"for most authorities and some will face a combination of real cuts in services with large increases in council tax".

That is the reality.

Mr. Woolas: On a point of order, Mr. Deputy Speaker. Is it in order for the hon. Gentleman to quote selectively from the letter, which at the top clearly says that

"the LGA welcomes the extra resources"?

Mr. Deputy Speaker: Order. The way in which the hon. Member for Beverley and Holderness (Mr. Cran) chooses to make his speech is entirely a matter for him.

Mr. Cran: Thank you, Mr. Deputy Speaker. The hon. Gentleman's response shows the irritation of Labour Members. I shall not be distracted from going further into the document to quote another sentence that I know will irritate them even more. It says:

"the LGA is looking for a fair deal"—

again in bold black letters—

"for local government from the Comprehensive Spending Review".

Again, it follows that it does not have that. We all look forward to the future when the Government may start to listen even to the very people who support them.

I do not intend to go into the details of the settlement for my authority, but I merely note that East Yorkshire council will have to make cuts of about £9 million—at least according to the latest figures it has given me—or equivalent to 3.8 per cent. of its budget. I am merely waiting for all the people who were deluded into voting for the wrong party at the general election—I remember that Labour said that it would make a difference—to realise that, according to the statement, and in contradistinction to what we have heard from Labour Members, little difference has been made because the Government are not listening to the very people who supported them. I shall leave it to my constituents to judge that behaviour for themselves, as inevitably they will.

[Mr. Cran]

I am concerned about the education SSA for East Yorkshire, because it represents the biggest problem for my constituency and the authority. The Minister may be aware that the Under-Secretary, the hon. Member for Greenwich and Woolwich (Mr. Raynsford), had a meeting with delegates from my authority on 12 January. I should point out that that delegation did not consist of a load of biased Conservatives, but of Labour representatives, Conservative representatives and Liberal ones. They all agree that we have a problem with the education SSA.

I am a fair-minded individual, which has been demonstrated by everything that I have said up until now, and I shall have to agree with the Minister if she says that the East Riding's education SSA has been increased by 6.6 per cent. I am perfectly happy to admit that. Because of various problems in the education sector in East Yorkshire, however, spending levels will be about 7.3 per cent. higher. That poses a problem.

My authority has chosen to spend on education because, as I recall, at the election, the then Labour Opposition kept on talking about "education, education, education." They called for more spending on education, and that is exactly what my authority has done. It will look to the Government to offer their solutions to the educational problems of East Yorkshire. It will not be satisfied by Ministers simply saying to us all that all the problems stem from 18 years of Conservative rule and are nothing to do with them. Labour is now in government. It can now take decisions and, of course, it should do so.

The biggest problem in East Yorkshire is simply that of class sizes. In 1997, East Yorkshire was 7.3 per cent. above the national average for classes of more than 30 pupils and 4 per cent. above the national averages for classes above 36 pupils. One can quickly appreciate that East Yorkshire has nearly three times as many classes of more than 36 pupils as the national average. It would be perfectly legitimate for my constituents to ask the Government what they are prepared to do about that. It is not a question of asking the Conservative party what we were prepared to do when in government; rather, people are entitled to know what the Labour Government are now prepared to do. Class sizes will go up in 1998 and 1999 if there is no change to the education SSA.

My authority might compare itself with surrounding local authorities. The main one is Hull, where the constituency of the Deputy Prime Minister is located. In 1995–96, Hull and East Yorkshire were part of Humberside county council, and virtually the same money was spent on each authority. My authority now tells me that the East Riding SSA has declined by £7.7 million in real terms whereas in the same period, including under the new Labour Government, Hull's SSA for education has increased by £7 million. I and, more important, my constituents would like the Minister to explain the £14 million difference between those SSAs which has become apparent in the past two years. Because of the differences, Hull is able to spend an extra £207 per pupil at primary level and an extra £301 at secondary level. That is all possible despite the fact that Hull is spending at its SSA level whereas the East Riding is spending 4 per cent. above it. If anyone can offer me an explanation for that, I should like to hear it, although, once again, it is not me who needs it but my constituents.

There are two reasons why my authority's SSA is kiltered in the wrong direction. One is a demographic problem. We have had a substantial growth in the number of pupils in our schools because of housing development and because education provision in East Yorkshire is better than it is in Hull. The parents of Hull want their children to be educated in the East Riding and they are prepared to move to ensure that that happens. That is causing problems with class sizes but, according to the SSA regime, it takes five terms for such problems to be taken into account. That should not be allowed to happen.

The second reason my authority's SSA is kiltered in the wrong direction is that the sparsity costs in a rural area such as East Yorkshire are not recognised. We want to know what the Government intend to do about that.

8.15 pm

Mr. Phil Woolas (Oldham, East and Saddleworth): I am grateful for the opportunity to speak, having listened carefully to the speeches of hon. Members on both sides of the Chamber. I welcome today's statement, as I did that made on 2 December, because I believe that it is fair, flexible and responsible. It is particularly important to appreciate that it represents a first step. In common with my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), I should like to consider the context in which the statement has been given.

A legacy of bias undoubtedly exists against the areas that are most needy. No hon. Member truthfully believes that there was a fair allocation of resources across the country during the 18 years of the Conservative Government. It is important to appreciate that the regime governing local government finance, which rests on capping and capital receipts, was established after the poll tax was withdrawn. It comes rich from Conservative Members to criticise today's settlement when all of us who were involved in local government at the time of the poll tax saw the utter crisis into which that sector was plunged by that fiscal measure, which was introduced despite many objections.

It is also true that a consensus now exists in favour of reform. I believe that every hon. Member agrees that local government finance is too complicated to understand. I certainly find it so and I imagine that it is too complicated for many constituents.

It is important that the review of local government finance also addresses the unintended consequences for local authority budget heads of one budget head being changed. I shall give three examples from my constituency. First, the changes to rate relief on schools has had a direct, albeit unintended, impact on the council's schools budget. Possible changes in landfill tax, which could be brought in by the Government at the Budget, would have huge consequences for the local authority's ability to plan. The third example relates to the demolition of the St. Mary's flats in Oldham—a terribly dilapidated block—which I am to witness tomorrow. As a result of its demolition, the number of children in the area who feed into the Beaver county primary school will be reduced. Because of the financing regulations, that school, other things being equal, will therefore receive less money from the authority. I hope that the review will address such relationships.

The lack of clarity and understanding of local government finance and the complicated relationships between budgets also cause a lack of confidence among

the electorate in local authorities' ability to deliver their policies. That is often reflected in the low turnout at local government elections. I am delighted that Ministers are addressing that important point as part of the modernisation of local government.

What separates Labour Members from Opposition Members is the belief in partnership. I have been astonished by many of the remarks of Opposition Members, particularly their criticisms of our policy on capping. I shall quote from a speech made last October on that issue at the Conservative party conference:

"Too often in the past local government has been seen as the poor relation of Conservative politics. Too often in the past we have not given our councillors the backing they deserve . . . And no more treating Conservative councillors as second-class citizens"—

protected species, I should have thought, rather than second-class citizens.

"That is why I am announcing today the establishment of a new policy group to examine every aspect of Conservative policy on local government . . . Where previous ideas were wrong, they won't be rewritten—they will be scrapped.

We will look at each and every aspect of the running of local government. Not just structure and funding but also at the services where local government is responsible. And yes, we will look again at whether or not we should support the capping of every local authority."

Among the great newspaper headlines at last October's Conservative party conference, the right hon. Member for Sutton Coldfield (Sir N. Fowler) apologised to Conservative councillors in the assembly hall and pledged to change Conservative policy, yet what we heard tonight was no more than a repeat of the same attacks on local authorities. I am proud that the Government are addressing partnership and not attacking local authorities. My right hon. Friend the Deputy Prime Minister has set out to put right the balance. It will be a partnership with all local authorities, of whatever political persuasion.

I am glad that the hon. Member for Sutton and Cheam (Mr. Burstow) has returned; he has been creating confusion and not a little mischief because early-day motion 735 attacks our colleagues on Liverpool council. If hon. Members want to see real political mischief, I draw their attention to a letter from the leader of the Liberal group on the LGA, Councillor David Williams, who has circulated to chief executives a letter, on LGA headed notepaper, posing as an LGA research project, when it is in fact a piece of party political propaganda on which the hon. Gentleman's figures are based—so no lessons there.

My question on the Order Paper today will not, I fear, add to the campaign for plain English that my right hon. Friend the Deputy Prime Minister is promoting. I shall paraphrase. It asks the right hon. Member for Yeovil (Mr. Ashdown) what, if he truly believes all local government services should be paid for from local tax, the council tax or its equivalent would be. I await the answer with great interest, but I suspect that it would be more than £4,000. The Liberal Democrats' policies are confused and are not helping the debate.

The statement is welcomed by my borough council. There is an increase in the education budget of more than 5 per cent. in real terms. The benefits are already being seen. There is the release of capital receipts—nearly £1 million. Again, the benefits are already being seen.

The hon. Member for West Derbyshire (Mr. McLoughlin) asked when the review of area cost adjustments, which my right hon. Friend the Deputy Prime Minister announced in his statement in December, would be complete. I urge a look at the real level of unemployment, not least to comply with the welcome announcement this week that, in future, the Government will publish real, not bogus, unemployment figures. That would benefit my borough immeasurably.

We also have to bear in mind the impact of the national minimum wage, which will attack poverty in some of our most deprived areas. We need clarity, as councils need to plan. The capping regime is coming to an end. There is consensus on that from the Liberal Democrats. Their manifesto says that it needs to be done gradually. It is on page 14 if they want to check it.

Non-domestic rating is coming to an end, which is welcome. Opposition Members who have criticised the practices of councils in hiking up business rates should remember that my borough council works with the chamber of commerce, the training and enterprise council and other agencies to attract inward investment to our area for desperately needed jobs. Councillors would be the last people to make business rates prohibitively high. They need that control to help create jobs.

The statement is a beginning. It is a step in the right direction and it should be welcomed by all hon. Members. It is no good Opposition Members criticising it because their boroughs have the least increase, which is what one hon. Member said. Of course there will be winners and losers. *[Interruption.]* He said the least increase. It is in *Hansard*. Opposition Members can read it tomorrow if they like.

The point of the settlement is that, after such bias, after such destruction by the poll tax, the Deputy Prime Minister—

Mr. Deputy Speaker: Order. Time is up.

8.25 pm

Mr. Nigel Waterson (Eastbourne): It is a pleasure to follow the hon. Member for Oldham, East and Saddleworth (Mr. Woolas), if only because of the apparent tensions that he exhibited on the Lib-Lab pact. He managed after 10 minutes to whip himself into a frenzy of excitement and enthusiasm and described the revenue support grant as a step in the right direction. Like my hon. Friend the Member for West Derbyshire (Mr. McLoughlin), I expected a bit more. We expected a new Jerusalem in local government finance, not a step in the right direction. As my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) said, there is an element of déjà vu about this debate.

I am delighted to be able to raise concerns on behalf of my constituents. East Sussex county council has been keen to make representations to the Minister. I understand that she has already seen representatives of the metropolitan districts, but has arranged, belatedly, to see representatives from county councils only after the debate. I hope that she will carry with her to that meeting some of my comments.

The situation with Eastbourne borough council is relatively good—an increase of 1.8 per cent., enabling an increase in the budget of £277,000. If the council spends up to capping level, which is always a difficult decision to make, it will have an additional £218,000 to spend. The problem is the effect of the settlement on East Sussex county council. In a nutshell, the combined income from

[Mr. Nigel Waterson]

rate support grant and business rates will rise by £2.1 million to our total capping increase of £11 million, and the difference will fall on the council tax payer. The budget limit proposed by the Government is £324.8 million, leaving a net difference of £4.9 million to be found from savings—a painful process in which the current Conservative administration is engaged. Thanks to the squandering approach of the former Liberal Democrat administration, the council no longer has reserves and balances that can be put towards the shortfall.

The SSA increase of £9.2 million for education will be fully passported through to education, but a reduction of £2.8 million will be made because of the non-availability next year of funding from balances.

The county council has corresponded with the Minister about debt charges. There are debt charges of £0.9 million on the current school building programme, which is an active matter in my part of the world, which were not included in the capping limit for next year but will be charged to education unless the Government agree to the council's request for a higher capping limit. The chief executive has written to the Minister. I am sure that there has been some discussion between officials. The benefits from the SSA for education have been entirely negated by the charges. No allowance has been made in the spending limit for debt charges on new school buildings, and the county council proposes an alternative approach.

All other services in East Sussex are being asked to make 3.5 per cent. savings, which are likely to fall most heavily on social services, transport and the environment. The target for social services alone is £2.7 million, which is a serious prospect when one considers the massive overspend under the previous Liberal Democrat administration, who squandered up to £4 million a year by insisting on keeping their own nursing homes open rather than sending clients to the private sector. They must face that question sooner or later, whoever runs the county council.

Transport and the environment face possible cuts of £800,000 following a cut of £5 million in road maintenance in the past year alone. Sadly, as with many other county councils that we have heard about this evening, it is clear that one of the driving philosophies behind this year's settlement is the redistribution of grant from rural counties to metropolitan districts. It is plain as a pikestaff and I should be amazed if the Minister attempted to deny that in her winding-up speech. East Sussex was to have rises of between 9 and 10 per cent; the ultimate figure is likely to be a council tax of £574—an increase of 8.7 per cent. That is a staggering increase for my constituents to bear.

The chief executive of East Sussex county council summarised matters in a letter to me by saying that Government support for the coming year

"has risen by only £2 million while we"—

the county council—

"are being urged to increase spending on Education by £9 million as part of an overall increase of £11 million in the capping limit."

Will the Minister confirm—she has no choice but to do so—that the Government's policy is to switch resources from county councils to metropolitan districts? Does she not appreciate that counties such as East Sussex have substantial pockets of deprivation?

Dr. George Turner (North-West Norfolk): Will the hon. Gentleman give way?

Mr. Waterson: No, I shall not.

New Labour may dominate the towns and cities, but it knows and cares nothing about country areas. As we have seen on a range of issues, Labour Members simply do not appreciate that in places such as East Sussex, which from their narrow perspective sound lush, rich and awash with milk and honey, there are areas of deprivation and substantial need. Does the Minister appreciate the special needs of counties such as East Sussex, particularly in terms of transport in rural areas, which has been hit badly? Road maintenance has been cut, there has been a lack of investment and, on top of all that, we must suffer the impact of the Government's recent decision to shelve projects such as the Polegate bypass and improvements to the A27 between Lewes and Polegate. Those are all extra burdens in addition to those already placed on the British people by the Government in a few short months.

I mentioned the subtle shift in how the RSG has been calculated and the fact that we are witnessing a serious transfer from income tax to council tax. That confirms, if confirmation were needed, that this is, across the board, a tax-raising Government.

8.33 pm

Mr. Derek Twigg (Halton): I would go a step further than my hon. Friend the Member for Oldham, East and Saddleworth (Mr. Woolas). I think that this is a good settlement and I shall explain my reasons later. Let me point out at the start that I accept that fewer tourists come to Halton than to Westminster, but we have a national chemical industries museum and quite a lot of people come to see that. I am intrigued by the bleating that we have heard from Opposition Members about authorities such as Westminster, which still receive a higher SSA per head than Liverpool. I wonder what Opposition Members call real poverty, because people in Halton take a different view of it.

The settlement is a step in the right direction, and the Government have taken a sensible line. They have understood the position that they have had to take, kept to their manifesto promises and set the scene for the future. They have made certain important changes in the area cost adjustment and have promised to look at the matter further. Great strides have therefore been made this year in local government finance, in stark contrast to the 18 years of Tory government, when change after change simply led to confusion and cuts throughout local government, and no one knew what was happening from one year to the next. There was no stability, and people could not plan ahead.

The new settlement makes planning possible, and there will be more stability because local councils can now plan their services. I particularly welcome the extra money for education, children's social services and community services. That is an important example of how extra resources can be used for the benefit of the community.

The settlement was awaited with anticipation in Halton, because in April it becomes a new unitary authority and takes over education and social services. Our excellent settlement allows us to get the unitary authority off to a good start in funding its services. Interestingly, that has been quite a battle, and I congratulate my hon. Friend the Minister for Local Government and Housing on spotting the fact that, over many years, Halton and Warrington council tax payers have been subsidising those in the rest of Cheshire.

People in Halton have been saying that for some time. As a result, the county council and its friends, including the *Chester Chronicle*, which is not widely read in Widnes and Runcorn, have now mounted a campaign against the settlement. Whether they have a case is another matter, but they claim that the rest of Cheshire has not been subsidised by the likes of Halton and Warrington.

Three clear independent views have been expressed to the contrary. A report by the Department of the Environment in 1994 said that Halton was losing some £5 million. If the period since 1974 is taken into account, Halton has lost some £100 million over that period, give or take the adjustments that have taken place in the allocation of grants. That is an immense sum to have been lost by one of the most deprived boroughs in the country, which has the fourth highest unemployment in the north-west and 23 per cent. of all the unemployment within Cheshire.

The Government now recognise what has been happening, but the county council still says that it is not true. Not only do we have reports by the Department of the Environment and by someone hailed as the foremost expert in local government finance, but we now have clear evidence submitted by the Department of the Environment, Transport and the Regions. The county council must therefore understand the facts. That money will allow Halton to invest in services, and we shall invest some £2.5 million in education. Given that we have one of the worst problems with literacy and numeracy in the country, and many classes of more than 30 pupils, not to mention the poverty and deprivation in the area, that money is particularly important. It is warmly welcomed by the people of Halton, especially teachers and parents.

The settlement is an excellent start. It gives Halton the chance to build an excellent unitary authority. Other hon. Members have mentioned council tax rises; Halton has not raised its council tax for five years—indeed, it has reduced it—and probably has the lowest council tax in Cheshire. It has also managed to maintain its front-line services and achieve some growth through innovation and inventive ideas. The county council should take heed of the fact that the central services provided by Halton borough council are very lean, and the new unitary authority will have lean central services. Perhaps the county council does not have that, but Halton will be in a position to reduce council tax again this year. That Labour authority in a Labour heartland is able to reduce its council tax, maintain its services and invest in new services. That takes some doing, and not many councils have such a good record.

Mr. Brian White (Milton Keynes, North-East): Does my hon. Friend accept that some of the earlier unitary authorities have not been as fortunate as Halton, and have lost out because of the previous Government's disaggregation rules?

Mr. Twigg: Yes, that is a fair point. I am not aware of the position in Milton Keynes, but the Labour Government have seen what needs to be done to support new unitary authorities in the transitionary period, and I welcome that.

At last, a partnership will be established with local government. There is a future for local government: people will be consulted and will be encouraged to participate. I should like to thank the Minister for what she has done for Halton.

Mr. Mike Hall (Weaver Vale): I also represent the area, and I congratulate Halton borough council on its achievements. Unitary status will enable services to be brought closer to the people. I look forward to many years of excellent delivery of local government services in Halton.

Mr. Twigg: My hon. Friend was instrumental in the campaign to ensure that Halton became a unitary authority. He deserves much praise for his hard work.

The future is brighter for Halton. Investment in services will help the borough of Halton, my constituency and the Weaver Vale constituency to develop their cultural, social and economic life.

8.41 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I am privileged to be able to participate in this local government revenue support grant debate, and to follow the hon. Member for Halton (Mr. Twigg).

The plain fact of the revenue support grant settlement is that it will channel money out of the rural areas and central London into urban areas. This year, Gloucestershire will provide less domiciliary care and less psychiatric care, libraries will close and the roads, already with one of the lowest indices of any shire county, will be even worse maintained.

Richard Butt, the chief executive of the Rural Development Commission, explained how difficult and more expensive it is to maintain services in rural areas. He said in a press release:

> "Earlier research for the Commission showed that the current system for allocating resources to local authorities and others operated to the disadvantage of rural areas. This present study shows clearly that less money means less service and that people living in rural England are losing out. There is now a body of evidence to support the case that funding for local government does not properly recognise the needs of rural areas nor the additional costs involved in meeting them. Rural communities have relatively poor access to important public services."

Contrary to the popular myth, not all of Gloucestershire is a rural idyll. Parts of Gloucester and Cheltenham are as rough as most inner-city areas. We lose out on the SSA distribution system. The city of Gloucester and the town of Cheltenham are substantial conurbations only six miles apart, so we lose out on the urbanisation factor. They have significant populations, so we also lose out on the sparsity factor. Heads the Government win, tails Gloucestershire loses.

[Mr. Geoffrey Clifton-Brown]

Gloucestershire county council is relatively well run compared with many, despite the fact that its room for manoeuvre is constantly being reduced. Its reserves have been run down since 1996 from £6.9 million to £3.5 million today. That cannot go on.

Ms Tess Kingham (Gloucester): Will the hon. Gentleman give way?

Mr. Clifton-Brown: No, I will not give way, because I have only 10 minutes.

Those reserves can be used only once, and the Government cannot run them down indefinitely in their settlement. Flexibility is further limited by the fact that the amount of revenue spending that can be capitalised is also limited.

A further factor in Gloucestershire that must be emphasised is that the ruling Liberal Democrat group insists on running up the council's debt. At £259 per head, it now has the fifth highest debt per head of population of any shire county. The Liberal Democrats argue that the Government have allowed it. If they go on running up the debt, our children and our children's children will have to repay it.

I want to refer to national factors and the method of distribution. Mention has been made of the area cost adjustment, but in Gloucestershire it is a particularly sore point. We have a 30-mile common boundary with Oxfordshire. Last year, Oxfordshire received £12.9 million in area cost adjustment, and this year it will receive an estimated £15 million, whereas Gloucestershire receives nothing. There is no rationale for that. *[Interruption.]* The Minister laughs, but it is the people of Gloucestershire who suffer because of that unfairness. Gloucestershire incurs almost the same costs as Oxfordshire and any other out-of-London borough. It has to pay its teachers and local government workers the same amount, and its maintenance and insurance costs are virtually the same. Why should the children of Gloucestershire be near the bottom of the league of expenditure on primary and secondary schools simply because it does not receive an area cost adjustment? It is unfair.

The Government have taxed every pensioner who has a private or occupational pension scheme. That applies to all local government groups. My local authority has done an actuarial calculation. To make up the shortfall, it will require £2 million this year and another £2 million next year. That is the equivalent of an extra £10 each year on every council tax bill in Gloucestershire. The council is not allowed to make provision for that this year, so the amount will have to be doubled next year, and that will continue to have an effect year on year.

The Government came in on a proud boast that they would run a sound economy. What has happened? The local government settlement was based on a GDP deflation factor of 2 per cent., which was set by the previous Chancellor, who had an excellent economic management record. The GDP deflation factor this year is 2.75 per cent., and the difference will have to be found by each local authority. Gloucestershire will lose £9.1 million from its budget. As my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) said, we have not yet been given the settlement for local government workers. That may push the figure higher.

The problem with the abolition of capping is that in an authority such as Norwich, which I know well, far fewer than half the council tax payers pay the full amount: they benefit from the council tax reduction scheme. Capping should be abolished, and every authority should be allowed to spend what it wants. The problem is that not everyone pays the full amount of council tax. I suggest that the council tax reduction should be related to council spending if it exceeds the level of inflation. That would put some fairness into the system, and would provide accountability for every council tax payer, whether or not they received a council tax reduction.

The Government's declared policy is to return the non-domestic rate—the uniform business rate—to local authority control. *[Interruption.]* The Deputy Prime Minister referred to this issue, so I do not see why I should not do so. Hon. Members from Derbyshire have spoken in the debate. We all remember the ravages of the Bookbinder regime. Businesses were driven out of Derbyshire, and it became an ever-decreasing circle. Businesses were driven out, the tax base was reduced, and the authority had to raise even more money from the unfortunate businesses that were left. Let me issue a strong plea to the Minister: do not return non-domestic rates to local authority control. That would merely lead to a lack of representation for businesses, and to unaccountability in regard to how money is spent.

Judy Mallaber: Will the hon. Gentleman give way?

Mr. Clifton-Brown: No. I have made it clear that I will not give way; we have only 10 minutes in which to speak.

In an earlier debate, the Deputy Prime Minister said that his Government had been elected

"on a pledge to remove the unfairness that has dogged the standard spending assessments since they were first introduced."—[*Official Report*, 2 December 1997; Vol. 302, c. 159.]

I want to hold the right hon. Gentleman to that. I want a fair level of service for every person in the country, and fairness for every local authority. If that does not happen, the voters will have their say in next year's local government elections—and I have no doubt that more Conservative councillors will be elected then.

8.50 pm

Judy Mallaber (Amber Valley): It has been an extraordinary experience to listen to the speeches of Conservative Members. May I ask the hon. Member for Cotswold (Mr. Clifton–Brown): if Gloucestershire really is at the bottom of the league tables, which I have not looked at, who put it there? Perhaps the hon. Gentleman could also explain how that awful Derbyshire county council managed to attract Toyota to the constituency of my hon. Friend the Member for South Derbyshire (Mr. Todd), where 170 of my constituents work.

As I have said, it is extraordinary to listen to Conservative Members. It seems to be a case of schizophrenia. Those who, as Ministers, nearly destroyed local government, are now pretending to be the friends of local government. They need to do that, of course, because the only way in which they can rebuild their

destroyed political base is by attempting to restore their credibility in local government. They will have a difficult job, after all they have done to all our councils over the years.

However, I hear another familiar attack—the denigration and doing down of individual authorities that became so familiar to us in Derbyshire for so many years thanks to Conservative Members there. That partly led to the loss of two Treasury Ministers at the election, including my predecessor, and to the loss of three other Members of Parliament. If we wish to talk about any Conservative Members in Derbyshire, we must name them. Only one remains: my neighbour, the hon. Member for West Derbyshire (Mr. McLoughlin).

Before I deal with matters relating specifically to Derbyshire, let me say that the damage caused by the anti-democratic dogma of the last Government and their vindictiveness against local government will take a long time to put right. Anyone who knows anything about local government finance will be aware that it cannot be dealt with overnight. A party in opposition does not have the necessary resources with which to do the detailed work that must be done to ensure that it does not make yet more mistakes.

Much has been done. I welcome both the consultation documents on local government finance that are being produced and the document on democratic renewal. That document is about giving local government a proper place. It is not just about finance; it is about our relationship with our local electorates and with people in those areas. I am delighted at the emphasis on education, and I am pleased that we have started to iron out some of the unfairness and anomalies in local government finance. As I said, that cannot be done overnight.

Ministers are aware of the problem. My hon. Friend the Member for North–East Derbyshire (Mr. Barnes) explained some of the oddities that have led to the changes that have already been made having a neutral effect on Derbyshire, and Ministers are aware of the difficulty. It has meant that the settlement has not yet managed to deal with the historic problems that have resulted from years of vindictiveness and rigging of the system by the Tory Government. That has been encouraged by the perpetual undermining of our county council and of local government in our county by past Conservative Members, which has not helped us.

It is important that we work in partnership in our areas, and our Government will be looking for that partnership at all levels to benefit local people and children in our schools, and to regenerate areas and their economies. It will take time to deal with problems that were created in the past. Unfortunately, the settlement has not yet managed to deal with the historic difficulties that were set out very clearly by my hon. Friend the Member for North-East Derbyshire.

If we had the same SSA per primary school pupil as the county council average, we should have an extra £4.3 million. If we had the same SSA per secondary school pupil, we should have an extra £4.1 million. That would go some way towards dealing with our present deficit. I could give many other examples. As has been said, we did have the best class sizes, but we now have some of the worst. We had the best record on home help hours, but we now have one of the worst records, because of what has happened historically.

The truth about Derbyshire county council is not what has been portrayed by Derbyshire Tory Members over the years. Leaders of the council have been among the foremost in trying to be active and supportive on the new Government initiatives. They are keen to implement the standards agenda in schools, and to implement best value and quality. We are not going around shroud-waving about what the current settlement will do for us, because that is not the right way to proceed. We want to see how the settlement can change to have a positive effect in the future, and we are keen to take the initiative to implement the Government's agenda. I hope that Ministers will recognise that that is at the top of the agenda of Derbyshire's county council leadership. However, we have problems with the passporting of education money, and with the fact that changes that have already been made have not yet enabled us to deal with historic unfairness in the county.

There are problems that the Minister could consider. We have talked about a number of the problems relating to the coming year. Several hon. Members have mentioned the area cost adjustment. I know that a review is taking place, and I know that difficult decisions will have to be made, as always happens when the redistribution of a particular level of resources is involved.

I hope that the Minister agrees that the local government finance review should ensure that the vagaries of SSAs do not have quite such a dramatic effect on budgets. One or two changes can have a dramatic effect on budgets and the taxes that then need to be imposed.

As for this year, I hope that, when she makes decisions on designation and capping levels, the Minister will look at some of our particular problems in Derbyshire. She will know that the county council is considering whether it will be able to live within the budget as currently set, and there are a number of decisions to be made in that regard. It is not just a question of this year's settlement; we are talking about the cumulative effect of many years of Tory administration.

We have no reserves. Would that we could share the £3.5 million reserves that we heard about from the hon. Member for Cotswold (Mr. Clifton–Brown)! We should be happy to share them with him, but we have nothing like that amount. Perhaps the Minister will agree that, after nine years of successive and significant budget cuts, the abruptness and scale of any further cuts required by Derbyshire will prove extremely difficult for the county council in the coming year. I hope that the Minister will take account of that and that she will also examine some of the structural issues. I shall refer to three that she might like to consider.

First, the county council had cuts of more than £200 million in its budget during the 1990s and no other council has been left with such a legacy of voluntary redundancy and early retirement costs. Some 4,500 staff were affected. Contrary to what Conservative Members have said, council staffing is 20 per cent. below the county council average and the 4,500 job losses mean that the council has to pay £4.2 million into the pension fund before it starts to pay for services. I hope that the Minister will take account of that specific problem.

Secondly, perhaps the Minister could look at the structural issues that arise as a result of Derby city leaving the county to make sure that that has been properly dealt with.

[Judy Mallaber]

Thirdly, perhaps the Minister will consider economic restructuring in the area. I am not being emotive because a calm assessment is needed, but Derbyshire has many problems resulting from economic restructuring. It lost its coalfields and suffered from the resulting devastation, especially in the constituencies of my hon. Friends the Members for Bolsover (Mr. Skinner) and for North-East Derbyshire. Longer-standing problems arise in my constituency. Perhaps an examination of those issues will explain why Derbyshire has ended up with such difficulties. I hope that the Minister will take account of those historical and structural difficulties in taking her decisions this year.

Mr. Levitt: Does my hon. Friend agree that the Derbyshire problem can be summed up by saying that, of the £14 million additional money that is available this year, £13 million is to be passported to education and £1 million is to be levied to the fire authority? That leaves nothing for anything else, which means that there will be cuts in all services.

Judy Mallaber: My hon. Friend's analysis is correct. My county council is considering the position.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady's time is up. She was perhaps a little too generous for her own good in allowing an intervention.

9 pm

Mr. Adrian Sanders (Torbay): We have heard so much about Derbyshire that I am beginning to wonder whether this is the local government finance debate for that county and that perhaps we shall debate another county tomorrow. Some hon. Members have attacked the Liberal Democrats, but that is not surprising because we control more councils, have more councillors and are responsible for spending more public money than the official Opposition. We have heard a great deal about the complexities of local government and about some of the difficulties that are faced each year by central Government in determining the local government settlement.

I congratulate the Government on their plain English guide to the settlement, but that is where the congratulations end because it is not so much a new deal as an old meal. We have been here 18 times before debating the previous Government's annual settlement. The fundamental question of how to levy fair taxes to pay for essential services such as education has been dodged. Like the previous Government, this Labour Government have shifted the burden of tax to the hard-pressed council tax payer, the users of services and those who pay for them.

All Governments are crafty over local government finance, and some Governments are craftier than others. We welcome extra money for schools, but less money for services such as school transport, discretionary student grants, libraries and museums leaves our local education authorities with a deficit. We must also take account of cuts in the funding of non-statutory services such as traffic calming, parks and recreation, tourism promotion, economic development, grants to voluntary organisations, closed circuit television and community safety. The list is long.

Charges for car parking, home helps and domiciliary care and council house rents are all likely to rise and be an extra burden on residents to whom those extra taxes have been transferred by a Labour Government who are carrying out Conservative spending plans. The Secretary of State said that concerns about other services were legitimate. They certainly are, but how would he or the Minister for Local Government and Housing advise a council that had to choose between spending on school books or library books; between the upkeep of school buildings or the repair of public buildings; and between looking after children in school or transporting students to and from school.

The settlement is not fair: it is dishonest. Crude capping remains, with the promise of "a kinder kind" of capping in future, whatever that means. The burden of taxation is being placed firmly on the shoulders of the council tax payer because the Government do not trust local democracy and do not believe in fair taxes, such as 1p on income tax, in case that frightens their wealthiest backers. At the local elections, they will pay the price that was paid by the previous Government. If the Secretary of State cannot trust Labour councillors, who control most the local authorities, I urge him at least to trust the people. They will pay a fair tax for a better service. However, he should not expect them to pay an unfair tax for poorer services and think that the public will blame their local council, when it is the Government who are behind every cut, every increased charge and every service reduction.

9.4 pm

Mr. Stephen Timms (East Ham): I welcome with particular enthusiasm the settlement that my right hon. Friend the Secretary of State for the Environment, Transport and the Regions has announced because it meets the key demand of the Newham Needs campaign, which attracted enormous support in the east London borough over a long period. That key demand was that the SSA's capital financing element should equate to reality and not to fiction.

In 1990–91, the previous Government announced that the SSA's capital financing element would be based not on each authority's actual debt, but on its notional debt. That was an entirely new approach. It rested on a notional debt figure that assumed that, during the 1980s, debt had been repaid at a standard rate and that a set proportion of capital receipts had been applied to paying debt.

In Newham and in many other authorities, neither of those assumptions was valid. During the 1980s, the council had continued to invest in the borough's needs—in schools and in housing—and had continued, where possible, to apply its capital receipts to those purposes. We believed in investing. In passing, may I say what a welcome and important change it is that this Government are now allowing local authorities to apply housing capital receipts to their area's needs on a far broader and better basis.

In Newham, we did what we could to continue our level of investment. We did not—I underline this—indulge in creative accounting or in anything else that Conservative Members could describe as profligate or reckless. All our borrowing was wholly straightforward and legitimate and

within the approved capital allocations that the Government of the day had issued. It was entirely transparent and above board. At that time, there was nothing to suggest that local authorities would be penalised for behaving in that way.

The new system was introduced in 1990 and an explicit penalty was incorporated retrospectively for councils that had invested not more than they were allowed to, but more than the notional formula that was devised in 1990 assumed. Newham discovered that, although the actual debt that it was servicing was more than £200 million, the notional figure was just over £100 million.

The difference in, for example, 1993 meant that the capital financing SSA was more than £10 million less than the capital financing charges that the council had to pay. Like most London authorities at any rate, and many more now, Newham was capped at SSA, so that £10 million difference could be found only by holding other spending—on education and social services in particular—below the SSA level. Then Ministers criticised Newham for spending less than SSA on education.

I accept that a Government could choose to penalise a local authority for what they regarded as excessive capital spending, but that is what the capital controls system is for. For the 1990 scheme to introduce an additional penalty retrospectively to punish local authorities that spent more in the 1980s than the standard level that the Government set only in 1990, was clearly unfair, yet that was how the system worked from 1990, until my right hon. Friend the Secretary of State reintroduced fairness with his announcement for next year.

The previous system was unjust and unfair. It cannot be right to punish deviation in the 1980s, using a standard that was not invented until 1990, but that is what the previous Government did. Year after year, we made that simple point to successive Conservative Environment Ministers.

Earlier, I read the 1993 submission from the Newham Needs campaign to the then Minister of State, the right hon. Member for North-West Hampshire (Sir G. Young). The delegation was led by my predecessor, the late Ron Leighton, who was chairman of the campaign and who was supported by the two other Newham Members. I was there as leader of Newham council. Representatives of the council trade unions, the voluntary sector and Newham Youth Forum, and the editor of the *Newham Recorder*, Tom Duncan, were also part of the delegation. We were courteously received by the right hon. Gentleman, but, sadly, our pleas fell on deaf ears. That was also our experience when we put the same points to the right hon. Member for Skipton and Ripon (Mr. Curry) and the hon. Member for Mole Valley (Sir P. Beresford).

Mr. David Chaytor (Bury, North): Does my hon. Friend agree that, quite apart from the fairness of the formula, one of the most significant changes this year is the way in which the Government have listened to representations from local authorities? After 18 years of local authorities' pleas falling on deaf ears, it is a refreshing change for a local authority such as mine in Bury to have the Minister listen carefully and respond to our points.

Mr. Timms: My hon. Friend's experience chimes with mine.

The Newham Needs campaign was immensely popular. Newham had conferences involving hundreds of local residents and a road show touring the borough. Volunteers formed a Newham Needs choir, and two specially written Newham Needs songs were composed, one by a local clergyman and the other by the assistant director of the Theatre Royal, Stratford, in their own time. That was a hugely popular campaign because the formula applied by the previous Government was so obviously unfair. However, nothing happened to right the wrong until the Labour Government were elected. People in Newham will not forget that lesson—for a fair deal one must elect a Labour Government.

In attacking the change to which I have referred, the right hon. Member for Sutton Coldfield (Sir N. Fowler) said that it was a handout to profligate councils. That is simply not true. From a Conservative point of view, however, that would be a fair charge if the punishment resulted from Government policy at the time when the spending was incurred, but it did not. The penalty was dreamt up only after the spending had been made—years afterwards for a large part of it.

In any case, Newham council is in no sense a profligate authority. Since 1995, the authority has reviewed all its services to achieve savings of £25 million while protecting front-line services and, in so doing, releasing funds for investment in schools and information technology for further improvements in effectiveness.

In the past two years alone, the council has won the information technology department of the year award and achieved ISO 9002 accreditations for a wide range of its services. Last year, the council was commended by the National Home Improvement Council as the authority that had done most to encourage home improvement in the private sector. It won the Cabinet Office award for the best local publication of the Audit Commission's performance indicator, and it also received a charter mark for its revenue services. This year, it is on a short list of five for the council of the year award.

That is a superb record of achievement. Newham council is a determined, imaginative, creative organisation, tackling a tough job effectively, with impressive results. That is what local authorities are capable of, given the opportunity. Thank goodness we have left behind the confrontation, hostility and unfairness of the Tory years.

This was a good settlement. I pay tribute to the energy and determination of the Newham Needs campaign and to all those who contributed to its struggle for fairness. I also pay tribute to my right hon. Friend the Secretary of State for demonstrating that in a democracy wrong can be put right and, after years of cynicism and gerrymandering, for placing fairness once again at the heart of Government.

9.14 pm

Mr. Peter Luff (Mid-Worcestershire): My constituents will take a rather different lesson about the merits of a Labour vote from those of the hon. Member for East Ham (Mr. Timms), whose vigorous speech I enjoyed but did not find particularly convincing.

This is a debate on two levels. There is the national dimension, and that is simple—a concealed tax rise to pay for reduced services, and a shift in resources from London and the shires to places such as, of all places, Sedgefield.

[Mr. Peter Luff]

I am glad that the people of Sedgefield have more than reflected glory to show for having the Prime Minister for their Member of Parliament, but I am deeply sorry that my constituents are having to pay for that privilege for those in Sedgefield.

There is a view in London that Worcestershire is just a leafy shire, but it has at least its fair share of rural poverty and urban deprivation. I am not sure that the previous Government always understood that, and this Government do not understand it at all.

I must record my admiration for the officers of the new Worcestershire county council, and for the many teachers who do a great job in our schools. However, thanks to this settlement, they will have to face an impossible year—Worcestershire county council's first year after its split from Herefordshire. It is true that Worcestershire has had years of tight and uncomfortable settlements. I and other Conservative Members, who did not always agree with the old Hereford and Worcester county council, have made our reservations clear—particularly our reservations about the area cost adjustment, about which we have heard a great deal in this debate.

As my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) pointed out, the area cost adjustment was not even mentioned in "A Plain English Guide to the Local Government Finance Settlement". It is no wonder; if the area cost adjustment were explained clearly, its total illegitimacy would be exposed. The area cost adjustment allows Oxfordshire, which is only about 10 miles from my border, an extra £15 million—which amounts to £1.5 million per mile. I do not understand why.

The standard spending assessment formula consistently discriminates against Worcestershire. There is absolutely no fairness in the settlement, only further discrimination. Linking the SSA to capping limits—which is what we are dealing with in Worcestershire—means that the SSA is the capping limit. *[Interruption.]* Labour Members shout, but that system is not democratic and allows absolutely no headroom or flexibility.

Although I welcome the review that the Deputy Prime Minister announced at the beginning of the debate, I am not holding my breath. He said that it is currently a crude system, and he promises something more elegant in the future. One may associate many fine words and noble qualities with the Deputy Prime Minister, but elegance is not among them. I somehow suspect that the new system will not be that different from the old one.

The only Hereford and Worcester county council ran down its balances expecting some glorious cornucopia from the new Labour Government—but now the chickens have come home to roost. The new Worcestershire county council has no reserves to speak of, and a disgraceful settlement from the Government. Council tax in Worcestershire will rise by 9.1 per cent., and we will have worse services for the extra money.

My hon. Friend the Member for Bromsgrove (Miss Kirkbride)—who wished to speak in this debate, but, sadly, because of time pressure, has not been able to—has specifically asked that I should associate her with my comments on our county's education settlement. Worcestershire's education SSA increase is well below the national average and is the smallest of all county councils' SSAs. It does not even cover pupil numbers and inflation. Next year, there will be education cuts in Worcestershire. The expectations raised by the Prime Minister, and by the various Labour Members who campaigned—successfully—for seats in Worcestershire, have been dashed by the settlement. Worcestershire's settlement makes a mockery of the boast "education, education, education". Even the Labour council leader, in a letter to the Minister, said that there is a "strong sense of injustice". I would call it a strong sense of betrayal.

Compared to other counties, we have had very low increases in other SSAs, especially for our fire service. Because the formula is inadequate, we are already spending 25 per cent. above the SSA to maintain a bare minimum service. Moreover, we have the lowest per capita fire service spend of all the shires.

The settlement's overall effect will be huge cuts. There will be cuts of about £1 million in education, and massive cuts—of about 10 per cent.—across the board in other services. Last week, the *Worcester Evening News* quoted Worcester's education director as saying that most schools should "survive the cuts", which is hardly an encouraging thought. He went on, however, to say that a

> "significant minority will face a year that is likely to produce the need for some painful adjustments, including teaching staff reductions and increases in class size."

That is quite the opposite of what Labour was promising. Thanks to the settlement, Worcestershire is facing the prospect of class size increases.

Cuts will have to be made not only in education and social services—where huge cuts will have to be made—but in other important spheres, such as the roads budget. The Liberal Democrat vice-chairman of the relevant county council committee said:

> "The road infrastructure across the county is fast reaching crisis point. It is a bit like a domestic situation where you put off repairs to your house for a while but after a few years it starts to hit the inner woodwork and costs multiply."

That is the situation that we are facing in budget after budget.

Councillors are being forced into policy options that they do not support. I personally do not have a problem with the concept of privatisation, but "Prescott's privatisation" in the county is imminent. All the old people's homes in the county are to be sold off to meet this year's dreadful budget. Tomorrow, I am going to visit Westmead, an old people's home in Droitwich Spa, to discuss with the residents and staff their concerns about the sell-off forced on Worcestershire county council, against its will, by the settlement and the Government.

There have been sensible proposals for change. There was a delegation to the Minister, but, strangely, Conservative Members representing the county were not invited. However, I associate myself with the views that the delegation expressed. It managed to get only a few hundred thousand pounds more from rebalancing the split between Herefordshire and Worcestershire and a reduction in the education SSA. It made no progress on capping. The headroom above the SSA is 0.03 per cent. or about £90,000—roughly the salary of the Deputy Prime Minister. The county council average is 3.7 per cent. Why could the Government not give Worcestershire 1 or 2 per cent. and let the county council justify the extra expenditure to its voters at the next local elections?

Carol Warren, the Labour leader of the council, wrote to the Minister for Local Government and Housing on 19 December last year:

"The elderly, the frail and most vulnerable in our community will struggle to understand why after four years of spending cuts . . . we continue under a new Government, to withdraw services, raise charges that are already the highest in the country or curtail funding to the voluntary sector. Relationships with the NHS will suffer as hospital discharge arrangements become even more strained."

Is the settlement as flexible as the Deputy Prime Minister boasted? Not at all—there has been no flexibility whatsoever for Worcestershire. Is it fairer? If robbing Worcestershire schools and slashing services for the vulnerable is fair, then it is fair. Is it better? Not even the inventive mind of the Minister without Portfolio could present it to my constituents as better. It fails all the Deputy Prime Minister's tests. I hope that Labour Members representing Worcestershire, who were not even present in the Chamber for today's debate, will have the courage to join me in voting against the settlement.

9.21 pm

Mr. Mark Todd (South Derbyshire): Listening to the debate has been rather like watching a tired episode of "Star Trek". It is as if one were visiting a twin planet where the people spoke the precise opposite of what their identical figures elsewhere were saying.

We have heard Opposition speeches about class sizes and the terrible impact that they can have on a child's education. One would hardly believe that, in government, they declared class sizes to be quite irrelevant to whether education could be delivered. We have heard Opposition speeches condemning capping or demanding that it should be more liberal. One would hardly believe that, in government, they ruthlessly applied capping throughout the past few years. We have heard speeches saying that the area cost adjustment is a criminal regime for distributing money between local authorities, yet it has was in place throughout the last few years of the Conservative Government.

Mr. Andrew Lansley (South Cambridgeshire): Will the hon. Gentleman give way?

Mr. Todd: No. I have very little time.

The revenue support grant settlement contains a number of features that I welcome unhesitatingly. Some of the blatant fixing that marred the previous arrangements has been ended, and that is most welcome. The extra money for education that reaches even my county of Derbyshire is tremendously welcome. We wish that we could use it fully and more effectively.

Nevertheless, the settlement brings a prospect of further substantial cuts to my county. In the past nine years, £228 million has been cut from the county council services—far more than for any other county authority. From 1989–90 to the current year, the cap has been raised by 30 per cent. East Sussex has been referred to as a particular example of iniquity, yet it received an increase of 62 per cent. over that period—the highest increase in the country. If Derbyshire had merely the average increase, it would get an extra £90 million, but we are not asking for that. If, as my hon. Friend the Member for North–East Derbyshire (Mr. Barnes) said, we merely caught up with the next lowest increase, we would get an extra £20 million, but we are not asking for that either. We merely want enough to implement the Government's policies. We want to carry through the commitment to passporting the education money. That would require an extra £14 million. The door is open for further discussion. That is great.

I cannot describe Derbyshire's services as a bleeding stump. I have spent too long talking to the people who deliver them and have developed too much respect for what they have done to say that. Our key stage 2 results, announced a few days ago, were excellent. They represented a fantastic achievement by educators in our county. A small rural primary school in my constituency was particularly praised in the chief inspector's report published a couple of days ago. There is tremendous innovation and commitment to achieve, against a wall of desperation in our resources shortfall.

Bureaucracy has been cut to the bone. The hon. Member for West Derbyshire (Mr. McLoughlin) made a tricky speech in which he pulled out some statistics, claiming to prove that the county council distributed less money to schools than other authorities. That is true for the examples that he chose, but it is an administrative issue which depends on which services are funded centrally and which are funded locally in individual schools. It says nothing about the amount of spending on education or any hidden administration costs. It is just a question whether school transport and special needs are delegated or kept at the centre. As my hon. Friend the Member for North-East Derbyshire has shown, Derbyshire has an excellent record on cutting bureaucracy.

I have no desire to take money from other local authorities. I understand the difficulties faced by my right hon. Friend the Deputy Prime Minister and his ministerial team in deciding how to parcel out the limited resources available. However, I should like the Minister who is to reply to explain why Derbyshire should have a standard spending assessment per head of £605 when Hertfordshire has £681 and Kent has £684. I am sure that there are excellent reasons. I am not saying anything against those two counties. I am sure that my hon. Friend the Member for St. Albans (Mr. Pollard), who is sitting next to me, would speak up eloquently for Hertfordshire. However, I want to know why a primary school child in Derbyshire should receive £200 less in SSA recognition than a Hertfordshire child. I do not believe that the gap is justifiable.

There are ideas on how we can make the situation better. In the long term, we need to examine how we assist elderly residents. I am strongly committed to Derbyshire's policy of seeking to fund people to stay in their homes, supporting them with carers. That is the not the cheapest policy, but it is the best. It should be recognised in a financial settlement, rather than using the standard residential home calculations that are used elsewhere.

I would also like a review of the area cost adjustment. There has been near unanimity on that tonight.

Representing a rural seat, I believe that sparsity is a key factor in the delivery of services. It is more expensive to deliver services in a rural area. It is critical that we retain our small village schools, which are often the heart of our communities. There is no way round the cost of that commitment. I have many schools in my constituency with 40, 50 or 60 pupils. They do an excellent job of

[Mr. Todd]

educating young people, but they cost disproportionately more than larger conglomerations of schools. That must be recognised.

I hope that the Minister will also take note of some short-term elements. Reference has already been made to reorganisation costs. The impact of the loss of the city of Derby has been underestimated and should be reviewed. We also need a review of the early retirement costs from the accumulated cuts. We carry a huge extra cost from what has happened in the past nine years. Those are reasonable steps.

This is not a satisfactory settlement for Derbyshire. Other hon. Members have said how marvellous their settlements are. I cannot pretend that I feel that way. I have made my representations, as have my colleagues and the county council. No progress has been made—at least as yet. I am delighted that the Government are still prepared to listen to us and talk to us. On that basis, and with further elements of discussion about the cap still to come, I shall certainly be supporting the Government.

9.29 pm

Mr. Tim Yeo (South Suffolk): The Secretary of State opened the debate by claiming that the settlement was

"better, fairer and more flexible".

The truth that has emerged in the debate paints a different picture. The settlement is inadequate, unfair, perverse and fraudulent.

The settlement is inadequate because, through their actions since 1 May, the Government have directly placed huge new burdens on councils. They have totally failed to provide councils with resources to cover those new burdens. The settlement is unfair because the Government have taken cash away from parts of the country, such as inner London and most rural shires, and given it to other councils, many in the north, mostly metropolitan, but notably Sedgefield. Sedgefield's standard spending assessment has increased by more than the SSAs of all but two of the more than 400 councils.

The settlement is perverse because the Government's changes to the way in which cash is distributed among councils have deliberately rewarded incompetence and extravagance, and penalised good management and thrift. The settlement is fraudulent because the Government's claim that it provides £800 million extra for schools is simply not true. The Secretary of State repeated that myth in his opening speech, but it has been exposed by speaker after speaker—not only on the Conservative Benches.

The inadequacy and unfairness of the settlement was powerfully demonstrated by my right hon. Friend the Member for South Norfolk (Mr. MacGregor). He eloquently described the consequences for the people of Norfolk of what he called the "lethal combination" of a Labour-controlled council and a Labour Government.

When the Minister replies, will she confirm that consideration will be given to the plight of counties such as Norfolk, which are mainly rural? Will she admit that the consequences of a cash cut in the social services SSA in Norfolk, and in many other places, are extremely painful—and not just for the social services departments and their service users? The squeezing of the social services SSA will mean that many authorities, including Norfolk, will have to dip into their education SSAs to prevent unacceptable cuts in social services.

Mr. Hayes: I apologise for re-emphasising this point. Will my hon. Friend also ask the Minister to reverse here and now the £2.5 million cut in Lincolnshire's police service? The cuts are not just in social services. A Home Office Minister has admitted that the cut in Lincolnshire police service has nothing to do with inefficiency.

Mr. Yeo: The Minister will have heard my hon. Friend's question. Will she also reverse the cash cuts in the SSAs of Nottinghamshire, Staffordshire, Surrey and Wiltshire police services?

Mr. Levitt: Will the hon. Gentleman give way?

Mr. Yeo: No, I am sorry. *[Interruption.]* If there is time, I will in a moment.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) entertainingly exposed the very flimsy basis for the Government's attack on the funding of Westminster city council—in whose area I am happy to have had a home for more than 10 years. Its combination of good services and low council tax has long been a model of good practice—a model which has constantly attracted the envy and jealousy of incompetent Labour councils and Labour Members. So determined were the Government to take away money from Westminster that other inner London boroughs—even those controlled by the Labour party—have been dragged down as well.

My right hon. Friend the Member for Skipton and Ripon (Mr. Curry)—who has much expertise in these matters—eloquently warned of the enormous increases in council tax that the settlement inevitably will lead to. He thoughtfully explored the consequences for services—even within education—that arise directly from the settlement. My hon. Friend the Member for West Derbyshire (Mr. McLoughlin) argued persuasively for the retention of some kind of capping, and recalled quite correctly the very high price paid by tax payers in the past for allowing certain Labour councillors the unrestricted freedom to set their own tax levels.

My hon. Friend the Member for Mole Valley (Sir P. Beresford) also has much experience of these matters. He exposed some of the anomalies in the system and the way in which the Government have, frankly, perpetrated a fiddle this year in relation to the treatment of capital funding. My hon. Friend the Member for Beverley and Holderness (Mr. Cran) drew attention to the views of the Local Government Association—a body controlled by Labour councillors—which has underlined how the settlement will inevitably lead to higher tax and poorer services.

My hon. Friend the Member for Eastbourne (Mr. Waterson) was right to identify the switch of resources away from rural areas as one of the key aspects of the settlement. My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) spoke with passion and conviction about the way in which his constituents and the people of Gloucestershire have been adversely affected by the settlement. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff), in a spirited

contribution—and like many others—criticised the operation of the area cost adjustment and pleaded convincingly for his constituents.

Mr. Lansley: On the matter of the area cost adjustment, is my hon. Friend aware that, days before the last general election, the Prime Minister pledged in Cambridge that the Elliott review would be implemented in time for the coming financial year of 1998–99—a pledge he has now broken?

Mr. Yeo: My hon. Friend is quite right to draw attention to yet another broken promise from the Government.

Mr. Levitt: I am sure that hon. Members were very touched by the hon. Gentleman's description of the problems in Norfolk. As a Derbyshire Member, I can identify with the difficult decisions that had to be made. Derbyshire suffered £214 million of cuts in its budget under the previous Government. Will he join with me in asking for the same for Derbyshire as he would wish for Norfolk, and will he apologise on behalf of the previous Government for the damage they did to services in Derbyshire?

Mr. Yeo: Any apology to be issued about Derbyshire would be on account of the disgraceful record of the Labour-controlled Derbyshire county council, which was a byword for extravagance and incompetence for which an abject apology is immediately required.

Mr. Prescott: They discriminated against Derbyshire.

Mr. Yeo: The Deputy Prime Minister suggests from a sedentary position that the previous Government discriminated against Derbyshire. If there had been any discrimination—which there certainly was not—it would perhaps have been justified, because giving money to the Labour councillors who ran Derbyshire county council would have been a gross irresponsibility on the part of any Secretary of State.

Labour Members described the consequences of the settlement in a variety of ways. The hon. Member for Leicester, South (Mr. Marshall) had the courage to admit that the woe would continue into 1998–99. He might like to know that if Leicester had been treated the same as Sedgefield, the SSA increase would not have been under £5 million, but over £34 million. The hon. Members for Sherwood (Mr. Tipping), for North-East Derbyshire (Mr. Barnes) and for Amber Valley (Judy Mallaber) all criticised the distribution formula. Others—like the hon. Members for Oldham, East and Saddleworth (Mr. Woolas), for East Ham (Mr. Timms) and for St. Helens, North (Mr. Watts)—seemed to me to be still fighting the last war; perhaps because they have so little confidence in their prospects for the next one.

I was glad to hear that the hon. Member for Sutton and Cheam (Mr. Burstow) will be joining us in the Lobby. He recognised that even though many councils will be forced by the settlement to cut their services, they will also have to introduce substantially higher levels of council tax. The hon. Member for Torbay (Mr. Sanders) went further and called the settlement dishonest.

The day of reckoning is truly approaching, when councils or, more particularly, service users and council tax payers, will have to face the consequences of the huge £1 billion burden that the Government have placed on councils throughout the country. By far the biggest part of that burden is the Chancellor's new pensions tax. It is grossly irresponsible for Ministers to go on burying their heads in the sand about the problem.

It is not realistic for the Government to say that they can wait until the actuarial valuations are completed later this year. Almost two out of every three council pension funds did not have enough money to meet their liabilities when the funds were last actuarially valued in 1995. Their income has been cut by £300 million a year, so the situation is clearly worse.

In a circular issued on 2 October, the Local Government Association said:

"It would clearly be prudent to make advance provision, say by way of an agreed voluntary uplift in contribution rates."

That is a sensible view. If no provision for the liability is made in 1998–99, by the following year the total loss of income in pension funds since the Chancellor's pensions tax was introduced last July will be more than £800 million, which is equivalent to an extra £50 on band D council tax for every council tax payer in the country.

Will the Minister confirm without reservation that the revenue support grant next year will be increased to cover the shortfall in full? If not, does she expect councils to prepare by starting to cut services in 1998–99? How many teachers and home helps does she expect to be sacked to swell the Chancellor's coffers? Will she confirm that the annual cost of his pensions tax to councils is £300 million, and that if council tax does not increase, 12,000 teachers will have to be sacked to meet the shortfall?

A few councils escape the consequences of those burdens. As my right hon. Friend the Member for Skipton and Ripon and my hon. Friend the Member for Beverley and Holderness said, many Ministers in the Department have constituencies that do rather well out of the changes to this year's distribution formula.

The council that did most especially well is Sedgefield. The voters who go to the polls on 7 May in London may be interested to know that if the London boroughs were treated in the same way as Sedgefield, Bexley would receive an extra £13 million on its SSA; Croydon, £24 million; Enfield, £19 million; Hillingdon, £21 million; Ealing, £21 million; and Redbridge, £14 million.

What is worse, the settlement was not merely about exploiting the system to take cash away from London and many rural shires: the Government have taken cash away from those councils that manage their affairs efficiently and carefully. Changes to the distribution formula and the treatment of debt have penalised the thrifty. That is in line with the Chancellor's attacks on personal savers; his tax on pension funds; and his retrospective tax on savers, through the limit on TESSAs and PEPs.

In this revenue support grant settlement, the Secretary of State has gone even further: he has rewarded the extravagant and incompetent Labour councils that allowed their debts to pile up. That is an astonishing approach which sends a clear signal to every council in the country: do not bother to pay back debts or to manage money carefully, because Big Brother will come along and bail councils out.

Mr. Prescott: They build houses, you twit.

Mr. Yeo: We know that they will build houses: they will build them on the green belt in Newcastle, when the

[Mr. Yeo]

hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) says that there are 4,000 empty houses in Newcastle alone; on the green belt in Stevenage, where 14 Labour county councillors sneaked through the decision after changing the standing orders with the help of their coalition partners in the Liberal party; and all over West Sussex.

The Minister of State will have heard what the so-called extra cash for schools means in one council or another. Let me tell her what it means in Suffolk. A letter from the heads of the 345 schools in Suffolk spelt it out. They were led by the Secretary of State for Education and Employment to expect that Suffolk would receive more than £12 million in extra cash for education funding, but the actual amount turned out to be under £11 million. Because of the budgetary pressures affecting Labour and Liberal-controlled Suffolk county council, the true figure is £8 million, according to the heads. The consequence is a reduction of 1 per cent. in real terms in Suffolk school budgets. As one councillor put it:

"David Blunkett's letter to schools led them to expect something which local authorities were in no position to deliver."

The debate has shown four things about the settlement. First, it has proved that the Government's claim that the revenue support grant settlement was based on the previous Government's figures is little more than a fraud. Secondly, it has exposed the Government's systematic switch of cash away from councils in London and the rural shires to Labour's urban strongholds in the north, such as Sedgefield. Thirdly, it has revealed how the Government are rewarding those Labour councils that have mismanaged their finances. Fourthly, it has uncovered how, despite the Government's boasting about the priority that they attach to education, the only way in which most councils can get more cash into schools is by cutting other services or increasing the council tax.

This is a settlement which will cost taxpayers dear and hit service users hard. It is a disgraceful settlement, which the House should reject.

9.45 pm

The Minister for Local Government and Housing (Ms Hilary Armstrong): The debate on the local government settlement has shown how strongly most hon. Members want effective local government, which is able to deliver services that local people want at a price that they can afford. The Government share that view and it is fully reflected in the settlement that the Deputy Prime Minister laid before the House on 2 February.

Tonight, we have heard much from hon. Members on both sides of the House. Indeed, from the Conservatives, we have largely heard pent-up frustration at 18 years of their own failure and their failing policy on local government. They complained about area cost adjustments, but who introduced them? Which system are we working on? They introduced council tax capping, about which they were also complaining and they introduced the standard spending assessment. No wonder they are angry at their council tax legacy.

The difference is clear. We opposed the Tory introductions and the Conservatives supported them. We are beginning to change the formula and we will continue to do so. We will reform it and they will oppose everything.

Many hon. Members have made representations about their areas, which is what a local Member of Parliament has a responsibility to do. Several hon. Members representing Derbyshire have made it clear that their authorities were targeted. Indeed, the Conservative Front-Bench spokesman virtually confirmed that. They were targeted and they have suffered. We have moved. They have not suffered as much as some places in the change, but we know that they have a huge legacy to make up.

I recognise that many local councils share the Government's ambitious agenda to modernise Britain. They share our priorities for higher education standards and our commitment to best value in public services. They are sharing in the effort to get young people off welfare and into work as part of the new deal. In short, they share our belief that we can make Britain better.

Dr. Evan Harris (Oxford, West and Abingdon): I have sat and listened throughout this debate. As the hon. Lady will know, the Liberal Democrats—the second party of local government—will be voting against this flawed settlement. What the third party of local government, the Conservatives, choose to do, in terms of voting against their own plans and capping, is a matter for them and their crocodile tears.

Will the hon. Lady justify how she can ask Oxfordshire county council to ask the most vulnerable people in social services to pay for her education prioritisation when Oxfordshire is one of 116 out of 150 councils that did not have the funding to match the increase in the education SSA?

Ms Armstrong: Every authority got the money directly from the Government because we paid it through the revenue support grant. Every democratically elected authority got that. There is one that is not democratically elected and it did not. Local government spends £80 billion a year, a quarter all public expenditure. The Government were elected on a manifesto of not increasing Government spending targets in our first two years in office. Inevitably, because of the scale and importance of council spending, the settlement is tight for many local councils.

Unlike my Conservative predecessors, I am not going to insult the intelligence of hon. Members or of local councillors by saying that everything is fine and that funding is adequate to meet all the ambitions and plans of every local authority. That is plainly not true, as has been stated often tonight. Local councils, like the Government, will have to set their priorities and allocate available resources carefully to meet them. As we have been doing in the comprehensive spending review, I expect every council to review the efficiency and effectiveness of its spending and, in consultation with residents, set priorities and performance targets.

Let me turn to education, which most hon. Members who spoke raised. We have made a start on honouring our pledges: £1 billion more than the Conservatives planned and an extra £835 million of new money for schools. Unlike under the Conservatives, every democratically elected council will get more money for education next year and the freedom to spend it.

In the context of a tight settlement, the Government's priorities have also included social services. The settlement provides £350 million extra for community

care, and a further £70 million for children's social services, the first substantial increase for three years. It also includes £21 million more for adult services and £73 million ring-fenced for mental health services.

As well as making extra resources available, the settlement is fair to all councils and is not fixed in the interests of one or two. We are committed to a fair distribution of Government grant and we have moved quickly in that direction. In addition, the Government will not discriminate against councils that used capital receipts for local investment in the 1980s. I reject what was said by the right hon. Member for Sutton Coldfield (Sir N. Fowler) and the hon. Members for Mole Valley (Sir P. Beresford) and for South Suffolk (Mr. Yeo). The resulting standard spending assessment formulas are not motivated by politics but by fairness. They are the product of much discussion with local government and are applied equally to all authorities regardless of political control.

A number of rural issues were raised. *[Interruption.]* Conservative Members know nothing about geography. If they did, they would know that North-West Durham covers a substantial part of the north Pennines. If there is anywhere more rural in this country, I would like to see it. For the first time in four years, we have provided an increase for the services delivered by shire districts. We have treated all local authorities, rural or urban, on a fair and consistent basis.

Several hon. Members *rose—*

Ms Armstrong: The formula therefore includes elements that allow for the needs of rural areas, such as sparsity. Urban areas have larger populations and so will generally get more grant, but I have made it clear to every authority that has raised the matter that we will consider other factors this year. I have invited them—I invite Conservative Members who raised the matter to talk to their authorities—to put sparsity on the agenda for this year's discussions.

I have looked at the Rural Development Commission report written by Rita Hale. I found it interesting, although it contained nothing new. We would be quite happy to use it to inform our decisions for next year. I invite local government representatives to put it on the agenda for this year's discussions.

As my right hon. Friend the Deputy Prime Minister said when he opened the debate, we believe in more local discretion and less central control. Next week, we will publish the first in a series of consultation papers on modernising local government. Hon. Members will have the opportunity to raise many of the issues that they referred to tonight in that long-term review, and I invite them to do so.

Mr. Hayes *rose—*

Ms Armstrong: No. I will not give way.

A number of hon. Members raised the issue of the area cost adjustment. My hon. Friend the Member for South Derbyshire (Mr. Todd) said that there was unanimity on it—I wish that were true. I accept that there was unanimity in the sense that many people have raised it, but not in the required outcome. We will study the additional research that is being done this year on area cost adjustment, along with that which has been conducted before, to see whether we can reach a more satisfactory conclusion than that achieved so far.

Many hon. Members will have been astounded to hear the right hon. Member for Sutton Coldfield and the hon. Member for South Suffolk talk about the cost to councils of pension changes. They will have been astounded because they were members of a Conservative Government who allowed a contributions holiday for local government's superannuation funds in order to keep the poll tax down. Councils are still paying the price for that funding fiddle.

We have provided a regime under which local government pension funds can be properly managed and where local authority contributions can be matched with what is needed, following proper actuarial review. It would simply not be sensible administration to allow local authorities to guess what might be needed in advance. We have already promised that we will look at how that will be accounted for in future settlements.

We heard a great deal about higher spending from the Liberals.

Sir Norman Fowler *rose—*

Ms Armstrong: I will not give way.

In December, the hon. Member for Sutton and Cheam (Mr. Burstow) demanded an extra £800 million for local government Today, that figure has risen to £1 billion. All of it will be paid for by the Liberal's flexible friend, the 1p on income tax. But the Liberal spokesman's figures do not add up. They bleat about the Government sticking to previous spending plans, which is their excuse for voting against the Government tonight. *[Interruption.]* It is an excuse, because in the costings supplement to the 1997 Liberal Democratic manifesto, it said:

"With the exception of specialised costed items, all Departments will have to work within current spending plans."

It appears that the Liberals do not read their own manifesto.

The local government settlement is another important contribution to the Government's actions to make Britain better. Our education spending will be judged alongside the £1.3 billion extra from the windfall levy, which will be spent on capital investment in schools. Our social services spending will be judged alongside our extra health spending of £300 million this year and £1,200 million next year, together with the £1.3 billion for the hospital building programme, delivered through the private finance initiative.

Our support for local councils' economic development activities complement our £1,400 million welfare-to-work programme. All our efforts are designed to support and assist local councils to provide a better quality of life for their residents. That is supported by £800 million from housing capital receipts.

That is the big picture. It is a settlement which delivers our pledge on education—£835 million of new money for schools. It is fair to all councils, not fixed in the interests of one or two. It reflects the needs of local communities through our revised social and economic needs index.

This is only the start. We know that there is a long way to go to modernise local government after all those years of centralisation. Tonight, we have an opportunity to vote to make that start, to get this country back on the road.

Question put:—

The House divided: Ayes 262, Noes 170.

Division No. 154] **[9.59 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darvill, Keith
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Lepper, David
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Malleber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Ms Joan
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. John McFall and
Mr. David Jamieson.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin

Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edwa'd *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Wardle, Charles
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Woodward, Shaun
Yeo, Tim

Tellers for the Noes:
Mr. Nigel Waterson and
Mr. John Whittingdale.

Question accordingly agreed to.

Resolved,

That the Local Government Finance Report (England) 1998–99 (HC 506), which was laid before this House on 2nd February, be approved.

It being after Ten o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to Order [3 February], to put forthwith the Questions necessary to dispose of proceedings on the motions relating to local government finance.*

Motion made, and Question put,

That the Special Grant Report (No. 31) (HC 507), which was laid before this House on 2nd February, be approved.—[*Ms Armstrong.*]

The House divided: Ayes 257, Noes 109.

Division No. 155] **[10.13 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darvill, Keith
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dobson, Rt Hon Frank
Doran, Frank
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter

Hall, Mike *(Weaver Vale)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Lepper, David
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Ms Joan
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and Mr. Jim Dowd.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, James
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Colvin, Michael
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclennan, Rt Hon Robert
McLoughlin, Patrick
May, Mrs Theresa
Nicholls, Patrick
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spring, Richard
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tredinnick, David
Tyler, Paul
Walter, Robert
Webb, Steve
Wells, Bowen
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Yeo, Tim

Tellers for the Noes:
Mr. Nigel Waterson and Mr. John Whittingdale.

Question accordingly agreed to.

Motion made, and Question put,

That the Limitation of Council Tax and Precepts (Relevant Notional Amounts) Report (England) 1998–99 (HC 508), which was laid before this House on 2nd February, be approved.—*[Ms Armstrong.]*

The House divided: Ayes 254, Noes 93.

Division No. 156] **[10.23 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Cohen, Harry
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darvill, Keith
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dewar, Rt Hon Donald
Dobson, Rt Hon Frank
Doran, Frank
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Lepper, David
Levitt, Tom
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mallaber, Judy
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Ms Joan
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Woolas, Phil
Worthington, Tony

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Jim Dowd.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Arbuthnot, James
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bercow, John
Blunt, Crispin
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Cash, William
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Collins, Tim
Colvin, Michael
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel

Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Greenway, John
Grieve, Dominic
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lansley, Andrew
Lewis, Dr Julian *(New Forest E)*
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
MacGregor, Rt Hon John
Maclennan, Rt Hon Robert
Nicholls, Patrick
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Rendel, David
Robathan, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Spring, Richard
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tredinnick, David
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Webb, Steve
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Yeo, Tim

Tellers for the Noes:
Mr. Nigel Waterson and
Mr. John Whittingdale.

Question accordingly agreed to.

PETITIONS

A3 (Hindhead)

10.33 pm

Mrs. Virginia Bottomley (South-West Surrey): I wish to present a petition signed by 7,000 people collected by individuals and organisations throughout not only my constituency but that of my hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot). People from throughout the region have signed the petition to complain about the appalling delays at Hindhead, an area with a landscape of national and international significance, where the road conditions are such that businesses are suffering and safety is being jeopardised and where there is growing impatience. The petition urges the Minister of Transport to accelerate the A3 Hindhead scheme under the review of trunk roads at the earliest opportunity.

To lie upon the Table.

Old People's Homes (Kent)

10.34 pm

Mr. Jonathan Shaw (Chatham and Aylesford): I wish to present a petition on behalf of Mr. David Buss, the branch secretary of Kent Unison. The petition is supported by 26,000 other signatories and by my hon. and learned Friend the Member for Medway (Mr. Marshall–Andrews) and my hon. Friends the Members for Dartford (Dr. Stoate), for Gravesham (Mr. Pond), for Gillingham (Mr. Clark), for Sittingbourne and Sheppey (Mr. Wyatt), for South Thanet (Dr. Ladyman) and for Dover (Mr. Prosser).

The petition states:

To the House of Commons

The Petition of Mr. David Buss, the Secretary of Kent Unison declares that:

The proposal by Kent county council to privatise the county council's 35 Linked Service Centres (Old People's Homes) will adversely affect the quality of care provided to the elderly people of Kent and is likely to lead to job losses.

The petitioner therefore requests that the House of Commons ask the Secretary of State for Health whether Kent county council will be fulfilling its statutory obligations if it proceeds with the sell-off of its Linked Service Centres.

And the petitioner remains etc.

To lie upon the Table.

South Crofty Tin Mine

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10.35 pm

Ms Candy Atherton (Falmouth and Camborne): I am grateful for this opportunity to speak about the difficulties at South Crofty tin mine. The mine is to close in March, bringing to an end 4,000 years of tin mining in Cornwall. That plain fact disguises the importance of tin in the Cornish identity. Generation after generation has owned or mined tin in Cornwall, and that famous and unsurpassable feast the true Cornish pasty emerged from the depths of tin miners' lunch boxes. Today, it is difficult to find a tin or copper mine anywhere in the world where a Cornish miner cannot be found, and a glance at any world atlas shows Redruths and Cambornes from Australia to South Africa.

Tin and copper brought wealth and prosperity to my constituents' forebears. Not so many years ago, my constituents boasted the richest square mile in the world. Before the Great Reform Bill, Cornwall dispatched 36 Members of Parliament—the largest number of any county in England—whereas, today, we now send five. That shows the power of King Tin—oh, that it were so today. Sadly, we are in the exactly opposite position.

Camborne and Falmouth suffer some of the highest levels of poverty and unemployment, some of the poorest housing, some of the worst health and some of the lowest wages in the United Kingdom. If I had more time, I would go into those problems in greater detail—as I have done in the House in the past and as I shall do again. Today, however, we are talking specifically about South Crofty—which stands, proud, between Redruth and Camborne, adjacent to the Camborne school of mines. With Carn Brea towering above, South Crofty determines the Pool landscape.

It would be fair to say that the tin industry has been in decline for many years. Year after year, mines have closed. Cornwall now has more mine museums than working mines. In the early 1990s, a rescue operation resulted in Cornish men and women buying shares in South Crofty and in the Canada-based Crew Group purchasing and taking control of the mine. I should say that, in some ways, the Crew Group has assisted in our campaign to save the mine. I could wish, however, that many of the proposals that we have come up with during the past few months had been thought about and implemented. Perhaps then we would not be in the position in which we find ourselves today due to the international price of tin and the high rate of sterling.

At the end of July last year, South Crofty announced that it was to close. It is difficult to describe the dismay that greeted the news—not just among miners and their families, but throughout the wider community and the whole of Cornwall. Cornwall without a tin mine would be like Newcastle without coals, Dover without the white cliffs or Edinburgh without Arthur's Seat. Tin mines are Cornwall.

The closure announcement hit hard in a number of ways: economically, culturally, historically and emotionally. Economically, the closure is devastating as it involves the loss of some 280 jobs at the mine and an estimated 1,000 in the wider community. Many of those 280 were highly paid development miners. The announcement comes just months after St. Ivel and English China Clay shed 300 jobs each. The jobs that replaced them are generally lower paid.

Unemployment is stubbornly high in my constituency—far higher than the national average. In December, male unemployment in Redruth and Camborne stood at 16.2 per cent. Dismay cannot begin to describe the reaction to the announcement. There is grief, fear for the future, anger, demonstrations and depression—the list goes on.

The closure was also culturally devastating because of the history of mining in Cornwall. Hon. Members whose only view of Cornwall is from holidays enjoyed or television programmes such as "Wish you were here" may not understand the importance of the closure. They may imagine that we survive on the beauty alone, but nothing could be further from the truth. Our traditional industries are in terminal decline. Fishing, farming, quarrying and even tourism face structural problems as does the whole county of Cornwall. The announcement hit the county like a tornado. It was rocked to its core and I fear that it has been rocked again by today's announcement.

Last July, Ministers—including the my hon. Friend the Minister for Small Firms, Trade and Industry, whom I immediately sought to meet—felt that further assistance for the mine was inappropriate. Management was saying that the game was up and I directed my energies to bringing new opportunities to west Cornwall. At the request of the trade union, however, I met senior shop stewards at the mine on the Saturday after the Thursday morning closure announcement.

At that stage, I felt that we should not attempt to save the mine as that would offer false hopes, but the miners persuaded me that there were possibilities to be explored and, despite today's news, it was right to pursue that objective. The following Monday, I met the management and the Transport and General Workers Union with their local organiser, Tony Phillips. It would be fair to say that the first hour was tense. At one stage, I feared that no moves could be made to take us forward, but eventually all agreed that a rescue could and should be pursued. In my view, what followed was extraordinary.

The following week, a task force was formed comprising two groups working in parallel—one developing a rescue package for South Crofty and the other working to develop new jobs in west Cornwall. The second group, including the TEC now known as Prosper, local authorities, English Partnerships, the Government office for the south west and many others, continued their search to tackle the unemployment problems.

The result of that work is the west Cornwall employment programme, which proposes 1,000 new jobs and which I very much hope the Government will view with great sympathy. I hope that Ministers will consider fast-tracking the programme as it would enable employers to take on ex-Crofty men with a subsidy. It is also vital that we have major redundancy status.

Mr. Matthew Taylor (Truro and St. Austell): The hon. Lady has described well the problems that face Cornwall and the shock and dismay at the decision. She knows that I do not agree with the decision. Tonight, the key issue is what can be done for those 300-odd families who are losing jobs at the mine, as well as the others in her

[Mr. Matthew Taylor]

constituency and in mine—at the Wheal Jane processing plant—who will lose jobs as a result of the closure. I hope that the Minister understands that and can announce—ideally tonight, or at least in the next few days—the go-ahead for the initiative programme, on which there has been much hard work. It deserves support and it will give hope to those families in this week of such a disastrous announcement for Cornwall.

Ms Atherton: The hon. Gentleman is right. I hope and believe that the Government are more than willing to consider assisting us in every way possible.

In the early stages, those of us who were attempting to save the mine explored various possibilities: we considered wind energy to reduce the £1.5 million electricity cost; we considered a smelter in Cornwall to save our exporting tin only to reimport it from Malaysia; and we launched a medallion, which raised £40,000 in the local community. We decided to explore ways to combat the difference between the ever-declining price of tin and the cost of mining Crofty tin. We decided to examine ways to reduce mining costs and to bring new developments and enterprises to the site. It sounds easy, but in practice it is difficult.

Some early ideas were soon rejected. South Crofty management, led by David Giddings, pursued the options tirelessly. Wind energy was not economical. A smelter came out of the equation in the short term. The work force took a 10 per cent. pay cut, causing great hardship in many households, and more than redoubled their efforts to extract ever more ore from the mine. The unions started working with the management to tackle long-standing and—in their words—archaic methods of working. South Crofty management, supported by the Crew Group, started to look for buyers to forward sell Crofty tin. That was a long, drawn-out business and it was not resolved until the new year. I am running away with the story again.

The Crew Group agreed to continue searching for a route out of the closure. I began battering Ministers with letters and meetings about our case. Many Ministers had their summer holidays disrupted because of our plight. I make no apology for that.

In September, I led a group from Cornwall to meet my hon. Friend the Minister. Interest in the meeting was unrivalled. A small media armada followed us. There was general euphoria when my hon. Friend said that if we came up with a viable package, the Government, like Barkis, would be willing. The key point was viability.

Since September, management and others have been pursuing a range of possibilities. A linchpin was the environmentally friendly energy plan to convert waste oil and household waste into electricity to power an engine. That engine could provide Crofty with free electricity and enable it to sell electricity to the national grid. It would also create precious new jobs. I hope that the proposal will still be considered in spite of today's announcement.

Another proposal now sadly on hold was headed by Geoscience—a company with which many hon. Members will be familiar. It led the hot rocks project that was sadly and short-sightedly stopped by the previous Administration. Geoscience proposed an underground laboratory facility for the international nuclear industry. I stress that there were and are no plans to store nuclear waste at South Crofty. The geology is unsuitable. However, the industry needs to conduct experiments on how shattered rocks behave. The project is on hold because the Government have yet to decide whether the country will store nuclear waste underground. In another place, a Select Committee is exploring that.

The Geoscience proposal, though, was a key element in short-term funding. If, as seems likely, South Crofty is closed, and later floods, it may cost the Government many millions of pounds to locate such a laboratory elsewhere. Our failure to get the project off the ground has had severe effects on cash flow in the total package.

A deal was struck with a leading metals commodities company, which at least guaranteed a tin price the company would receive for two years, but the deal was for far less than we had all hoped for. The Crew Group has agreed a further £1 million cash injection, and recently we used the money raised from the medallions to re-employ development miners. Since the new year, however, events have taken a downward turn. The loss of Geoscience left a hole in the budget. I cannot describe my dismay that the final package was for more than was originally planned.

I have an image of a dusty office in the Department of Trade and Industry where a jam jar on the shelf is marked "South Crofty". In that jam jar is £4.7 million which, with the rest of the £11.8 million, would have made up the rescue package that we were putting forward. The request to the Government was for £6 million. I recognise that that did not add up to a viable package, but I hope that my hon. Friend the Minister and her right hon. Friends will look at the regional case for Cornwall.

The county, particularly west Cornwall, is crying out for help. Surrounded by water, we cannot look elsewhere for jobs. The people of Cornwall fear that they have been forgotten. I am determined that they will not be forgotten and I shall fight for both traditional and new industries in west Cornwall.

It is clear that many environmental issues have financial implications for the Government. Keeping the mine dry would make environmental and economic sense. If, in a few months' time, sterling has fallen and the price of tin has risen, it will be a tragedy if the mine is dead through flooding. Similarly, if the Government decided to pursue the underground route for storage of nuclear waste, South Crofty would be unusable—at a possible cost of many millions of pounds.

In relation to these and others matters, I shall be seeking urgent meetings with Ministers, particularly those in the Department of the Environment, Transport and the Regions. We must keep our options open. I cannot stress enough my personal disappointment, along with that of the people of Cornwall, that we have failed in our objective, and that families across my constituency and that of the hon. Member for Truro and St. Austell (Mr. Taylor) will be facing difficult times ahead.

This is a bleak day for the people of Cornwall, but I am determined that we will pick ourselves up and march onward. We will create new jobs, building on our economy. The people of the county are resilient and we will move forward from this with, I am sure, the Government's help.

10.52 pm

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): We have just heard a very wonderful and fine speech. I congratulate my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) on her eloquence, passion and commitment. She has led a tremendous campaign, and it would be fair to say that she has earned the admiration of hon. Members on both sides of the House.

Let there be absolutely no doubt that the Government share my hon. Friend's concern about the impact that the closure of the South Crofty tin mine will have on the economy of Cornwall, particularly west Cornwall, which already suffers high unemployment. Not only have people lost their jobs, but valuable job opportunities for young people coming on to the job market have been lost.

The Government of course recognise, too, that the closure will mark the end of a long and proud history of tin mining in Cornwall. It stretches back hundreds of years and will therefore have a very special meaning to many people. All of us in the House recognise the great contribution that tin mining has made to the history of our country.

South Crofty has made a significant contribution to both the Cornish and the national economy. It is a tribute to the productivity and ingenuity of the South Crofty work force and management that they have been able to continue production in the face of significant disadvantages to their competitiveness. I know, for example, that, despite the problems of investment at South Crofty, the processing plant is regarded by many as the most efficient in the world. The miners can take some comfort in the fact that that is recognised.

With regard to the financial position of the company, I must say that very early on it was made clear to me that the owners—the Canadian-based Crew Group—had reached a point beyond which they were not prepared to go in terms of further investment in what they saw as a loss-making operation. The £1 million cash injection mentioned is not directly for South Crofty, but for a separate and ring-fenced project to provide power.

When I met a delegation from South Crofty in September last year, I warmly welcomed the tremendous efforts that were being made by the company, its employees and the trade union—as well as the local community and my hon. Friend—to find ways to secure the future of mining operations at South Crofty. I said that my Department would deal as a priority with an application for regional selective assistance. That would be assessed against the normal criteria. Crucially, those include demonstrating the viability of the project.

The company has, since that meeting, worked hard in developing its case for RSA, with help from its local partners, the local community, the Government office for the south west and my Department. No stone has been left unturned. No group could have worked harder. No Member of Parliament could have done more for her constituents. Local people can truly feel proud of the efforts that they have made.

Despite all those efforts to develop the best possible case, it is clear that the fundamental problem of the competitiveness of the mine cannot be overcome. The South Crofty project does not meet the viability criterion. Against that background, I have reluctantly had no choice but to reject the case. I explored all the other opportunities provided by the legislation, so seriously did and I and my officials take the matter.

As to the possible environmental impact resulting from closure, I can assure the House that the Environment Agency has over the past several months been assessing, with South Crofty, the implications of the ending of commercial operations. The agency, which is answerable to the Minister for the Environment, will take decisions shortly on the most appropriate action to secure protection of the local area.

Mr. Andrew George (St. Ives): On the matter of the assessment for RSA, does the Minister accept that tin mining is different from the production of ball bearings or bed springs and cannot be assessed in quite the same way? Assessing the project under these criteria is like trying to fit a round peg into a square hole. Will she have another look at the matter, in view of the fact that the company has made it clear that that support would keep the company in balance for three years, giving it the chance to look at other options over those three years to help preserve the future of tin mining in Cornwall?

Mrs. Roche: I must contradict the hon. Gentleman, who I hope accepts that I have sought to keep him very much informed of the discussions on this matter. The criteria that we have are exactly the same. The project has been assessed, and every detail has been thoroughly looked at. The company itself does not think that it is viable.

I have spoken to my right hon. Friend the Minister for the Environment, and he and I have agreed that we shall keep in close touch and take a personal interest in the situation as it develops, and as the agency discusses the most appropriate action to secure the protection of the local area.

The Government are ready to respond to the closure of South Crofty. The Government office for the south west and all the local agencies will continue to work closely with the local authorities, through the West Cornwall task force, to consider what can be done to alleviate the impact. Additionally, I shall work with the Department of the Environment, Transport and the Regions, to consider how to assist the task force.

The immediate priority is to help those who will lose their jobs. The Employment Service has already granted the company major redundancy status, which provides immediate access to the full range of Employment Service jobseeking programmes, and we shall ensure that a great deal of effort and commitment is put in. Cornwall is a pathfinder area for the new deal, ahead of the national implementation in April. That is an extremely important programme.

Substantial help is available to Cornwall, in recognition of the extent of its economic problems, through Government and European programmes to encourage suitable employment-creating projects in the area, and through training and support from organisations such as business link and the training and enterprise councils.

As my hon. Friend mentioned, we are currently considering a bid for £700,000 of funding in single regeneration budget round 4, towards a £6.5 million total cost; that is designed to create additional employment opportunities for those most affected by the decline of

[Mrs. Roche]

traditional industries. The signs look extremely encouraging for the bid. I have asked officials to keep me fully informed of its progress. We will do all that we possibly can to progress the bid, which has been made by several partners and is being considered extremely seriously.

This is undoubtedly a very sad day for Cornwall, but it is important to look to the future. The county has many advantages and opportunities for modern businesses. My hon. Friend was absolutely right to talk about her commitment to building businesses today and in the future. Cornwall's advantages include a wonderful environment, an excellent and skilled work force and much improved communications.

I am aware that excellent work is being done, for example, by the "Cornwall in pursuit of excellence" initiative, to promote the county as a place where business can compete and win in world markets. Cornwall has successfully attracted inward investment by companies such as USA-owned Harman International, Contico Europe and Pall Corporation, all based in the Redruth and Camborne area.

We need, at this time of great sadness and tragedy, to trumpet the good news as well as to reflect on the past. I wonder, for example, how many hon. Members are aware that Stralfors, the printers in Falmouth, has secured a £6 million-a-year contract to produce all the national lottery pay slips and receipts; that Allen and Heath, of Penryn, exports 90 per cent. of its state-of-the-art audio mixing consoles; that Radiocode Clocks in Helston has secured major contracts to supply the United States navy with precision time frequency equipment; and that Pendennis Shipyards, of Falmouth, exports up to 80 per cent. of its luxury yachts, including to the middle east, USA and Australia. Cornwall can build on such successes, and we must talk about them, because they involve skilled and resourceful people.

I am confident that there is a determination in the county to overcome the current economic problems. The Government will play their part in helping that to happen.

My hon. Friend was right to talk of the resilience of the people of Cornwall. Her constituents and those of the hon. Member for St. Ives (Mr. George) have shown their resilience in the past few weeks. Now we need to build on the future, to find out how we can go forward. That is important.

In the campaign that has been waged, we have seen a determined effort by local people working together. I want to build on that local effort, which was led by the local Member of Parliament, to ensure the future of that community. I am confident that there is a determination in the county to overcome the present economic problems. I want to assure the House and Cornwall that the Government will play their part in helping that to happen. We will continue to do all we can. I will continue to take a great interest in the area, as will all my colleagues. Together, we will work and ensure that we build on the best—the strength—of Cornwall, and we will look towards the future.

Question put and agreed to.

Adjourned accordingly at five minutes past Eleven o'clock.

House of Commons

Friday 6 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Energy Efficiency Bill

Order for Second Reading read.

9.34 am

Mr. John Burnett (Torridge and West Devon): I beg to move, That the Bill be now read a Second time.

First, I must declare that I am a shareholder in a renewable energy company, but as a trustee only. I wish to put on record the fact that none of the beneficiaries of the trust are related to me, whether directly or by marriage. It is a United Kingdom trust and fully taxable as such.

I am delighted to have the opportunity to bring in a Bill that is long overdue. My Bill would ensure that an idea recommended as far back as 1984 by the then Secretary of State for Energy, Peter Walker, now Lord Walker of Worcester, is actually brought into being. Since that time, the idea of providing energy ratings for homes at the point of sale has enjoyed 14 years of cross-party support. The most recent expression of that support came from the Under–Secretary of State for the Environment, Transport and the Regions, the hon. Member for Wallasey (Angela Eagle), herself. Speaking at the national home energy rating fifth national conference in a speech that was widely reported and well received by the energy efficiency industry, the Minister posed the question:

"Is there a viable voluntary approach which would ensure that all mortgage lenders provided tailored, reliable, energy-efficiency advice, along with a rating and estimates of energy cost savings and the likely cost of improvement measures; or, having worked on this for several years to no significant effect, is legislation now the only option?"

There was also cross-party support for a similar Bill introduced shortly before the last general election in early 1997 by one of my colleagues in another place, Lord Ezra. His attempt to introduce the Bill was given a warm welcome by the Labour Front-Bench spokesman in the Lords, Lord Graham of Edmonton, who described the Bill as "a gift horse". The year before that, in 1996, the current Conservative spokesman for environmental protection, the hon. Member for South Suffolk (Mr. Yeo)—a supporter of my Bill—introduced a very similar 10-minute Bill. That was preceded by not just one but three Select Committee reports calling for a scheme to be introduced along similar lines; those reports were published respectively in 1989, 1991 and 1993.

However, after 14 years of cross-party support, Committee reports, Bills, discussions and hoping, we still do not have, to quote the Minister last year:

"the tailored reliable energy-efficiency advice, along with a rating".

The answer to the Minister's question is clear: we need legislation.

I was conscious of the high level of support for the measure when I decided to introduce this Bill after my good fortune in being drawn sixth in the private Members' ballot. I am especially grateful to the 265 Members of Parliament, drawn from almost all parties represented in the House, who signed my early-day motion supporting the Bill. However, what really persuaded me to adopt the Bill were the benefits, both environmental and economic, that such a measure would bring to home owners.

Energy efficiency is one of those matters that few, if any, oppose. Measures that enable us to enjoy the same levels of comfort, warmth, light and convenience, but which use less of the world's resources, are obviously beneficial. Although burning fossil fuels has led to huge improvements in the level of comfort we all enjoy at home, it has its drawbacks. Climate change is one of the biggest environmental threats facing the world today, and this year the Kyoto conference and the strongest ever El Niño effect have raised awareness of the problems we may face still higher.

The burning of fossil fuels has been the main contributor to the level of so-called greenhouse gases, among which carbon dioxide is the major culprit. The most effective way to reduce carbon dioxide emissions is to use less energy; energy-efficiency measures allow us to do that.

Energy efficiency in the home can also have serious health effects. The poor quality of the United Kingdom's housing stock leaves approximately 8 million homes in the UK shivering through the winter. That leads to cold-related illnesses and premature deaths, especially among our elderly and poor. Our winter death rate rises by almost one third compared with the summer rate; by contrast, in countries such as Sweden and Norway, the increase is closer to 10 per cent.

I am not claiming that my Bill will end those problems, but I suggest that it is one of many steps that could be taken that would educate people about the ways to reduce the energy that they use and would lead to an improvement in the energy efficiency of homes in the UK. My Bill is just one small step, and I am pleased to see in the Chamber today the hon. Member for Eltham (Mr. Efford), who will today be introducing another measure in the right direction: the Energy Conservation (Housing) Bill.

Additionally and importantly, I believe that the Government are now endeavouring to negotiate a modification of the sixth VAT directive to reduce the rate of VAT on energy-saving materials. I should be grateful if the Under–Secretary of State would, first, confirm that and, secondly, let the House know the Government's target level for VAT on energy-saving materials.

Mr. Peter Bottomley (Worthing, West): Although the House would wish to see a reduction in VAT on energy-saving materials, will the hon. Gentleman confirm that anyone who wants to delay buying them because of the chance of saving a few per cent. on VAT will probably

[Mr. Peter Bottomley]

lose money and anyone considering making small investments in order to achieve major savings should go ahead as soon as they reasonably can?

Mr. Burnett: I am delighted by that intervention. The hon. Gentleman is right: a stitch in time saves nine, and there is more to be gained from taking energy-efficiency measures than from waiting for the VAT reduction.

Mr. Gerald Bermingham (St. Helens, South): Does the hon. Gentleman agree that we should perhaps look again at building regulations, triple glazing and various other cavity insulation features? Those issues are not contained in the hon. Gentleman's Bill, which I welcome, but would also add to energy saving.

Mr. Burnett: I am grateful to the hon. Gentleman for drawing the House's attention to the matter. The energy-efficiency benefits of cavity wall insulation should often be drawn to the attention of house buyers through this survey. It is an important point for buyers; it is a particular problem now, as quite a few loft insulations have taken place. One of the great problems at the moment is the deficiency in the cavity wall insulation of British housing.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): On the subject of cavity wall insulation, earlier this morning I read the Library's brief and I was impressed by sections of it showing that the proportion of houses with loft insulation, draught-proofing and double glazing is increasing substantially. Why are only 25 per cent. of homes that could have cavity wall insulation actually fitted with it? Are there fears that it could be a health hazard, or what?

Mr. Burnett: I am grateful to the hon. Gentleman for raising that point. I noticed the same point in the document issued by the House of Commons Library on the Bill. The reason why sufficient work has not been done on cavity wall insulation is probably because the subject has not been drawn to people's attention. The object of my Bill is to do just that.

The aim of the Bill is to improve the energy efficiency of Britain's housing stock. It will achieve that aim by providing clear and digestible information to people who are buying a house. If the Bill is passed, house buyers will receive a rating, showing the energy efficiency of their home, and a list of suggestions for cost-effective energy-efficiency improvements. An indication will be provided of the period in which such improvements will pay for themselves by reducing fuel consumption and, therefore, fuel bills.

The idea can be compared to many other existing schemes. While the quoted miles-per-gallon figure is not the only factor that the public consider when buying a new car, it is certainly one to which they pay attention and it is regularly reported in car reviews in newspapers and magazines. It is a legal requirement for cars to be tested for the number of miles per gallon that they can do, and that information is displayed at the point of purchase. That requirement was first introduced in 1983; if such information is required for cars, why not for houses?

Another analogous example is that few people would buy a house without discovering into which council tax band it fell. But, despite the fact that fuel bills can often be greater than council tax bills, we currently receive no information on the likely level of fuel bills.

The signs are that people want to receive such information. A *Which?* survey in 1991 found that 60 per cent. of people wanted information on heating costs when they bought their homes. More recently, a South Bank university study that considered the wishes of new home buyers suggested an even higher figure. It found that 87 per cent. of people wanted to know the energy rating of their home. That answers the criticism that some have made that people may not want the information.

I am glad that the Under-Secretary agrees with me that clear rating combined with energy efficiency advice is important. In her speech at the national home energy rating conference, she made the point with clarity. She asked:

"How do we know—at a glance—whether a particular home or appliance is energy efficient?"

She added:

"Home energy rating informs people how efficient homes are and is the basis of reliable advice tailored to individual homes. Improved energy efficiency across the domestic sector is the end result . . . I support home energy rating. I support the development of higher standards of delivery of home energy rating and energy efficiency advice services."

The Under-Secretary is absolutely right. The information is useful: it is the basis for comparisons between properties and will act as a catalyst towards the installation of energy-efficiency measures. Combined with tailored advice, ratings are an extremely useful tool to persuade people of the benefits of energy efficiency. People do not have to take the advice, but it will highlight the benefits of taking those measures.

I believe that people do want to act on such advice. In 1996, the effect of the work of local energy advice centres was studied by an independent company for the Energy Saving Trust. That research showed that, on average, a visitor to a local energy advice centre went on to save 390 kg of annual carbon dioxide emissions. That figure did not count savings made through changes in behaviour resulting from advice from the local advice centres, so is likely to be an underestimate.

If we assume, therefore, that the 60 per cent. of people who told *Which?* that they would like such information are as receptive to the advice as those who visit local energy advice centres and go on to take similar steps to improve their homes, we can estimate the environmental benefits that will accrue if the Bill becomes law.

Every year, about 425,000 mortgages are given to people to buy houses that are not newly built. If 60 per cent. of those—225,000 households—were to save an average of 390 kg of carbon dioxide emissions every year, the annual savings would be 0.1 million tonnes of carbon dioxide emissions—a not insignificant figure.

Of course, all this has financial benefits. Recent work by the Energy Saving Trust shows that the average household could save £250 a year on its fuel bills. It is true that not all of that saving would come from changes to the property itself; some would come from purchasing more efficient appliances and light bulbs, but I understand from the trust that the building measures that can be taken

could save an average £175 per household per year. Those are the very measures on which people will receive advice if my Bill becomes law.

Mr. Bermingham: There is an obvious point to be explored here. If, in the case of new build, the building regulations are changed to incorporate the proposals that the hon. Gentleman wishes to include in the Bill, the savings on new build would be enormous—we are told that many millions of new houses will be built in the next 10 years—and we would circumvent the problem, if only we started the remedy at the creation.

Mr. Burnett: The hon. Gentleman is right. He knows that the building regulations are improved, and the standards increased and heightened, year after year. They are certainly under constant review by the Minister. The higher the standards, the better it is for energy efficiency. However, the Bill especially addresses itself to the huge number—425,000—of older homes that change hands every year.

Rev. Martin Smyth (Belfast, South): I wish to press the hon. Gentleman a little. Although I understand his answer to the hon. Member for St. Helens, South (Mr. Bermingham), at the moment the emphasis of the Bill is on private homes. Surely public housing needs to have the same guidance and direction, obviating the need for much extra work to be done later. I pay tribute to the work that has been done in that regard, in Northern Ireland at least, but much remains to be done, and I wonder whether the guidance that he is seeking in the private sector should not be applicable also to the public sector.

Mr. Burnett: I am very grateful to the hon. Gentleman. There is legislation that covers council housing, and I am delighted to see in the Chamber the hon. Member for Eltham, whose Energy Conservation (Housing) Bill, which is due to be debated later today, deals with housing associations and the reports on energy efficiency of houses owned by housing associations.

Mr. Peter Bottomley: Following the point made by the hon. Member for Belfast, South (Rev. Martin Smyth), would it not be sensible to amend the Bill, perhaps in Committee, to require a housing association or local authority, offering a home to a new tenant, to provide the information that a lender might provide to a borrower?

Mr. Burnett: I am very grateful to the hon. Gentleman for drawing my attention to that point, which we shall consider seriously.

I have described some of the benefits that persuaded me that the Bill should be introduced. As the hon. Member for South Suffolk said when he introduced a similar Bill, the Energy Conservation (Provision of Information) Bill:

"I cannot imagine what objection there could be to the proposal."—[*Official Report*, 26 June 1996; Vol. 280, c. 357.]

The only possible objections would be that it places too onerous a work load on mortgage lenders or imposes an excessive cost on house buyers, but the simple fact is that it does not. By requiring energy surveys to be carried out only when a property is already being surveyed by the mortgage lender to assess the value and condition of the building, it adds minimally to the work of the surveyor.

It has been calculated that it will take about 10 minutes more to survey a house than at present. It is estimated that that will increase the price of each survey by about £15. My Bill requires mortgage lenders to charge no more than the costs reasonably incurred in providing that information, and the £15 cost is insubstantial.

For the modest additional cost of the energy survey and rating, there can be significant gains. I am glad to be able to report to the House that the industry has accepted that. The Royal Institution of Chartered Surveyors has written to the Association for the Conservation of Energy, which has been working hard with me to get this law passed, to say:

"We welcome the proposed legislation as a measure to raise the awareness of homeowners to the importance of efficient energy use."

The Council of Mortgage Lenders has worked hard to help me formulate these proposals, which will be achieved as effectively as possible, and it has confirmed that it does not oppose the Bill. The CML has confirmed to me that it is happy to support the principle of improving home owners' awareness of the importance of energy efficiency, so it supports the aims of the Bill. The National Association of Estate Agents has confirmed to me its support for the Bill.

The support of those organisations is crucial, as they must implement the Bill, and I am grateful to all of them for working constructively with me and the Bill's supporters to come up with a workable Bill, which achieves what we all agree are sensible aims in improving energy efficiency.

Clause 1 places a duty on mortgage lenders to provide the borrower with information on the energy efficiency of the property that they are buying, together with suggestions on how that can be improved. Such surveys need be carried out only as part of surveys or valuations already required by the mortgage lender, and not on properties less than three years old, which should be subject to higher energy-efficiency standards as the building regulations change from time to time.

Any information provided under clause 1 must be subject to guidance issued by the Secretary of State. Clause 2 sets out guidelines on what should be contained in that guidance. It specifies that the information must include an approved energy rating for the property, a list of suggested energy-efficiency improvements and an indication of the costs, and payback times, of those improvements. That is exactly in line with what the Minister called for at the national home energy rating conference last year—tailored, reliable energy-efficiency advice, along with rating and estimates of energy cost savings and the likely cost of improvement measures.

Clause 3 defines the terms used in the Bill, and it is worth noting that the definitions mean that the Bill will apply only to residential properties.

The most important aspect of clause 4 is the fact that it allows the Government to specify different days for different parts of the Bill to come into force. I understand that surveyors will need to introduce new practices, and perhaps equipment or software, to carry out requirements of the Act, and I certainly do not intend to force on them duties that would be difficult for them to carry out. Although I wish the Bill to be implemented as soon as possible, I recognise the necessity for flexibility on the matter.

[Mr. Burnett]

I believe that the Bill is useful and workable. As I said at the start of my speech, the voluntary principle has failed. Fourteen years of inaction have shown that there is no viable voluntary approach to deliver the rating and advice that the Minister has called for. Legislation is the only option. I commend those mortgage lenders that, during the past 14 years, have tried various schemes, but, in such a competitive market, until all mortgage lenders are required to carry out such surveys, the few laggards who refuse to provide such a valuable service because they wish to undercut their competitors by a few pounds, will put the more forward-thinking lenders back to their level.

The Bill will force all to catch up, and it will lead to the comprehensive provision of ratings, energy efficiency advice and information to all new home owners. Many hon. Members on both sides of the House have long called for this legislation. I commend the Bill to the House.

9.57 am

Mrs. Helen Brinton (Peterborough): As the hon. Member for Torridge and West Devon (Mr. Burnett) has said, everyone knows the miles per gallon figure for their car, but few actually know the running costs of their homes. I imagine that if thermal photographs were taken of our homes, many of us would be horrified at the amount of heat escaping into the atmosphere, if only because of the amount of money that it wastes.

The Bill would enable people to make an informed calculation, when buying an older property, about how energy efficient it is and, therefore, how costly it will be to run. I understand that it will also enable required improvements to be made as part of a mortgage package, so that the borrower—a home buyer—can pay off such costs on better terms than might otherwise be the case.

Much more important for all of us in the long run, however, is the contribution that the Bill will make to the Government's commitment to counteract the threat of climate change by reducing emissions. This country took the lead at Kyoto last December, and we look forward to further successful negotiations at Bonn and Buenos Aires later this year. Energy efficiency has to play a part in the overall strategy to reduce UK emissions by 20 per cent. on 1990 levels by 2010.

I am proud to be a member of the new Select Committee on Environmental Audit, which is charged with overseeing the greenness of Government Departments and policies.

Mr. Bermingham: I am going to be a bore all day until somebody actually agrees with me. Unless we start with new build and new building regulations—which the present and previous Government, I regret to say, have not taken on board—and unless we start increasing regulations to decrease energy loss in new build, we will never get anywhere. We will be for ever patching a torn quilt.

Mrs. Brinton: I am grateful for that intervention. My hon. Friend's points are well made and will be taken into consideration.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): It might be helpful to my hon. Friend the Member for St. Helens, South (Mr. Bermingham) if I pointed out that the previous Government changed the building regulations in 1995 to increase the level of energy efficiency in new build, and this Government will review those regulations this year. He is getting a bit aerated about a problem that is being dealt with.

Mrs. Brinton: I am grateful for that most helpful intervention.

I return to the subject of the new Environmental Audit Committee, which the Deputy Prime Minister said had been appointed to bite his legs if necessary. At last week's meeting—at which both the Secretary of State and the Minister of State gave evidence—we were pleased to welcome the announcement that the Government are to reverse the previous Government's intention to cut the budget of the Energy Saving Trust by £5.5 million in 1998–99. My local paper, the *Peterborough Evening Telegraph* had a headline which referred to my joy at the news, because this is something for which we in Peterborough have campaigned for some time.

Organisations in my constituency have taken something of a pioneering role in environmental matters. The hon. Member for Torridge and West Devon referred to the importance of energy advice centres. Our energy advice centre in Peterborough—one of 31 such centres in the country—depends partly on the trust for funding, and last year gave free and impartial advice on energy efficiency to its 10,000th customer. That is some achievement. In just over four years, the centre has helped cut Peterborough's fuel bill by £0.5 million—no small figure—and has reduced carbon dioxide emissions by some 55,000 tonnes.

The Peterborough environment city trust has organised a conference for 27 February on energy-efficient homes for the new millennium. I hope to tell the House about that in due course. The trust has nearly completed an energy audit which it describes as

"the world's first systematic house by house, business by business audit of an entire city".

That is no mean feat, and the trust hopes that it will provide a model for other cities to follow. In 1996–97, a total of 65,023 households consumed 10,320,000 MW hours of energy with a total fuel bill of more than £39 million, releasing 320,000 tonnes of carbon dioxide into the atmosphere.

The Bill would encourage householders to seek the advice available through energy advice centres. It would raise the awareness across the nation of the importance of the Government's environmental aims. I hope that an energy audit of the future would find greatly reduced energy consumption, emissions and costs. I imagine that the fine drafting of the Bill which will be necessary might result in some simplification in the interests of implementing it as quickly and effectively as possible.

I was pleased to hear that the Council of Mortgage Lenders supports the underlying principles of the Bill. The council and its customers can make a contribution to the battle to save energy and begin to reverse the damage that has been done to the world's climate system, with all the consequences that we have begun to understand only in recent years.

10.4 am

Mr. David Maclean (Penrith and The Border): I welcome the Bill, which no one in the House could object to in principle. My only concerns are with the regulations that may be produced by the Secretary of State one day. It has been my experience that the devil is always in the detail.

I wish to apologise to the hon. Member for Torridge and West Devon (Mr. Burnett) and to the Minister because I have to go out around lunchtime and I may not hear the winding-up speeches. I intend to be around if I possibly can.

When I was a Minister at the Ministry of Agriculture, Fisheries and Food, we passed sensible laws on food safety. The only problem was that they had to be interpreted by local environmental health officers, not all of whom interpreted those laws in the spirit in which they were intended. In one case in my constituency, a village hall with a cracked window pane had its kitchen closed down on a strict interpretation by one local environmental health officer of the regulations and the Act of Parliament.

I make that point merely to emphasise that although clause 2 seems eminently sensible—and, no doubt, it is—my concern from my experience in government is that Departments, sensibly, will attempt to cover all eventualities in the regulations. They will wish to ensure that the mortgage society takes as much care as possible to ensure that the householder has all the information he or she needs. I do not expect to see de minimis regulations. Inevitably, bureaucracies—with the best will in the world—will tend to produce regulations and guidance for mortgage lenders which will be more detailed than perhaps the hon. Member for Torridge and West Devon anticipates.

It is some time since I had responsibility in the Department of the Environment, but I seem to remember that there were two organisations involved in giving energy ratings to homes. Perhaps there is only one now, or perhaps they have been consolidated; I do not know. The organisations had different methodologies and, inevitably, different costs were involved.

I subjected my own home to an energy rating by one of those organisations. It did it thoroughly, no doubt to show that it was entirely competent. I was presented with a detailed list of possible improvements, some of which were obvious and simple. There was a large list of items that the energy rating expert considered would improve the energy efficiency of my home. These included cheap, major items such as extra loft insulation and cutting down on draughts under doors.

Further down the list, I saw more expensive items for which the payback was non-existent. That is why it is important that clause 2 refers to

"an indicative range of costs and an indicative payback time for installing each of the energy efficiency improvements."

It will be a daunting task for most householders to determine the most energy-efficient measures to take. The Minister or her officials may have done a survey—*Which?* also points these things out—and asked people what is the best thing that they can do to insulate their home. Most would say double glazing. However, that would be quite low down the list. Stopping the heat going up through the roof would be the first item, and stopping it going out through the walls and windows may come third or fourth on the list. If, because of the guidance that the Government issue and the information that the mortgage provider gives to the householder, double glazing appears as the 10th item on the list, the householder may nevertheless rush to have that done, rather than any of the other options.

I shall not labour the point. I merely suggest to the hon. Gentleman and to the Minister that the matter is not as simple as it first appears. Straightforward guidance must be given on the thousands of different types of homes in Britain. The 400,000 older homes that change hands each year are all individual. Even identical homes in a street will have been treated differently over the years. Some will have more draughts than others; some will have greater thermal efficiency. They will all be different. The guidance to the householder must be carefully thought out, but the danger is that it will then become over-elaborate and over-bureaucratic. That is when the costs rise.

I do not have any suggestion for the hon. Gentleman of what could be put into the Bill to control the costs. I can only say from my experience of legislation that when, at least a year ahead of the regulations being produced, we had a guess and a forecast that the additional cost would be £15, you could bet your bottom dollar that it would be nearer £45. Perhaps the hon. Gentleman has better information on what the actual costs will be.

There are also questions for the Minister to answer. I know that it is not stated in the Bill, and that there is no money resolution, but does she foresee any case where the Government might raise fees or a charge for the guidance or advice that will be given? Does she see a need for those carrying out the energy rating to be licensed or regulated? They may be controlled at present, or the Government may recommend one or two organisations to carry out the energy rating. In that case, there will be a cost to the Department, and there may be a demand to recover the costs of approving the energy rating staff or the costs of providing the guidance. Does the Minister foresee a need to recover those costs, not from the householder, of course, but perhaps from the building societies or those carrying out the energy rating?

I support the broad principle of the Bill. If it can be carried into law so that straightforward, sensible guidance can be issued to mortgage lenders who can then, in the course of survey, produce a simple leaflet or checklist of the key steps that householders could take at an appropriate cost to make their homes energy efficient, and if that can be done for about £15 extra, the hon. Gentleman will have provided a great service to 400,000 new home owners each year. At that rate of turnover, it would presumably be only 10 to 12 years before the bulk of our housing stock would have had an energy rating through the valuation, and householders could take action. I merely caution the hon. Gentleman again that the matter may not be as simple or as cheap as he envisages.

I hope that I shall be present for the Minister's reply to the debate, and I apologise once again if I am not. I assure her that I shall read her remarks carefully in *Hansard*. After the Committee stage, when more information has come to light on the sort of guidance and regulations that the Government will produce, we shall be in a better position to determine the costs.

[Mr. David Maclean]

The Department of the Environment is now the Department of the Environment, Transport and the Regions. My hon. Friend the Member for Worthing, West (Mr. Bottomley) may boast about how good the Department of Transport was, but I had great respect for the Department of the Environment. I always thought that it was an underrated Department, snobbishly looked down on by other, grander Departments of State, which were not as fast at responding to queries as it was. It is now part of a highly efficient Department, and the staff involved in energy efficiency are dedicated and want to make the greatest impact to help Britain meet its targets.

One of the dangers inherent in the Bill is that the Department may try to do too much and put too big a burden on householders, who may baulk at it. If householders get such a frightening list of things to do, they will not buy the house or they will look at the small print and see that they do not have to follow the recommendations. The list may be binned, or they may warm their homes by putting it on the fire. If the list is kept simple, householders will carry it out. If it is too frightening and too bureaucratic, they will not. That is my final message to the Government and to the hon. Gentleman, as I wish his Bill success.

10.15 am

Mr. Gareth R. Thomas (Harrow, West): I support the Bill and congratulate the hon. Member for Torridge and West Devon (Mr. Burnett) on bringing it before the House. By helping to persuade home owners to reduce their energy consumption and by providing information and generating awareness, the Bill will help the Government to achieve some of their key objectives for the environment and for energy conservation.

The Government's commitment to the environment has been clear, and is reflected, as my hon. Friend the Member for Peterborough (Mrs. Brinton) mentioned, in the setting up of the Environmental Audit Committee, on which I, too, am delighted to serve. The Government have also helped to achieve international agreement for legally binding targets to cut greenhouse gas emissions. My right hon. Friend the Deputy Prime Minister and his team have rightly received considerable praise for their role in securing consensus among the 160 nations represented at Kyoto, many of which entered those negotiations with very different agendas.

Notwithstanding Kyoto, the Government's aim of reducing carbon dioxide emissions by 20 per cent. of their 1990 levels by the year 2010 will be achieved only through a realistic programme of policy measure that encourage alternative energy sources, such as renewables, and encourage less energy to be used through much greater energy efficiency.

Consultations on the sustainable development strategy launched this week and a new UK climate change programme later this year, coupled with work already under way—for example, on the integrated transport strategy—will make important contributions to delivering greater energy efficiency.

Greater domestic energy efficiency has remained an elusive ambition. As the number of households has expanded, energy consumption has continued to rise substantially—by 30 per cent. from 1970 to 1996. A range of measures to encourage improved energy efficiency among home owners is, therefore, vital.

Many consumers remain unaware of or do not understand the potential benefits that the installation of energy-saving measures can have for reducing their energy consumption and saving often considerable sums. Greater domestic energy efficiency is important not only in environmental terms. It yields savings on fuel bills, reduces maintenance costs and improves comfort, especially for the less well-off.

Initiatives to promote energy efficiency awareness and to educate home owners on its benefits are important. More energy efficiency information will, I believe, be well received by potential home owners. The survey by *Which?*, to which the hon. Member for Torridge and West Devon referred, found that 60 per cent. of those questioned would have liked information on heating costs when buying their home.

The Government are already undertaking a wide range of measures to facilitate enhanced energy efficiency. The energy efficiency best practice programme is well established and is an important source of advice and support for businesses that want to reduce their energy consumption. In the domestic sector, less well-off consumers are helped to improve the energy efficiency of their homes through the Government's home energy efficiency scheme, which provides, on average, 400,000 grants a year worth a total of £75 million.

As my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams) and the hon. Member for Torridge and West Devon acknowledged, at the end of 1995, only 25 per cent. of homes with cavity walls had insulation. As cavity wall insulation can achieve a reduction of up to 60 per cent. in heat loss through walls, the Government's decision last year to extend the scope of the home energy efficiency scheme to cover a greater range of measures, including cavity wall insulation, is particularly welcome. Also welcome are the plans by my right hon. Friend the Chancellor to reduce VAT on energy-saving measures for the less well-off. That will mean that an extra 40,000 grants may be made under the home energy efficiency scheme alone.

The Energy Saving Trust has many initiatives funded by the Government: for example, a network of excellent energy efficiency advice centres—to which my hon. Friend the Member for Peterborough has already referred—and the energy efficiency campaign, in which I and, I am sure, many hon. Members participated last year. Energy Saving Trust initiatives grant funded by the Government to promote specific energy-saving measures by way of cash-back promotions also raise awareness and challenge consumer inertia.

Energy-efficiency measures in the domestic environment are also encouraged by other Departments. For example, the new deal will offer the welcome option of a place on an environmental task force, carrying out energy-efficiency improvements in the homes of the elderly. The capital receipts initiative, too, offers local authorities the opportunity to facilitate further energy-efficiency initiatives for their tenants.

In the context of Kyoto and the Government's commitment to the 20 per cent. target, the decision by my right hon. Friend the Deputy Prime Minister to reverse the previous Government's intention to cut funding for

the Energy Saving Trust by £5.5 million in the next financial year is further proof of the Government's commitment to environmental and especially energy efficiency aims.

Local authorities can play a particularly important role by encouraging, promoting and delivering more energy-efficient homes. My local authority has a well-established energy efficiency programme, which is particularly effective for council housing in Harrow. Capital resources have been directed at the most energy-inefficient homes, a free energy efficiency helpline has been established and written energy advice is available to tenants. Similarly, a range of initiatives promoting energy efficiency to private home owners is also firmly in place.

Under the Home Energy Conservation Act 1995, local authorities have a duty to prepare an energy conservation report, setting out measures that could improve energy efficiency significantly, in both social housing and private homes in their areas. The Bill could make an important contribution in districts such as Harrow, where there is a high proportion of privately owned homes, alongside the council's efforts to encourage private home owners to implement energy-efficiency measures.

Positive support for the principles underlying the Bill from the Council of Mortgage Lenders is particularly welcome. It builds on the positive examples of mortgage lenders' encouraging energy efficiency on the part of their customers, to which hon. Members have referred. That could represent a positive step in the campaign to conserve energy through greater energy efficiency. I share the concern expressed by other hon. Members about the need to keep the legislation simple. Consumers need information about what action is possible to improve their future home energy usage, how much it will cost, and how much such measures will save in the future.

I hope that those responsible for the Bill will be careful to ensure that its key clauses remain clearly focused on the provision of information. The Bill could make an important contribution, post-Kyoto, to the Government's delivery of key environmental and, particularly, energy efficiency objectives. I warmly welcome it.

10.23 am

Mr. Peter Luff (Mid-Worcestershire): I apologise to the Minister if I am unable to stay to hear her winding-up speech. I have an important constituency engagement later this afternoon at an old people's home that the Government are threatening with privatisation. I am particularly disappointed as I had hoped to participate in the debate on the Employment (Age Discrimination in Advertisements) Bill.

Mr. Peter Bottomley: My hon. Friend is too young.

Mr. Luff: My hon. Friend is right, but it is a matter of great concern in my constituency and I am sorry that I cannot be here to speak on that Bill.

I should declare a personal interest in the Bill as I am committed to the cause of energy conservation. When I took a job in London and bought my first home, I insulated the loft as soon as I could afford it. Unfortunately, I chose to do so during the coldest winter for many years, and one day I received a telephone call at work to say that water was pouring from my front door. The insulation in the loft had been much too effective, the water tank had frozen and my house lay in ruins. It cost many thousands of pounds to put the damage right, but fortunately it was fully insured. I suspect that the energy incurred in repairing my house was considerably greater than the energy I had saved through installing the insulation.

I must sound a sceptical note in the debate, although I certainly do not oppose the Bill. Lord Walker of Worcester is one of my most distinguished constituents and—as the hon. Member for Torridge and West Devon (Mr. Burnett), who introduced the Bill, reminded us—he was one of the first people to take an interest in the subject. I could not, therefore, bring myself to oppose the Bill, but it is important not to make too many claims for it. Like my right hon. Friend the Member for Penrith and The Border (Mr. Maclean), I believe that the Bill requires a Committee stage in order to thrash out the details.

I was a little disappointed to hear the hon. Member for Torridge and West Devon refer to the failure of voluntary action. It is true that progress has been a little disappointing. He echoed the words of the Association for the Conservation of Energy which, in its note to me, said:

> "The result is virtual complete inaction: this is a classic case of the failure of the voluntary approach over a period of 13 years. Legislation now could change what almost everyone agrees is a highly desirable aim that would cost the public purse nothing."

I am genuinely grateful to the Minister for her comments. More has been achieved in home energy conservation than some people realise. Much credit is owed to the previous Government in that respect, but credit is also due to this Government for the way in which they have advanced the process. That should be a matter of consensus in the House.

The home energy efficiency scheme, introduced in 1991 and recently improved by the Government, does a great deal in my constituency to make the lives of the elderly, in particular, more comfortable and affordable. About 10 per cent. of Britain's housing stock has already benefited from the scheme, which has introduced practical and sensible measures that make people's lives better and save money. The Home Energy Conservation Act 1995, which was passed in the previous Parliament and originated from a private Member's Bill—I remember speaking in that debate—provides useful additional information in this area.

I was glad to hear the Minister's comments about changes to building regulations and energy ratings, but I was disappointed to hear one of her colleagues disparage the achievements—which are quite considerable. The Building Act 1984 empowers the Secretary of State to make building regulations that have the conservation of fuel and power as one of their three broad aims. National building regulations for insulation were first introduced in 1965—some time ago. The 1994 regulations introduced the most recent improvements, and the Minister has said that there are more to come. The House will welcome that, so long as we can strike a balance between various issues, including the difficulty of condensation and other technical matters.

It is important that the regulations be improved steadily. They already provide for quite comprehensive improvements, including limiting heat loss through the fabric of the building; controlling the operation of the space heating and hot water systems; limiting heat loss from hot water vessels and hot water service pipework;

[Mr. Luff]

limiting heat loss from hot water pipes and hot air ducts used for space heating; and installing in buildings artificial lighting systems that are designed and constructed to use no more fuel and power than is reasonable in the circumstances, and making reasonable provision for controlling such systems. That is quite a good list and I pay tribute to all those involved in developing the process.

Credit is also due to those who developed the energy rating system. The Government's standard assessment procedure ranks new houses on a scale from one to 100, with 60 as the pass level. The English house condition survey points to a real problem in this area. The survey of all occupied properties in England found that 3 million homes had an SAP rating of less than 20. There is a real problem and, to that extent, I share the concerns expressed by the hon. Member for Torridge and West Devon.

Mr. Peter Bottomley: I am grateful to my hon. Friend for raising that point. Is not it true that many of those 3 million homes are occupied by the very poor or by those who have least choice about their housing? Although I do not wish to overload this Bill, does my hon. Friend agree that the House should consider young people housed in bedsits who must pay £12 per week for heating which, in energy-efficiency terms, is equivalent to the cost of heating a five-bedroom dwelling? Many elderly people are protected tenants in privately rented accommodation that has had virtually nothing spent on it. They are often on income support and they have to pay two or three times as much to be cold as many others pay to be warm. I am not saying that the Bill should address their problems, but my hon. Friend is right to point out the number of homes and people who will not be helped by the Bill and who need help in some other way.

Mr. Luff: My hon. Friend has anticipated one of my arguments. Private Members' Bills cannot, of course, incur expenditure for the Government because that is outside their scope. I have a strong suspicion that the true problem that the Bill is designed to address would be best solved by offering increased expenditure and increased grants to precisely the type of people my hon. Friend has described. I am encouraged that the Government are taking that matter seriously because I believe that it is the real route to solving the problem. It would be unfair to say that the Bill is mere window dressing, but it is a modest contribution to the problem that my hon. Friend has highlighted.

Angela Eagle: It may help hon. Members to know that the Government have established an interdepartmental committee on fuel poverty and that we are studying precisely how we can target help at the problem the hon. Member for Worthing, West (Mr. Bottomley) has described. We are also reviewing the home energy efficiency scheme. Initial results appear to suggest, as the hon. Member said, that a serious problem in the private rented sector remains unaddressed. We are putting our mind to considering what we can do to achieve results in that sector, where they are most needed.

Mr. Luff: I am grateful to the Minister for that information. I am also pleased to note the mood of consensus that seems to exist in the House—such sentiment is important when considering energy efficiency. I am encouraged by the Minister's remarks. We all agree about the important health implications, particularly with an aging population, of ensuring that energy efficiency is delivered. It is the elderly who are most susceptible although, as my hon. Friend the Member for Worthing, West (Mr. Bottomley) reminded us, the young poor often live in inadequate conditions.

I do not oppose the principles of the Bill, but I have some reservations about its likely contribution to energy efficiency. I also have some concern about its practical effects. The hon. Member for Torridge and West Devon was right to say that the Council of Mortgage Lenders supports the Bill in principle. It has noted, however, that it is important to ensure that it is "practical and workable". In the past, the council has been sceptical about such measures because of their cost implications and because it felt that there was insufficient public interest in energy efficiency. I believe that we can now accept that public interest in energy efficiency has grown, so perhaps concern about public lack of interest no longer exists. I accept, however, that the implementation costs should be considered in Committee.

We should pay tribute to what some mortgage lenders have done voluntarily to help those who have taken on new properties to understand their energy implications. I congratulate the many lenders who promote the work of the Energy Saving Trust. One can give people advice, but will they act on it? We can take a horse to water, but can we make it drink?

A recent housing finance survey revealed that 48 per cent. of respondents would not pay for the cost of an energy-efficiency survey and that 11 per cent. did not want to pay more than £25. That is a modest cost and I accept that it can be afforded by most people. The estimated cost of the improvements that flow from such a survey is about £300—that is the figure suggested by most involved in energy efficiency. That is quite a lot of money for someone who has moved into a new property. Often, they are precisely the people who need to ensure that their house is energy efficient. That is why I believe that grants and practical assistance are more important than forcing people to have an energy-efficiency survey. The survey would not have any value unless the Government took further steps to ensure that action was taken as a result of it.

When I first bought the house in Battersea that had the problems I described earlier, the last thing I could have done was make any improvement that cost £300. I had to live in pretty ropy conditions for several years and my priority was probably a new carpet rather than energy efficiency.

I was grateful to hear what the Minister said about tenants and people in social housing. I am not aware of much research on the likely impact of the Bill on owner-occupiers, but the Joseph Rowntree Foundation published an interesting survey just last month on the effectiveness of energy advice to tenants. It contains some lessons for the Bill. In its summary that report states:

"Although much information exists in relation to the costs and benefits of capital works to property to improve energy efficiency, little has been done to date on the cost-effectiveness of energy advice as an energy-saving 'tool'. This project, undertaken by BRECSU (the Building Research Institute Energy Conservation Unit), aimed to determine the costs and benefits of providing energy

advice alone to social housing tenants. The research surveyed 100 households before and after energy advice was delivered, and found"—

it is an important conclusion—

"The provision of energy advice alone did not lead directly to savings for the majority of tenants in the group studied. Most were already using their heating systems correctly and, due to financial constraints, used energy very efficiently."

The survey revealed the important fact that when someone goes in and helps to explore with a tenant what he can do to improve his home, the situation changes a bit. It reported:

"One-to-one advice did, however, uncover 'missed' opportunities for capital works to properties. Despite previous publicity for the schemes the advisors found that 28 per cent. of the group were eligible for a Home Energy Efficiency Scheme Grant (for which they subsequently successfully applied)."

That mechanism has a lot more to offer than the Bill. The Bill is not bad, but I worry whether it will achieve the benefits claimed for it.

The Joseph Rowntree Foundation report also concluded

"For low-income households in inefficient homes, energy advice aimed at changing behaviour is no substitute for improvements to the building fabric, for example, cavity wall insulation."

Frankly, the House should be more concerned with such improvements than with the Bill.

The Council of Mortgage Lenders has also produced some interesting figures relating to the housing finance survey, which asked whether respondents would be prepared to make improvements to their homes as a result of an energy-efficiency report. It notes that

"Thirty-two per cent. of respondents said that they would consider such action 'very seriously' and 38 per cent. said they would consider it 'fairly seriously'".

Those are not terribly high figures, although I accept that it represents a worthwhile gain. The council also repeats the point that £300 is quite a lot of money for someone who has just moved into a new home and taken out the maximum possible mortgage.

The House must also be concerned about the compliance costs of the Bill on business. I am satisfied that they are small and acceptable, but we must consider them carefully, because they have implications for lenders. The Bill, however, makes provision for lenders to pass those costs on to the borrower. The cost of providing the information relating to energy efficiency is estimated at between £15 and £20. There are other costs that should be taken into account, such as administration, liaising with and arranging training for the panellists.

The average cost to a valuer of conducting a survey could be equivalent to charging for 10 minutes of his time, and he could conduct up to six valuations a day. The Incorporated Society of Valuers and Auctioneers has estimated that the loss of income for a firm of valuers could be £23,300 a year. It is not a cost-free option and we must satisfy ourselves that the proposal will work.

Mr. Peter Bottomley: How many partners would there be in the firm?

Mr. Luff: My hon. Friend will have to take that up with the society; I am not an expert.

As the Council of Mortgage Lenders points out:

"Whilst lenders are not themselves expert in providing detailed information on how a property's energy efficiency can be improved, they support the principle of giving borrowers general guidance on how improvements may be achieved, together with an indication of costs and payback times for installing improvements."

I do not believe that it has highlighted major worries, but we must be satisfied that the Government have considered them when they outline their approach to the Bill.

I share the concerns expressed by my right hon. Friend the Member for Penrith and The Border about some of the possible practical implications of the Bill. Other issues also need to be explored in Committee. For example, is the provision for the exclusion of new homes—subject to a three-year limit—right? I accept that it is a complete waste of effort to impose the cost of conducting an energy-efficiency survey on homes that have been built according to the new building regulations and therefore fully comply with them. They cannot be significantly improved. Should that time limit be fixed in statute, or should there be some accommodation for houses of four or five years old, which have been built according to those building regulations? Is there a real gain from imposing the cost of the survey on a house aged three years and one day? Would that survey lead to anything being done to improve the energy efficiency of such a house?

Bearing in mind what I have said about the likely action that is taken as a result of such energy-efficiency surveys, should we make the offer of such a survey compulsory? Should we make it compulsory for a mortgage lender to offer it, while not obliging the potential purchaser to take it up? That way, those who take it up would be the most likely to act on its findings. Perhaps targeting those who would take such action is the sensible route for us. Perhaps we should limit that element of compulsion to houses above a certain value, or at least find a mechanism to compensate or subsidise those who buy cheaper houses. We should remember that the extra cost of between £20 and £25 for a survey is quite a lot for someone who has bought a small house at low cost. I am deeply concerned about the large number of people who buy houses with just a valuation survey instead of a full structural survey. It is folly to do that. If the Bill is passed and someone buys a house after having just a valuation survey, the survey might highlight just one physical defect in the property—its energy efficiency—when there could be a lot more wrong with it that would cost a great deal to put right. I worry that by highlighting that one narrow but important aspect, people might be distracted from the more fundamental structural problems that houses can have.

I accept that there are hidden benefits that flow from the Bill, which I do not think the hon. Member for Torridge and West Devon made much of.

Mr. Burnett: The hon. Gentleman will be aware that when valuers produce a valuation they inevitably write in it, using clear words, a disclaimer.

Mr. Luff: If anything, that probably makes it worse. I do not quite understand the point of the hon. Gentleman's intervention.

Mr. Burnett: If they are producing a valuation, they will put in a disclaimer to the effect that they are not producing a structural survey. I cannot see the point that the hon. Gentleman just made.

Mr. Luff: I am saying that if an individual buys a house with a valuation survey that identifies £300-worth

[Mr. Luff]

of energy-efficiency work that should be done, he may spend that amount only to discover later something much more fundamentally wrong that he cannot afford to correct. I would much rather that people were obliged to have full structural surveys when they make such a commitment.

Angela Eagle: The Bill impacts on various areas of the house-buying process. It may be helpful if I tell the House that the Government have launched a review of the house-buying process, in which, I suspect, some of the points that the hon. Gentleman is making about structural surveys, the method of buying houses, and the associated costs, will be looked at closely. The Government are anxious that the Bill should not make the house-buying process more inefficient or slow it up, because it is already too slow.

Mr. Luff: I am grateful to the Minister for her intervention, which was helpful and reinforced the concern that I was expressing.

Those who are selling their houses will not want a problem to be identified in the survey. Whenever I sold my houses, I used to go around to see what was wrong and put it right to ensure that I had a quick, clean sale. Sellers might say, "Hang about. Perhaps I ought to make the energy-efficiency improvements now to ensure that the valuation survey will come out completely clean and without any problems at all." That may be the single most beneficial impact of the Bill. That is one of the major reasons why I support it.

I have spoken on a basis of broad consensus so far, but I shall now say something slightly controversial. I believe that the Bill needs a Committee stage to thrash out some of the details that I and my right hon. Friend the Member for Penrith and The Border have mentioned. The Minister seems to agree with that, but will it get it? There does not seem to be much time for private Members' Bills, thanks to the time that the Wild Mammals (Hunting with Dogs) Bill, which would ban fox hunting, is taking. I am concerned that some Labour Members seem to think that global warming is less important than banning fox hunting. That is a matter of some concern to the House.

10.42 am

Mr. John Heppell (Nottingham, East): I am pleased that there is consensus on the Bill. The hon. Member for Torridge and West Devon (Mr. Burnett) seems to have the support of professional organisations and of both sides of the House, mainly because of the one ingredient that needs to be there to ensure that the Bill survives—common sense. It is common sense that we do what the hon. Gentleman suggests in his Bill. We cannot create energy without some environmental impact. Although it is much better to use sustainable forms of energy creation, such as wind power, solar power and so on, even these have some impact on the environment. We can work at trying to improve the methods of creating energy, but in some respects what the Bill is trying to do is much more important: to reduce the amount of energy that we use. It would be difficult for any hon. Member, or anyone outside to fault energy efficiency.

I appeal to the hon. Gentleman not to be talked into, or pressurised into, extending the scope of his Bill. It is modest and practical, but that does mean that it is negative. It has a certain purpose. It is easy for hon. Members to say that it does not do this or that about building regulations, and so on. Thankfully, my hon. Friend the Minister intervened to point out that that is not what the Bill is about.

The hon. Gentleman should allow the Bill to remain simple. I agree with the right hon. Member for Penrith and The Border (Mr. Maclean) that the Bill could have complications. I get mixed up when we talk about the standard assessment procedure and energy ratings, that it is one to 100, but there are other energy ratings. We have to be careful—because the Bill's main purpose is to pass on information to the general public—that we do not fall into the same trap that people have fallen into in the past by speaking in jargon.

The Bill can survive. My experience of the House is that private Members' Bills are passed because they deal with a specific problem. The more a Bill is extended, the less likely it is to get on the statute book. I want the Bill to succeed. My advice to the hon. Gentleman is to keep the Bill as simple as he possibly can.

Domestic energy accounts for some 30 per cent. of the energy that is consumed. The Bill will affect only a small proportion of domestic energy. It will not, for example, deal with people in council housing or in private, rented accommodation. On energy efficiency, we need to concentrate not on one particular measure but on lots of different measures. That is why I am pleased that almost every time my hon. Friend the Minister has intervened today it has been to announce some new initiative—the interdepartmental fuel poverty committee, or a review of building regulations. This is not an issue which can be dealt with on its own if we are to meet the targets that we set ourselves and on which the Deputy Prime Minister decided at Kyoto.

Just in terms of trying to save energy, the Bill is commendable, but, from my own point of view, that is not its most important aspect. My hon. Friend hon. Friend the Member for Harrow, West (Mr. Thomas) mentioned reduced maintenance and fuel costs. I represent a constituency which has one of the highest levels of poverty in the entire country, and one of the highest levels of unemployment—certainly the highest in the east midlands. If my memory serves me well, my constituency has more unemployed than any Welsh or Scottish constituency, so the idea of a development agency to try to get some of the benefits that Scotland and Wales have had particularly appeals to me.

I like the Bill because it can help tackle poverty. It may not be able to help those who are at the bottom level of poverty, but it will help those on limited incomes who are trying to purchase a house for the first time. It will make people's lives more comfortable and, at the same time, help to take them out of poverty.

I recognise that the Government are already taking action in that respect. Less well-off domestic consumers are assisted by the Government's home energy efficiency scheme, which provides some 400,000 grants a year. I accept what the hon. Member for Mid-Worcestershire (Mr. Luff) said—that the previous Government did a lot of good work in terms of energy efficiency and conservation.

Mr. Bermingham *indicated dissent.*

Mr. Heppell: Hon. Friends shake their heads, but I think that it is best to acknowledge the fact that

improvements have been made over the years. The previous Government did not move fast enough, and I hope that the new Government will do more. I am particularly pleased about their announcement of a reduction in VAT on energy-saving measures for the less well-off, which is to be provided under Government-funded schemes. It will mean an extra 40,000 grants a year under the home energy-efficiency scheme.

Mr. Bermingham: I come from an area that is as poor as, if not poorer than, that of my hon. Friend. Given the deprivation in the housing stock, an extra 40,000 grants a year is a drop in the ocean of need. I intend in due course to press the Minister to increase the amount available to help local authorities to provide the grants that are needed.

Mr. Heppell: I partly agree with my hon. Friend. It is easy to say that an initiative is just a drop in the ocean. It would be easy to say that the Bill does not deal with everybody so it is just a drop in the ocean, but all those measures together combine to make a great deal of difference. If my hon. Friend's were one of the 40,000 households that benefited because of the change in VAT on energy-efficiency schemes, he would not think that the measure was just a drop in the ocean.

I am not a purist in terms of the environment and I do not advocate year zero. I recognise that other considerations, besides the environment, must be taken into account, including the economy and especially poverty in society. It could be argued that a reduction in VAT will increase the amount of energy used. While that may be marginally right, if the amount of energy used stops an elderly person dying from hypothermia, it is not wasted energy. I want energy to be used in that way.

Angela Eagle: My hon. Friend is making an extremely good point. I hope that he has seen the consultation document launched by my right hon. Friend the Deputy Prime Minister a few days ago, which makes precisely that point. To achieve sustainable development, a mix of economic, environmental and social issues must be at the core of public policy.

Mr. Heppell: I thank my hon. Friend for her useful intervention. I have not seen the document yet, but I assure her that I shall read it with interest and study every detail because those issues concern my constituents.

I am pleased that the Government have gone beyond what the previous Government did. It shows that Labour provides value added. The reversal of the cut of £5.5 million to the Energy Saving Trust is particularly welcome. However, the majority of environmental and energy issues cannot be tackled by legislation. Some legislation is needed, but rhetoric at national level needs to be replaced by action locally. I am much more concerned by what happens locally because that is where policies are delivered. Conservative Members spend a great deal of time criticising and ridiculing local government because it is a fairly safe target, given that so few councils are Conservative controlled. Many councils, however, have gone far beyond their statutory responsibilities and have put much time and effort into ensuring that proper energy-efficiency schemes are in place and the worst-off are helped.

A scheme in my constituency is Nottingham Energy Awareness, which is recognised by all councillors and Members of Parliament who represent Nottingham. We have all been to see projects that it has organised. I shall briefly skim through its aims and objectives, which are to enable fuel-poor households to save energy in their homes by using it more efficiently; to promote energy awareness through the provision of training for community leaders and those such as local authority staff who come into contact with the fuel-poor in their work; to encourage take-up of grant assistance for energy- efficiency improvements, particularly the Government's home energy-efficiency scheme; and to promote the integration of energy efficiency improvements, with maintenance and improvement programmes for the housing stock owned by Nottingham city council and other social housing projects.

The targets that the organisation has set are energy efficiency improvements; improved management of energy use within the home; reduced fuel bills, easing financial pressure on the household; reducing cold-related health problems; increased comfort in the home; and environmental improvements through cutting emissions of CO2 and other pollutants. The project's principal activities are the provision of advice on all aspects of energy efficiency through home visits or telephone calls; presentations to community organisations, attendance at exhibitions and working with local media; basic energy awareness training courses for community leaders and local authority staff; promotion of grants and assistance to help them; and energy surveys and audits in the home.

Those activities have been ongoing since 1995, so I admit that some were funded and helped by the previous Government, but it was mainly the local authority's input, and the voluntary sector that worked with the schemes, that kept them going.

I note what the hon. Member for Torridge and West Devon said in his opening speech when he congratulated Lord Ezra on introducing a similar Bill in the 1996-97 Session. When I talked to Lord Ezra just yesterday he promised that he would watch our proceedings on the screen today to see the Bill's progress. He is certainly rooting for the Bill in the hope that it gets through.

Lord Ezra also discussed with me a project that he is helping to set up in Nottingham called the Nottingham Energy Partnership. It is a private-public partnership, which will bring together various organisations in Nottingham—the public, private and voluntary sectors, and residents—to improve energy efficiency. It was agreed by the council last November, but is expected to be launched publicly in the spring. Its aim is to analyse energy flows and usage profiles. A preliminary "energy balance" has already been undertaken and details will be given at the launch. Hon. Members may remember that Nottingham did some thermal photography of the whole city to try to establish where the worst places were for energy loss. The project aims to identify ways in which economies could be made in energy use. It also aims to pay particular regard to job creation opportunities, so it involves the economy, as well as the social side, because it also contributes to the anti-poverty initiative. Finally, it aims to bring enhanced environmental benefits as well.

That seems to be an example of the type of local partnership that is needed to try to change the way in which the general public, business and industry think about energy. I had a word with the Deputy Prime Minister yesterday and asked him whether he would be willing to come, possibly with Lord Ezra, to the launch of the project, which I am certain will have significant effects for the people of Nottingham. My right hon. Friend

[Mr. Heppell]

told me that if his diary permitted he would like to do that, because the project fits in with the sort of initiative that he wants to see advanced.

I congratulate the hon. Member for Torridge and West Devon on introducing the initiative. To some, it may seem a modest initiative of little consequence, but the 400,000 households that it will affect will not see it in that way. The Bill is a practical measure which can help people to make their lives better while improving the environment. I welcome it, and will support it at every opportunity.

11.1 am

Mr. Andrew Stunell (Hazel Grove): On behalf of the Liberal Democrats, I tell the House we support the Bill—a "warm welcome" would be the appropriate phrase to use. I intended to say something about the savings that it could bring about, but what I had to say was very similar to what the hon. Member for Harrow, West (Mr. Thomas) said about savings from improving the energy efficiency of our housing stock; we certainly have one of the worst levels of efficiency in Europe.

Instead, I shall comment on a couple of points that have arisen from the debate about what the priorities should be for energy-efficiency measures. At the moment, the commercial market tries to persuade home owners that double or triple glazing and fancy plastic doors represent the way forward, but professionals know that roof and wall insulation, plus draught exclusion and improvements to the efficiency of heating schemes, are far more important. One of the benefits of the Bill will be to bring before the 400,000 purchasers of property genuinely efficient and effective ways of spending money to improve the energy efficiency of their homes.

When my hon. Friend the Member for Torridge and West Devon (Mr. Burnett) introduced his Bill, he said that people who buy a car expect to be told how many miles per gallon it will do, and that when we read a review of a car's performance we expect to see that information, yet when we buy a house, whose running costs are also important, it does not occur to anybody that information about them would be useful or valuable.

We should give credit to the development of building regulations and the energy efficiency rules as they apply to new-build houses. The introduction of standard assessment procedures—SAP—is to be welcomed, and its recent extension to housing in Scotland is highly desirable and commendable.

I draw particular attention to clause 2(2)(a)(iii), which requires houses going through the process envisaged by the Bill to have an energy rating. That will not only be useful to the immediate purchaser; it will be of long-term benefit to the housing market.

At the moment, estate agents say, "It's got two bathrooms en-suite, a double garage and a nicely made garden," and so on. In future, the agent should add the fact that the house has an SAP rating of 63, 71, or whatever. An SAP rating should be a marketable quality in any home; it could certainly be rather more useful than being told whether the master bedroom has built-in cupboards. I speak as somebody whose household has recently been purchasing and selling houses like hot cakes, and the complete absence of information about energy performance is noticeable.

I understand that the right hon. Member for Penrith and The Border (Mr. Maclean) and the hon. Member for Mid-Worcestershire (Mr. Luff) cannot stay for this part of the debate, but I would still like to comment on what they said. They both asked whether unreasonable costs and difficulties would be imposed by the Bill.

There is one possible zone in which costs might be said to arise—costs to the Government, and to the Department of the Environment, Transport and the Regions in particular. That Department, in its previous incarnation, has been responsible for masterminding the development of building regulations for many years, and it is well versed in the requirements. The drawing up of the guidelines that will be a fundamental part of the assessment process is not a complicated or costly procedure. It is a matter of looking at the current rules and regulations and seeing how they can best be adapted for retro-fitting to property that has already been built.

Mr. John McWilliam (Blaydon): Is the hon. Gentleman aware that the existing building regulations are subject to great criticism, not only by building professionals but by those who are interested in the structure, durability and safety of buildings, and that the application of the existing building regulations is extremely uneven and depends on how good and how well qualified the people who do the inspection are? It is a bit worrying if we are relying on the existing building regulations.

Mr. Stunell: I thank the hon. Gentleman for that intervention. Lots of things in this world are a bit worrying. The question is how we can make the present situation better in an incremental way, and I believe that the Bill will do that.

In a former existence, I spent 13 years working with the building regulations and was responsible for supplying the Department of the Environment with advice about them.

Mr. Bermingham: Does the hon. Gentleman not agree that the building inspectors are the key? The quality varies so much from one area to another, and until we get some uniformity in the way in which people inspect we will never get uniformity in the way in which the regulations are adhered to.

Mr. Stunell: The hon. Gentleman makes a valuable point, but this is not a debate about how effective building regulations are and whether the inspection procedure is good or bad. As I said, I have spent 13 years watching building inspectors do their job, and I know that there is some variety. None the less, we are talking about some fairly basic and simple measures, such as cavity wall and roof insulation. Fortunately, those can be checked very simply.

The Bill does not impose a duty of inspection; it imposes a duty to have a survey done and make the results available to the purchaser. We could have a useful debate about the development of the building regulations another time.

Dr. Brian Iddon (Bolton, South-East): I am sorry to intervene so soon after two previous interventions, but, as a past chairman of housing who has taken great care to

improve the energy efficiency of public stock, I know that if people fit very tight window frames and doors and take other measures such as fitting draught stripper, the air change in a room can fall to a dangerous level. I fully approve of the Bill and the measures that it recommends, but if we are to persuade people to take those measures, they should be warned that if they are doing it themselves they must consider air change and fit vents. If the job is done professionally, of course that will happen, but I am concerned that the do-it-yourself merchants may fail to recognise the requirement.

Mr. Stunell: Some sound points are being made. Much will depend on the quality of the advice given by surveyors. When they produce their reports recommending certain measures and specifying the pay-back period, they will also have to bear in mind possible serious side effects.

Insulation is not the only factor. We must also consider the way in which heat is generated, and the way in which it circulates. Many problems of air change are connected more with heating systems than with the viability of living in a particular room.

The hon. Member for Mid–Worcestershire suggested a "rolling exemption" for homes that had been subject to the current more stringent building regulations. I think he meant that, as more homes are built to the new higher standard, it will be less necessary for new surveys to be carried out.

Although the building regulations have been improving steadily, they are still nowhere near setting the thermal efficiency standards achieved by homes in other parts of northern Europe—Scandinavia in particular, but also Germany and Switzerland. I hope that no one believes that the current regulations have achieved, as it were, a plateau of energy efficiency.

Angela Eagle: I am not sure whether the hon. Gentleman was present when I said that we would undertake a review of the building regulations this year—a follow-on from the review by the previous Government in 1995. The issues that the hon. Gentleman is raising will be at the forefront of our minds.

Mr. Stunell: I did hear what the Minister said earlier, although not from inside the Chamber. She has made my point for me. Introducing a rolling exemption in Committee would mean that homes built this year to the current high standard would never have to be surveyed again, although the building regulations might have improved further in five or 10 years. In that regard, I do not agree with the hon. Member for Mid–Worcestershire.

I have dealt with the issue of possible extra costs to the Government; let me now deal with the question of extra costs to members of the Council of Mortgage Lenders. My hon. Friend the Member for Torridge and West Devon said that it had been estimated that a further cost of £15 and an extra 10 minutes of examination might be necessary, whereupon someone observed sotto voce that that would increase the inspection time by a factor of three. People may feel that surveys are not always very thorough.

It has been asked whether the inspection should be an option for purchasers. When given the option of a full survey, most purchasers decline to pay the extra money, and it is clear that if the inspection were optional we would be back to square one: few people would tick the relevant box on the mortgage application form. Again, I speak from personal experience, having recently filled in two such forms and not ticked the "full survey" box.

Angela Eagle: Why not?

Mr. Stunell: It is a matter of personal choice, is it not? Whatever the rights and wrongs of the choice, I am opposed to an opting-in arrangement.

Obviously, the extra survey costs will be passed on to purchasers in one way or another. They will have to fork out, just as they would if their surveyor's report said that they should replace a window or redecorate the front of the house. When they are deciding whether to buy the house, they will have to decide whether to bear that extra cost. Alongside the cost, however, will be the saving—the pay-back period. When I was working in this area, I found that the pay-back period for such measures as improved roof and wall insulation was often very short, much shorter than the pay-back period for double glazing. Many purchasers would automatically think of installing double glazing when revamping a newly purchased house; it might benefit them considerably to know that they could use their money to better effect by adopting the suggestions in the survey form and installing, say, wall insulation. The costs are not substantial, and are easily recoverable.

The Bill will bring about considerable benefits. Advice will be given to 400,000 home purchasers each year, which will allow them to save money in the long term. The measure will contribute to the reduction in carbon dioxide emissions, which is not only Government policy but essential for the prevention of further drastic climate change. It will also improve the transparency of the housing market in one important respect, by making purchasers and sellers aware that there is both a cost and a benefit in improving home efficiency. Home efficiency will stand in the marketplace alongside double garages and en-suite bathrooms.

I support the Bill, and the Liberal Democrats will back it strongly.

11.16 am

Mr. Gerald Bermingham (St. Helens, South): My hon. Friend the Minister referred to my state of health. I noted her touching concern, but it is not my health that I am worried about; it is the health of the town that I represent. In St. Helens we make all the products that we have been discussing: we make the glass for double glazing, we make the wall insulation, we have Ibstock brick. I therefore have a considerable vested interest in energy conservation and insulation.

I remind my hon. Friend the Minister, however, that I am not a believer in the "apple pie and clotted cream" school of politics which seems to have entered the House in about 1987. I have seen Ministers come and go, and no doubt I will see a few more come and go before my time is up. I have consistently and persistently attacked the building regulations, because, by and large, they are a load of rubbish.

As for the Bill, although I support it, it needs an awful lot of amendment. I say that cold-bloodedly. We are back with the apple pie and clotted cream brigade. The 1995 amendments to the regulations were not improvements;

[Mr. Gerald Bermingham]

they were tinkering by the "We will play to the gallery; gosh, we are going to do something about it" brigade. If in the months ahead the Government produce any regulations along those lines, they can expect me to be equally critical.

Mr. McWilliam: The warmest home I ever owned was a Georgian flat in Edinburgh that was built 200 years ago, before there were any building regulations.

Mr. Bermingham: I am not surprised. The warmest house I ever owned was built at about the same time. Metal ties between the inner and outer walls were not used in those days, and, as my hon. Friend knows, metal ties are the best way of losing heat in a building because the heat flows along them, regardless of the amount of cavity insulation. The Swedes, who are practical people, use plastic ties. Heat does not flow along them. That is the sort of minor point that our building regulators overlook. They talk about single, double and triple glazing. The measures that we are discussing are more efficient, but we do not cater for them in our public or our private build, because it might increase the expense. And look at all the cowboy builders there are! My learned friend—I am sorry; I thought I was somewhere else for a moment. My hon. Friend the Member for Blaydon (Mr. McWilliam) will doubtless mention that if he is called to speak. If we are to increase efficiency, we have to examine this matter root and branch, not tinker with it and say:

"Each mortgage lender,"—

whoever that might mean; I shall return to that—

"as part of any survey or valuation required by it and in accordance with guidance given by the Secretary of State, shall

(a) provide the borrower with information".

What is the basis of the information? Are we going to examine how the property is actually built? Are we going to say to the surveyor who has been sent by the building society, "Gosh, you have to provide this and say how many joules are lost per hour", or whatever measurement is used? How will the magistrate understand what the basis of the information is?

I do not know. I do not understand that sort of thing anyway. I know whether a house is warm and efficient. It is all very well talking in such language, but if the Secretary of State says, "The calculation shall be according to this formula or that formula," there will be arguments over the formula.

What qualifications will we ask of the surveyor? Modern valuation surveyors come in all shapes and sizes. Some are qualified, some are not. Some estate agents have not a qualified person in the premises. That is a problem. The whole profession is not regulated or controlled. There are no professional standards.

If we were to say that every estate agent has to be a qualified quantity surveyor or a member of the Royal Institution of Chartered Surveyors, fine, but what about the boy who is sent to look at No. 32 Redbrick avenue, who says, "The next door neighbour's house sold for £32,000, the one on the other side sold for £42,000, so let us take an average of £37,000"? That is what happens; I notice the hon. Member for Hazel Grove (Mr. Stunell) nodding in agreement.

That is the guy to whom we are going to say, "Tell us what the heat loss valuation is and what improvements are needed." If he does not know what sort of ties are in the wall, how will he know what sort of insulation we need? How will he know what the density and quantity of the insulation is? It is the world of make-believe. Can we come to the world of reality? That is what the Bill should be doing: bringing us to the world of reality.

The Minister will say, "Of course I will take advice from my civil servants and we will be told by the institutes," but they all have a vested interest in this. What we should saying is, "Let us examine the matter root and branch. Let us go back to when we build houses, whether they be flats or houses in the private sector or public sector. These are the standards and qualities that we will build to." We should not tinker with the building regulations, but examine them root and branch again. We should say what sort of material should be used, what the quality of material should be, and the quality to which properties should be built.

I look again at the building industry, and I regret to have to say this. There are some very good builders, but there are some awful cowboys around as well and they are building houses that will fall over unless they are propped up in a few years' time. As a practising lawyer—I declare an interest because, in my time, I have prosecuted a few people in relation to this sort of thing; no doubt I will prosecute a few more before I am done—I have witnessed the sheer criminality of the way in which people are exploited.

A home is the essential part of any person's life. It is the most important thing that any of us will ever acquire or seek to acquire, whether it be rented or purchased. We have a right to expect that that home should be of a merchantable quality.

Therefore, we have to examine the building industry and say, "Right. Let us look at the quality of the products." I do not think anyone would criticise the major manufacturers, which include Pilkington and Ibstock, both of which are in my constituency. They are world leaders, so our materials are first class. Our architects are first class, but let us consider our builders. They range from the superb to the ridiculous, so we have to have quality control there.

For quality control, we need local authorities, their building departments and inspection departments. I go back to my intervention during the speech of the hon. Member for Torridge and West Devon (Mr. Burnett), when I raised the quality of inspection.

There is an old phrase that I have heard many a time, "Pay peanuts and you get monkeys." Why not pay building inspectors properly? Over the years, we have had no end of problems. Why not let local authorities have the funding? Of course I speak about money, which is a terrible thing to speak about in this day and age, but I say unashamedly: if we invest at the beginning, we acquire something that has value and lasts; if we do not have the right inspection processes, we will not have the lasting quality that we require and, as a nation, deserve.

We will now be building for the next 1,000 years, the next millennium, so why not improve and support local government by providing the resources and funding that is necessary for proper inspector?

Mr. McWilliam: My hon. Friend is absolutely right. All too often, the required qualification for a building inspector is a fairly close relationship to the chairman of housing.

Mr. Bermingham: I say nothing. My hon. Friend has, I think, had some experience of Scottish politics.

As I say, if we start at inspectorate level, we achieve quality control.

There used to a television show many years ago that said, "Never mind the quality, feel the width." I know some bricklayers who say, "Never mind the quality, look at the length I have laid in one day and that is where I get my money from." That is not quality control, which is essential in all this.

When we have quality control in the building industry, we will get houses that will last and are warm, air tight and all the other things that we require. This is not a simple issue. I support the Bill, but it is tinkering with the real issues: quality control, the quality of the properties that we build, the materials we use and the way in which properties are built.

That is why I say to the Minister that I look forward and long for proper building regulations, properly implemented and properly enforced. In that way, we will not need such Bills because our houses will be insulated and our energy losses will be minimal. There are ways to achieve that.

The other day, I was asked to examine a property, not professionally, but by a friend who wanted to show me because I had told him about the Bill. He had hacked away part of the wall. He looked at the ties and there was water all over them. What value those ties if we insulated that wall?

Mr. McWilliam: Worse than that, with water all over the ties, the house will be damp because it cannot insulate against the water.

Mr. Bermingham: That is right. That is the sort of thing that we should be talking about.

The Bill says that we are to have a survey or valuation; fine. It says that information will be given on how to improve energy efficiency; fine. Who is going to tell us? I, Joe Soap, member of the public, go to my building society and say, "It want to buy 13 Acacia avenue." It sends the surveyor around. The week before, he had been a second-hand car salesman. Probably the week before that, he had been something else. He tells me that I need the following done. I look at him, I do not know anything about building and I say, "Gosh, who do I call?" He nods, winks and says, "Go to Uncle Joe down the road. He knows how to drill a hole in your wall, how to put in a pipe and how to pump in the various stuff to insulate the wall cavity—so he tells me."

Who is going to check it? What guarantees on safety, security or anything else will I have? The answer is none. We are back to apple pie and clotted cream.

Mr. Stunell: Does the hon. Gentleman accept that building societies already make loans conditional on a variety of improvements that the purchaser has to undertake? Does he accept that the building society has a regulatory function when it releases the money and, on consideration, would he agree so enthusiastically with the hon. Member for Blaydon (Mr. McWilliam) that the majority of building inspectors have no professional skills and owe their appointment to patronage—political or otherwise? I was involved in the inspection side of the building industry for many years—not as a buildings inspector—and I feel that the hon. Gentleman does serious injustice to the regulatory system, although that is not to say that it could not be improved.

Mr. Bermingham: I thank the hon. Gentleman for that intervention. Had he been listening carefully, he would have noticed that I did not reply to my hon. Friend's intervention as I was not advancing down that line of argument. Of course, many people who work in the inspectorate are honest, hard-working and underpaid. However, there are not enough of them and the regulations are not tight enough. As we have learnt in all walks of life, if we pay people very poorly, we do not always get the best results.

I agree with the hon. Member for Hazel Grove that building societies regularly lay down conditions for granting a mortgage. In my time as a solicitor, I have seen many documents saying that a loan will not be advanced until certain works are carried out and that a certificate signed by the builder has to be produced to that effect. Of course, that does not guarantee the quality of the work.

I do not want to be too cynical, as one should not be too cynical about life, although I have lived it for a long time, but I have heard of work not being up to the required standard, as it was simply a quick way of getting the money. My hon. Friend the Member for Eltham (Mr. Efford) will agree with me about that. In the wonderful world of perfection, everything gets done; in reality, little of anything gets done.

Mr. Burnett: Is the hon. Gentleman aware of any significant building societies or banks that instruct unqualified surveyors?

Mr. Bermingham: Regrettably, the answer is yes, because a building society instructs a firm of surveyors and that firm decides who to send along. That is the problem. Although a firm of surveyors may have qualified staff—I speak with some knowledge, having once lectured surveyors on contract law—they may well send an articled clerk. The hon. Member for Portsmouth, South (Mr. Hancock) nods sagely and wisely in agreement. The problem arises when they send the office junior.

Mr. Clive Efford (Eltham): I confirm to my hon. Friend that I had a survey undertaken by someone who was not qualified. I am sure that my hon. Friend is aware that the Bill relates to surveys undertaken when a house is purchased. What are his views on the role of building control officers in that process?

Mr. Bermingham: They come in earlier when the house is built, when work is carried out or extensions added. In that case, there is certification of the quality of the work. Subsequently, a surveyor viewing the property will have from the vendor the relevant certificate stating that the property had been built or extended to the

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required standard. In Britain, the problem has always been that unless certificates are issued to specific standards, they are not readily available. Although one can get permission to build an extension for example, if there is no adequate survey and control of the development of that extension, there is no certification saying that it is of the required standard. Certification has always been a problem.

I hope that my hon. Friend the Minister is listening—I mean that in the kindest possible way—and that when she comes to review building regulation she will take on board the fact that it is essential to address the issue of building certification so that there can be historical certification and so that a building coming on to the market 10 years from now, having been built in 2001, will be certified as having been built to the requisite high standards that I seek in the building industry and that no British Government this century have sought to achieve.

There has always been the laid-back approach of saying, "This is how we've always done it." It is not good enough compared with the system in Scandinavia and other parts of the world where it is appreciated that if one builds to high standards initially, one creates a dwelling or unit that will last a long time and will be energy efficient.

If properties are not energy efficient, there is not just heat loss, but all sorts of other problems. For example, properties have a very short life. The Minister will no doubt agree with me about that. In Merseyside, I am fed up with seeing houses boarded up when they were built only 20 or 30 years ago. They were not built to the old Parker-Morris standards, which were good, but to far lower standards and, as a result, their life expectancy is far shorter and there is great deterioration, although I do not know what that has to do with the Bill. I was probably stepping outside its remit and I apologise, Mr. Deputy Speaker. I am on a hobby horse that I get a chance to ride only every three or four years.

Mr. Deputy Speaker: Order. I remind the hon. Gentleman that other hon. Members are seeking to ride hobby horses within the provisions of the Bill.

Mr. Bermingham: This is probably the longest speech that I have made in 15 years, and I have nearly finished. I thank the hon. Member for Torridge and West Devon for allowing me to string together all my complaints about the building industry and, of course, my praise for the makers of building materials, many of whom are in my constituency.

Returning briefly to the Bill, I will support it, but I ask the hon. Member for Torridge and West Devon to look again at the meaning of the words "mortgage lender" because it also encompasses private trusts and others. Will he also think again about the three-year limitation period if a building is less than three years old? I do not anticipate that the Minister will produce the regulations requiring decent building industry standards within the next three years. Therefore, I should like every house to be subject to an energy audit whenever it changes hands. Will he consider adding to his Bill some definition of the standard and qualifications required of the surveyor who performs the survey that leads to the advice?

Clause 1 (3) states:

"For the purposes of this section measures which are applicable to the dwelling concerned and where the cost of installation will be repaid through energy savings or other benefits within a reasonable period of time shall constitute practicable means".

Perhaps the Bill should not only refer to the nature of the proposed improvements, but include a set of specifications for the improvements required and a practical way in which the costs could be computed.

Other than that, I have relatively few criticisms of the Bill. I wish it a speedy passage through the House and I wish it well into law. To come back to where I started, I am worried not about my health but about that of my constituents and about the health of the building industry and the makers of materials. Above all else, I am worried about the health of future generations and the safety and security of their homes. We will never achieve that without proper building regulations.

11.39 am

Mrs. Linda Gilroy (Plymouth, Sutton): I am not quite sure whether I am about to indulge in riding a hobby-horse or eating apple pie and clotted cream—both of which activities I suspect the constituents of the hon. Member for Torridge and West Devon (Mr. Burnett), my constituents and those in neighbouring Cornwall would probably approve of greatly.

I congratulate the hon. Member for Torridge and West Devon on introducing his Bill. As a founder member of the Plymouth energy advice centre and of the west country energy action trust, it would be nice to think that the good and effective work that those organisations have done in the past four to five years to inform, encourage and support the citizens of Plymouth and Devon and Cornwall may have been instrumental in adding to the hon. Gentleman's already significant awareness of these issues. Perhaps it has even played a small part in his decision to introduce his Bill.

Hon. Members on both sides of the House may be interested to calculate how many of their constituents might benefit from the Bill's proposals. I understand—from calculations made for me by the Plymouth energy advice centre, which must be similar to calculations made in other constituencies—that about 900 new mortgages are taken out annually in the Plymouth, Sutton constituency. Approximately 270 of the homes bought will be newly or recently built and meet the higher energy-efficiency levels required by more recent building regulations, so perhaps 650—involving about 750 people—could benefit from the Bill's provisions each year. In the life of this Parliament, about 9,000 people could live in households that benefit from the type of information required by the Bill.

If we apply the 60 per cent. rule that has been suggested by the Association for the Conservation of Energy and *Which?*, approximately 6,000 people in my constituency live in households in which action might be taken as a result of advice and benefit from the savings.

The experience of the Plymouth energy advice centre is that people are most likely to follow through advice when they are moving into a new home—partly because it is possible to negotiate on and spread the cost of implementing measures, possibly by using the mortgage. Such a possibility is one of the great values of the Bill. It is true also that all my constituents—all 70,666 of them—would benefit from the emissions reductions that would follow from energy conservation.

I also congratulate the hon. Member for Torridge and West Devon on his work—with the able support of that worthwhile organisation, the Association for the Conservation of Energy—since the publication of his Bill. Together, they seem to have persuaded the Council of Mortgage Lenders to make a more positive appraisal of the Bill's pros and cons—as demonstrated in its most recent briefing this week.

The council must, of course, have regard to the cost of the service to its institutions, customers and members, but just as all my constituents stand to gain from the contribution that the Bill can make to reducing emissions, so, too, will the council and its members and their families, shareholders and customers. Moreover, if we add in the value in extra jobs—which the Association for the Conservation of Energy has calculated as about 500 jobs a year and 5,000 over a 10-year period—we have a win-win-win situation in reduced fuel bills, reduced harmful emissions and reduced unemployment. This is a veritable have-your-cake-and-eat-it measure.

Many of today's younger generation have a far better regard for, and intellectual appreciation of, the value of and threats to our environment. As someone who first became aware of the need to consider our environment in the 1960s on reading Rachel Carson's "Silent Spring", I applaud that. It bodes well for our future and for the interest in, and support for, the Bill. I think that we can confidently expect new generations of householders to take advantage of the information that the Bill will bring to their attention.

It is encouraging that so many hon. Members on both sides of the House have attempted to draw attention to many of the other measures that the Government are promoting—and to other measures—that can help us to reduce home energy use. The Energy Conservation (Housing) Bill, promoted by my hon. Friend the Member for Eltham (Mr. Efford), has been mentioned. Other Bills on today's Order Paper—including my Bill, the Warm Homes and Energy Conservation (Fifteen Year Programme) Bill—also deal with the importance of energy in our lives.

By introducing targets for 500,000 homes to be provided with a comprehensive package of home insulation and other energy efficiency improvements, my Bill would address many of the other issues for which hon. Members have expressed their support. It would effectively ensure that something was done about the 8 million homes that are lacking and unable to afford warmth, and it focuses particularly on people in poverty. The Bill introduced by the hon. Member for Torridge and West Devon would also undoubtedly be the vehicle for giving people access to good quality information on which they can take sensible action.

We are all lulled into a false sense of security by the use of the phrase global warming to describe a process that is bringing many uncertain, but also probably damaging, changes to the climate—such as disappearing coastlines, more volatile weather patterns, cracking and melting ice-caps, flooding and changes in the atmosphere—that have all sorts of unpredictable consequences for agriculture and are as likely to be damaging as helpful. Hon. Members have mentioned the helpful outcome of the Kyoto conference. Global warming is much too nice a phrase to describe such potential dangers. It is a classic example of misleading warm words.

The hon. Member for Torridge and West Devon has not allowed his faculties to be lulled into such a false sense of security. I support his Bill and commend it for the support of other hon. Members.

11.46 am

Dr. George Turner (North-West Norfolk): I congratulate the hon. Member for Torridge and West Devon (Mr. Burnett) on targeting an important and serious matter for the House to debate. He will know from the speeches of other hon. Members that he is addressing but a part of a major matter for Government action. As a new hon. Member, I have already learnt that the function of private Members' Bills is to raise specific issues., but it would be unusual if this occasion were not used to widen the debate. I wish the Bill well and believe that it will make an important, if not major, contribution to tackling the problem.

I have spent much of my professional career involved in energy matters. As a scientist and engineer, I was glad to see that the Bill was appropriately called an energy-efficiency measure rather than an energy-conservation measure. As any physicist will quickly observe, energy conservation is a matter of science and one of the basic tenets of much of physics. Energy is conserved; how we use it, and from where and to where it flows, is the task and the problem that we are debating.

In my very earliest research work, I had the task of trying to keep things cold—indeed, close to absolute zero, at minus 232 deg C. Much of my mental work and research was spent finding the right materials to ensure that heat did not flow from high to low temperatures. Moreover, in those days, one had to consider a lesser range of materials than is available now. Later in life, I was involved with the opposite end of the temperature scale in designing furnaces for experimental work. The research work in our universities, which I applaud, has resulted in improvements to materials that are now more commonly available for building work.

Much of my professional work was done in a building shared with the environmental science group at the university of East Anglia, which is internationally known for its environmental work and which gave birth to a climatic research unit that has played an important role in the development of our understanding of the issues of energy efficiency and emission control. I am aware of the serious aspects of the issue before us today and of how important it is that we use the right materials in our buildings and construct them properly. People should be made more aware of the need to conserve energy in their everyday lives so that we can conserve our planet.

Those points have already been well and truly made by other hon. Members today and I shall not echo their words of wisdom, except to say that building regulations and the way in which we construct new buildings are important aspects of Government business. My constituency contains the construction industry training board, which is responsible for training in the building industry. It is important that we adopt a root-and-branch approach and tackle the skills and training of those who construct or modify our dwellings.

Mr. McWilliam: Does my hon. Friend agree that one of the problems is that we have not, by and large, had proper apprenticeships in the building industry for such a

[Mr. McWilliam]

long time that the odds on someone being able to fit wall ties without getting them dirty, or on getting someone who knows what sort of insulation material to use and what not to use, are pretty low and that it is high time we got back to training people properly?

Dr. Turner: I accept the thrust of my hon. Friend's intervention. The CITB, which had its levy—with the first increase in several years—approved in the House this week, seems to be aware of the problem. It also has Government support and appears to have adopted the right approach, with its involvement in the new deal and its policy of seeking partnerships with schools and colleges, which will encourage young people to enter that important industry. There is some prospect of improved training, which must be encouraged. Regulation is important, but if people know how to do their work correctly, less supervision and less remedial work are required.

I have suffered greatly. In getting an extension to my home, I had to check the measurements daily and one wall in the extension had to be rebuilt three times before it complied with what the architect had asked for. There is much to be done in the building industry and the Government would do well to ensure that, in training and in regulation, we not only exhort good practice but ensure that it happens. It is one thing to specify that there should be insulation around hot pipes, but it is another when, as the home owner, one finds the builders busy trying to get the flooring down before installing the insulation because they want to get finished an hour earlier.

It is human nature that I want to address today, as my contribution to this serious issue. As a politician, much of my experience has been in local government—as an amateur compared with my role today. One lesson learnt from my 20 years in local government is that, while it is important to get the science and technology and the earnest politics right, we must take human nature into account and take people with us. If, in their campaigning and lawmaking, the Government do not take into account the foibles of human nature, they will fail to address this problem. Many of my friends are members of Friends of the Earth and other environmental organisations. I know that there is a danger of projecting a hair-shirt image. To be frank, environmentalists tend to believe that there must be something wrong—or that some environmental damage is being caused—wherever human pleasure is found. We have to ensure that we do not make the same mistake: we must avoid accusations of furthering the nanny state and we must take people with us in this area of Government policy, as in others.

Because of my work as a Member of Parliament, I shall be away from home until tomorrow night. I have to tell the House—unashamedly—that tomorrow night my house will probably be lit by a combination of wax and string, which must be one of the most inefficient methods of lighting a house. However, I would rather return to the candle-lit dinner for which I am hoping than to my wife having to put some sort of fluorescent lighting on the table.

In living our lives, we have to balance aesthetic pleasure and physical pleasure and we must accept that life is not all about finding the most efficient way of doing something. Heaven forbid that Naomi Campbell should be dressed according to the principles of energy efficiency—indeed, I hope that tomorrow night my wife will not be dressed in an energy-efficient style. Much of our activity is highly inefficient: our clothing and our way of life reflect our use of resources in ways that please us, even if they are wasteful in terms of energy. So be it, say I.

In my right hon. Friend the Deputy Prime Minister, the Government have the right person to lead drives toward energy efficiency. By way of illustration, I should like to refer to the progress that we have made in recent years in respect of the car and the reasons for it.

Mr. Deputy Speaker: Order. I would have some difficulty understanding how that relates to the Bill. The hon. Gentleman must speak within the terms of the Bill before the House.

Dr. Turner: I think that I am, in that in making progress in terms of car efficiency and emissions, we have had to use a mixture of exhortation, regulation and encouragement. We had to tell manufacturers that they had to meet more stringent standards; we must tell house builders the same thing. Through the MOT test, we imposed regulation on the consumer and ensured that standards were being met; there is a case to be made for introducing energy-efficiency regulation for houses in terms of fuel consumption. We recognise that simply telling the consumer how efficient his car is or what its emissions are is not sufficient. I also believe that a Deputy Prime Minister who still insists on having his four litre Jaguar is a better messenger for a Government intent on seeing the car used less than one who may take more of a hair-shirt approach to politics.

What lessons are to be learnt? We should take into account what most people do when they read about the energy efficiency of their house as it is expressed in surveyors' language. Since I entered the House, I have had to buy a new house and read surveyors' reports. I do not know how long it is since other hon. Members have read surveyors' reports and noticed the language used, but the ones that I have read have been uniformly boring and pessimistic. I am not sure whether that is because the surveyors want to avoid the possibility of missing a fault in the house, but their reports state, for example, that the lead flashing around the chimney must be wearing out because the house is more than 40 years old and it might be advisable to have it checked. The report might also say that, owing to the chimney's age, repointing may be required some time in the next 10 years.

That is the sort of language traditionally used by surveyors and house builders, probably to protect them from legal consequences. If similar language is used when making statements to householders about the energy efficiency of their homes, the Bill could lose its value. It will be extremely important for my hon. Friend the Under-Secretary to recognise that the report needs to be written in a format that is understandable and to the point—and which householders can read and comprehend. We need to make clear to the householder what action is required.

It is appropriate that the work should be done at the time by the mortgage provider. I would hope that it might be good practice for the mortgage provider to encourage the appropriate work to be done where the return will be speedy by being willing to add to the mortgage for that purpose.

We already know the considerable dangers that exist in many residences as a result of inefficient boilers that burn badly, some of which have been highlighted in the courts. Such boilers not only waste energy, but put lives at risk. It would be appropriate, in terms of the efficiency and safety of households, to consider carrying out much more regular inspections than merely when a house is sold. Strong consideration should be given to requiring that boilers pass an MOT and, where homes are heated by gas—the majority of them, I suspect—that they are serviced so that we know that they are safe and efficient.

I started by saying that I recognise that the subject calls for Government action that goes wide of the Bill; I close by commending the hon. Member for Torridge and West Devon on his Bill which I hope, after suitable discussion in Committee, will find its way on to the statute book.

12.2 pm

Mr. John M. Taylor (Solihull): I intervene in the debate briefly on behalf of her Majesty's loyal Opposition to welcome the Bill that has been introduced by the hon. Member for Torridge and West Devon (Mr. Burnett).

In the past, mortgage lenders have expressed concern about the cost of the surveys, but the hon. Gentleman's Bill allows them to recover reasonable costs from the borrower. It is important to note that the Bill only requires an approved energy rating, not necessarily following the Government's standard assessment procedure; a full SAP could cost somewhere between £50 and £150. However, as Lord Ezra said during the passage of his Bill along similar lines last year, the amount could be as low as £10 to £15 if the building societies incorporated the energy rating into their normal valuation surveys. Where the Bill specifies the provision of a list of potential improvements and the indicative range of costs and pay-back times, most of that information is already available.

We are enthusiastic about the Bill. It does not amount to any great imposition on mortgage lenders and could be a positive step towards informing home buyers of the energy-efficiency status of their potential dwelling. The concerns about additional costs raised by mortgage lenders are largely unfounded, as the Bill does not specify a full SAP, and technological improvements have greatly reduced the amount of time and money that have to be spent to carry out effective energy surveys. Perhaps the House will allow me to emphasise the strong Conservative record on energy efficiency. I cite for example the Home Energy Conservation Act 1995 and the home energy efficiency scheme set up in 1991.

There I speak for the Conservative Opposition. I should like to add a word on my own behalf, as one who, in time gone by, practised as a solicitor in general practice. I hasten to add that, since then, I have gone straight for many years, and have not practised for 10 years—for which the general public are, no doubt, mercifully relieved.

For myself, I note an important innovation in the Bill which should be noted and considered in Committee: the introduction of an obligation on the part of the surveyor to the buyer. Traditionally, and contractually, the main obligation of the surveyor has been to the lender, so the Bill introduces a new dimension to the surveyor's work. I do not intend to delay the House by speaking further about that new obligation on the surveyor, but it is important to place that point on the record, so that it can be properly scrutinised when the Bill—as I hope that it does—passes into Committee.

12.5 pm

Mr. Clive Efford (Eltham): I express my support for the hon. Member for Torridge and West Devon (Mr. Burnett) and for his Bill. In deference to my hon. Friend the Member for St. Helens, South (Mr. Bermingham), I originally intended to introduce the Bill, but, coming only 18th in the private Members' ballot, I unfortunately missed out on that opportunity, to the benefit of the hon. Member for Torridge and West Devon, who came sixth, and whom I congratulate on his success.

The Government have left no one in doubt that they are determined to achieve their manifesto commitment and reduce carbon dioxide emissions by 20 per cent. of the 1990 level, by 2010. They have taken a strong stance. The position that they held out for in Kyoto is to their credit and they have successfully negotiated for targets that can be easily understood, but it is vital that the wider public realise that it is not merely the responsibility of the Government to achieve those targets and that, if we are to leave this planet of ours in a sustainable state for any future generations, we must all play our part.

An important element in achieving that objective is to educate the public on the issues that need to be confronted, to give them the information that they need and to allow them to make choices. The Bill, and others dealing with similar measures, seeks to ensure that that information is obtained and made available. I take on board the arguments made by my hon. Friend the Member for St. Helens, South, but I am sure that when such information is made available, the public will demand the introduction of the measures that he wants.

Much of the debate since Kyoto has centred on the car. The Government's commitment to an integrated transport strategy will make a huge difference when it is implemented, but energy efficiency in the home will also have a significant influence; several Bills before the House aim to address related issues. In one of the excellent research documents produced by the House, I read that the Socialist Environmental Resources Association has stated that it believes that 16 per cent. of the Government's 20 per cent. target for 2010 can be achieved by home energy efficiency.

According to the housing conditions survey published in 1991, 66.8 per cent.—15.9 million—of homes were then in the private sector. That was an increase from 11.7 million—55 per cent.—in 1981. Of those, 2.4 million homes were built before 1900, 3.8 million were built between 1900 and 1945, nearly 3 million were built between 1965 and 1980, and only 1.3 million were built from 1980 to the date of the survey, in 1991. The average Victorian terraced house rates just three out of a maximum score of 10 on the national home energy rating survey. The age of a property is a reliable indicator of the need for energy efficiency.

The figures demonstrate the need for potential purchasers of a property to be made fully aware of the potential costs, not just to themselves through heating bills, but in terms of the impact on the environment. In the long term, we should not underestimate the impact that the Bill will have on the housing market in terms of new build and improvements to housing. The knock-on effect will increase quality.

[Mr. Clive Efford]

I recently visited a project in the constituency of my hon. Friend the Member for Lewisham, West (Mr. Dowd), which was carried out by Hyde housing association on the Adamsrill Road estate. This was an expensive development, because it used a great deal of recycled materials—the main cost was for the use of recycled stock bricks. A whole range of measures were taken which point the way for the future, including the type of boiler, double glazing and glass used, as well as the lighting and ventilation.

My hon. Friend the Member for Bolton, South-East (Dr. Iddon) talked about the need to install proper ventilation in homes when they are improved or built, because there can be huge problems with condensation. Environmental measures can often have knock-on effects in other ways. The estate had a state-of-the-art method of dealing with ventilating the kitchen area. It sensed the dampness in the air and automatically opened the vents, which passed air out through the roof. Such measures can be taken at an early stage in planning, and I am sure that the Bill will encourage those planning new housing to take them on board, as they will have to consider selling the housing at a later date.

The Adamsrill Road project scored 10 out of a maximum of 10 in terms of the national home energy rating survey. The average score for Hyde housing association properties is eight and, as I said, the average score for a Victorian terraced house is three. That shows what can be achieved if people take on board environmental improvements.

The Bill is one of a number of initiatives before the House on energy efficiency related to housing which aim to provide more information and, therefore, more understanding of the issues. In addition to the Energy Efficiency Bill, my hon. Friend the Member for South Swindon (Ms Drown) is promoting the Energy Efficiency (Information) Bill of which, I am pleased to say, I am a sponsor.

Under building regulations passed by the previous Government, all new-built houses are required to have an energy rating. Unfortunately, despite their commitment to market forces, the previous Government did not think it necessary for purchasers of those properties to be given access to that information. In these times of concern for environmental issues—particularly the effect of greenhouses gases—the public must be given the facts to allow them to make proper judgments. The Bill will force house builders to give more consideration to the issue of energy efficiency at the planning stage.

Later today, my Bill will receive its Second Reading. The Energy Conservation (Housing) Bill will amend the Home Energy Conservation Act 1995, with the effect that the requirements currently placed on local authorities will extend to social landlords or housing associations. The Act requires local authorities to prepare a report on energy conservation measures in their area, and they are often required to report on housing association properties of which they have very little knowledge. My Bill will require housing associations, which have the best knowledge of their properties, to do this for themselves. Efficiency will be introduced into the gathering of information and, hopefully, the benefit will pass quickly to tenants.

Yesterday, my right hon. Friend the Secretary of State for Health launched the Green Paper "Our Healthier Nation" and highlighted the connection between poor quality housing and poor health. The report to which I referred earlier—the housing conditions survey—states that 52 per cent. of housing association tenants are low income households. Nationally, 30,000 to 50,000 deaths occur each year due to cold weather. Cold-related illness costs the national health service £1 billion a year.

Fuel poverty is an everyday problem for too many people, especially the elderly. The Government were right to cut VAT on fuel for that reason. However, evidence given to the Trade and Industry Committee suggests that a 10 per cent. cut in energy prices, particularly for domestic fuel, results in a 2 per cent. increase in demand. Some would conclude that a cut in fuel prices is damaging to the environment, but the argument for reducing VAT on fuel was that for people on low incomes, the marginal tax rate was so excessive that they faced the choice of increasing their fuel debt or switching off their heating. It is hardly surprising, therefore, that a cut in VAT resulted in an increase in demand for domestic fuel. A balance must be struck between fuel charges and taxation on fuel, and incomes.

Through this Bill, the Energy Efficiency (Information) Bill and the Energy Conservation (Housing) Bill that I shall present later today, hon. Members can make a significant contribution to achieving the Government's targets for improving our environment. I congratulate my hon. Friend the Minister on her work to promote these issues and on her far-sightedness in supporting my Bill. I hope that hon. Members will give the measures the support that they deserve.

12.16 pm

Mr. John McWilliam (Blaydon): I congratulate the hon. Member for Torridge and West Devon (Mr. Burnett) on introducing the Bill which, although it may not have been apparent from my interventions, I whole-heartedly support—indeed, I do not think that it goes far enough. Problems have arisen in the past because of the lack of such legislation.

There are some problems with the Bill. I shall be happy to give way to the hon. Gentleman if he wants to tell me why he included subsection (2) of clause 1. I can understand that, if he can guarantee that in every house built the building standards will conform to the existing energy-efficiency legislation and will not fail within the specified period of 12 years under the latent defects legislation, especially if the builder goes bust in the intervening period, which happens all too often.

Mr. Burnett: I am grateful to the hon. Gentleman for inviting me to intervene. We do not want duplication in this matter. The clause may go in Committee, as the Council of Mortgage Lenders does not seem very concerned about that provision. Nevertheless, it is in the Bill as drafted, it is possible that it will remain there, and it is there to avoid duplication and additional cost, where possible.

Mr. McWilliam: I am grateful to the hon. Gentleman for that explanation and for the assurance that the provision is liable to disappear at Committee stage—

Mr. Burnett: Possibly.

Mr. McWilliam: Possibly liable to disappear at Committee stage. It may have caused some greedy builders to rub their hands. Without it, the Bill would be improved.

The Bill seems to concentrate on information. I am not certain that the energy conservation measure that has already been enacted and which should apply to every new building is covered by the latent defects legislation of, I believe, 1982. I served on the Committee that considered the measure, and I noticed the matter at that time, but I did not raise it because I was too busy with another Committee. It might be fruitful for the hon. Gentleman to consider that issue. It may be possible to incorporate the measure under the long title of the Bill, which is:

"To make further provision for energy efficiency".

Making provision for good energy efficiency measures that fail as a result of a latent defect clearly fits that description, so I think that the hon. Gentleman could get away with it. If not, our noble Friends in another place often ignore long titles when amending legislation, which sometimes causes panic in this place.

Since May, the new Government have established a good record in introducing energy conservation measures in the face of time and legislative pressures. The Government set themselves a very demanding challenge at Kyoto, and this and other measures will help us to meet it.

Another problem with the Bill concerns its application in Scotland. I know from experience that house purchasing in Scotland is a whole different ball game. When I moved from Scotland, I flogged my house within three weeks and invested the proceeds in the money market until I found exactly the house that I wanted in England. I was not at the end of anyone's queue so I could not be gazumped. It was extremely convenient.

When one bids for a house in Scotland, the mortgage lender must guarantee that he will lend against that property. The snag is that someone else who is borrowing from the same mortgage lender often applies for exactly the same thing. How many surveys would be done in that circumstance, as the mortgage lender probably operates with one survey company? The poor customer would not know, and would have to pay through the nose every time. Some Government proposals that seek to address that problem might also help the hon. Gentleman by improving his energy conservation measures.

My hon. Friend the Member for St. Helens, South (Mr. Bermingham) referred to bent building surveyors—there are not many, but they are not unknown. There used to be many such surveyors in my part of the world, but they are less of a problem now. It is difficult when someone thinks that he has paid good money for a good job and the building control department says, "That's done; that's fixed", only to find out five years later that everything is not all right. The house may need a new roof or the owner may discover that the damp-proof course has not been inserted or that the builder used dirty ties, thus causing damp.

The hon. Member for Torridge and West Devon was wise not to include public sector housing in the legislation because that would necessitate a money resolution. If he had done so, the Bill would have had to address the problem that many local authorities inherited 20-odd years ago when the Scottish Office Development Department and the Department of the Environment produced figures regarding the installation characteristics of poured concrete, which subsequently turned out to be totally inaccurate when the concrete dried out. The insulation disappeared, damp developed and people complained to the local authorities. They claimed that the problem was caused by condensation, and they were quite right—but the condensation was caused by a lack of wall thermal efficiency. Measures such as strapping walls and putting up plaster board are expensive and intrusive.

It would be nice if the Government could allocate more money to local authorities in the future to allow them to address that problem retrospectively. An imaginative pilot scheme conducted in Gateshead has produced extremely good results in flats. The buildings used to be horrible, but now they are attractive, warm homes with safe playing areas in a good environment and are close to schools, nurseries and shops. Such rehabilitation measures could be taken as well, and I look forward to the Government introducing some.

I shall not detain the House any longer. I have a rotten cold and I do not have a lot of voice left. I wish the hon. Gentleman and his Bill, minus clause 1(2), a safe passage.

12.24 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): In common with other Members, I congratulate the hon. Member for Torridge and West Devon (Mr. Burnett) on his good fortune in the ballot and on his choice of subject for a Bill.

The Bill would improve energy efficiency, to which the Government are also committed—that is always a good start. The Bill would also make a valuable contribution to achieving better energy efficiency. I intend to speak about the importance of measures to improve energy efficiency, such as those proposed by the hon. Gentleman; the action that the Government are taking; and the role that we believe that the Bill might play.

Our manifesto made it clear that we are committed to a policy designed to promote the more efficient use of energy. We are keen to carry that policy forward. Energy efficiency is in tune with sustainable development, on which we launched a consultation exercise—as I mentioned in interventions—earlier this week. We believe that it can offer major benefits to households and businesses, and, at the same time, help us to protect the environment by reducing the threat of climate change.

The benefits to householders and businesses are immense. Improved energy efficiency reduces fuel bills and maintenance costs, improves comfort and creates jobs. Energy efficiency therefore makes sense for all of us. It saves money that could be better used to improve our homes and develop businesses. There is plenty of scope for doing that as we look around our domestic, commercial and industrial sectors.

Recent estimates suggest that total emissions could potentially be reduced by about 25 per cent. through the use of cost-effective energy-efficiency measures. As many hon. Members have noted, there is plenty of room to improve energy efficiency in the home, an issue tackled in the Bill. As many hon. Members have also noted, the energy efficiency of the average home is low. The fuel bill for an average three-bedroom semi could be reduced from about £750 per annum to about £400 by the

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installation of a standard package of energy-efficient measures, including wall and loft insulation, draughtproofing, hot water tank insulation, double glazing and a new heating system with controls.

In addition, energy-efficient houses tend to be more comfortable—that may seem an obvious point, but it is true. Maintenance costs are also reduced through reduced incidence of mould and condensation. Householders would therefore benefit from the improved quality of their houses and they might feel more comfortable. As some hon. Members have pointed out, they might also benefit from improved health.

Increased energy efficiency would also bring advantages to the economy, because it would create jobs in the energy efficiency installation and manufacturing industries. It would also create marketing opportunities for new or more efficient technologies.

Cost-effectiveness, comfort and economic advantages are not the sole reasons for our desire to promote energy efficiency. Just as important, energy efficiency brings benefits to the environment by contributing to the United Kingdom's efforts to meet international emissions targets and our domestic aims.

The Government have a strong commitment to safeguarding the environment and, in particular, to combating global warming. We have said that we will place the environment at the heart of policy making. Indeed, our policies aim to combine environmental sustainability with economic and social progress. We believe that the three go together. As my hon. Friend the Member for Nottingham, East (Mr. Heppell) said, we also believe that it is important that we have the support of the people if we are to create a consensus in favour of making such progress and changing individual behaviour, which is crucial to success.

Hon. Members will have noted the strong line taken by the Prime Minister when he led the United Kingdom delegation to the Earth summit II in the run-up to the Kyoto conference. Hon. Members will also note that the Deputy Prime Minister took a strong line at that conference when he delivered a signed, legally binding agreement to reduce harmful emissions.

We plan to build on that success internationally, in Europe and at home. The previous Administration offered 10 per cent. as part of the European Union target. We will consider whether we should offer more. We will maintain our domestic aim of reducing emissions to 20 per cent. below 1990 levels by 2010.

The domestic sector offers considerable scope for savings. Domestic consumers are responsible for more than a quarter of national carbon dioxide emissions. The installation of a standard package of energy-efficiency measures could reduce annual carbon emissions from the average home by more than half. That is the prize towards which the Bill seeks to edge us closer.

Meeting the United Kingdom's aims for the reduction of emissions will require major changes in the way in which we generate and use energy. We are looking for a balanced package of measures that will help us to meet our objectives and maximise the benefits that are available. A consultation paper on our climate change programme is planned for later this year.

Energy efficiency will be a key element in delivering our programme to reduce emissions, because of the benefits that it brings. We are developing a package of energy-efficiency measures to meet our objective.

We are initiating a broad debate to engage all sections of our society in realising the opportunities provided by the outcome of Kyoto and maintaining a strong United Kingdom lead on the issues that emerged. We are starting a wider public debate about life style changes, of which today's debate today is only one example. Other debates that I have attended in the not-too-distant past touched on similar issues. I look forward to attending many more.

Other reviews are relevant to the work that we are doing. The review of utility regulation, for example, covers the energy utilities—gas and electricity. The review's objectives include ensuring that the system of regulation promotes the Government's objectives for the environment and sustainable development. We are looking at how regulations should best deal with energy efficiency. The Government will shortly produce a Green Paper on the outcome of the review.

We already have some successful measures to encourage energy efficiency. For example, we provide information and advice. Where necessary, we provide financial incentives, and we seek to improve the availability, take-up and use of energy-efficient domestic equipment. Just recently I was in John Lewis, as part of my official duties, launching one of the new energy labels for domestic washing machines, which provide quite complex information in an easily ascertainable way for customers at the point at which they are considering making a purchase.

We have three main channels for providing information and advice: the energy efficiency best practice programme, the Energy Saving Trust's energy efficiency programme, and the trust's energy efficiency advice centres. All those were mentioned by hon. Members.

The energy efficiency best practice programme provides a wide range of information to stimulate energy efficiency improvements in buildings, industry and transport. It aims to generate savings worth £800 million a year by 2000. It is on target and is currently saving around £500 million each year. We are considering ways of developing the programme's potential to help us meet our aims for the reduction of emissions.

My Department funds the Energy Saving Trust's major promotional programme, "Energy Efficiency", which was developed with considerable help from the trust's partners in the energy efficiency industry and is a success. Recent research shows that an advertising campaign in October exceeded its targets. I have high hopes for a new campaign that started this week.

The trust's network of more than 40 energy efficiency advice centres provides free impartial advice to customers in the domestic and small business sectors. By the end of this year, some 250,000 people will have received advice from the centres. It costs the centres about £12 to advise a customer. Customers taking up advice provided by the centres save an average of £57 a year.

We also fund financial incentives to help the less well-off to improve the energy efficiency of their homes and to help the Energy Saving Trust's incentive schemes to encourage investment in energy efficiency by those who can afford it.

The home energy efficiency scheme provides grants for insulation measures for householders who receive income-related benefits or disability allowance and are over 60 years of age. A revised, improved scheme came into force in July offering householders more choice from a wider range of measures. The changes will allow the scheme to offer the measures best suited to individuals' homes. The 1997-98 budget is £75 million. We are considering and reviewing that scheme, which was inherited from the previous Government, to see whether it is helping the right people in the most effective way. As I said in an intervention, early indications from the review suggest that, as the scheme is currently weighted, it misses some of those most in need—people in private rented housing.

The Energy Saving Trust runs a wide range of schemes offering financial incentives for the installation of energy-efficient measures. The products promoted include central heating controls; condensing boilers, which are a key to improving energy efficiency in the home; cavity wall insulation; high-frequency lighting; and small-scale combined heating power in industry. So far, the schemes have helped 180,000 people to install energy-efficient goods in their homes.

We are pleased to have been able to announce this year that we have reversed the cut which the previous Government scheduled to the Energy Saving Trust, and we continue to show our commitment to that by providing an extra £5.5 million for the trust this year.

Improving the availability, take-up and use of energy-efficient domestic equipment is also important, and the Government have a market transformation strategy, which we launched in October. It seeks to get the market to provide domestic equipment that does less harm to the environment, particularly by using less energy It aims to achieve savings of 2 million tonnes of carbon by 2010.

Energy labels are already mandatory for fridges, and are now mandatory for washing machines, washer-driers and tumble driers. Regulations for dishwashers and light bulbs should be introduced this year, and further proposals are being developed.

We shall need to do more to meet our aims for reducing emissions, and we are reviewing our current programme in the light of our commitment to lead the fight against climate change. We shall look for improvements in all areas, including the use of energy-saving technology by home owners and businesses. We take the matter very seriously and are taking steps to introduce new measures.

The environmental task force, which many of my hon. Friends have mentioned, will promote energy efficiency and provide quality jobs and training.

Mr. Stunell: Will additional money be available for the materials needed for insulation projects under the environmental task force scheme? That is a serious bottleneck in the proposals before the House.

Angela Eagle: The hon. Gentleman must not tempt me to announce increases in ministerial budgets for which I am not responsible, because he will get me into enormous trouble. He needs to be aware that the task force and the new deal are being piloted in several areas. We seek to learn the lessons and practicalities from those pilot exercises, which we hope to apply to the scheme when it is rolled out nationwide in April so that we can ensure that it is most effective.

As I was saying, the capital receipts initiative is expected to make nearly £800 million available to local authorities over the next two years to support capital spending, targeted on housing and related regeneration schemes. It is expected specifically to encourage energy efficiency projects.

My right hon. Friend the Chancellor also announced that the spring Budget will reduce VAT from 17.5 to 5 per cent. on the installation of energy-saving materials under the Government-funded grant scheme for the less well-off. The Government will explore opportunities for agreement at European Union level on a wider reduced rate of VAT on energy-saving materials and installations.

Last week, we announced that we had allocated an extra £5.5 million to the Energy Saving Trust to avoid the previous Government's planned cut and to maintain the Government's support for the trust. The increased allocation will enable the trust to maintain and develop its successful programmes, and will secure the trust's capability to plan for the climate change task ahead.

Improving energy efficiency is not a matter for central Government alone. Inevitably, local authorities and individuals have a part to play. Everyone can help, and many people are anxious to do so.

Local authorities have a key role in promoting energy efficiency to all households in their areas. The Home Energy Conservation Act 1995 requires local authorities to prepare energy conservation reports identifying measures to improve energy efficiency in all the homes in their areas. We think that the Act has the potential to deliver a 30 per cent. improvement in England in about 12 years, if all the measures identified by local authorities are implemented. However, that is a big "if", and that is what we must concentrate on in our education of the public.

Individuals, too, can take action, within the limits of what they can afford. Energy efficiency need not be costly. There are no-cost and low-cost measures that most people can take. It costs nothing to draw the curtains at night and to heat only as much water as one needs. Fitting a jacket on a hot water tank is not expensive and not hard. Many people could do it.

The hon. Member for Mid–Worcestershire (Mr. Luff) told us a tale of unintended consequences about when he insulated his loft, only to discover that the water tank then froze and subsequently flooded his property. The hon. Gentleman is not here now; he apologised for the fact that he could not stay to hear the rest of the debate. He should probably have lagged the tank while he was putting in the insulation.

Improvements, like all such things, have to be approached carefully and in a balanced way. I am sure that the hon. Gentleman learnt his lesson, and the law of unintended consequences that his story illustrates is something we should all bear in mind when we think about how to advise people about energy efficiency in their homes—

Mr. Bermingham: Will my hon. Friend give way?

Angela Eagle: Let me finish my sentence. Then I shall be delighted to give way to my hon. Friend.

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It is important that we bear in mind the proper scale of action and the consequences of the advice that we give to the public.

Mr. Bermingham: My hon. Friend was talking about the hon. Member for Mid–Worcestershire and his penny-wise, pound-foolish approach to insulation—an attitude characteristic of the previous Government. Will she assure me that when she reviews the building regulations she will not be penny wise and pound foolish, but will do it properly?

Angela Eagle: I intended to talk about the contribution to the debate by my hon. Friend the Member for St. Helens, South (Mr. Bermingham). I certainly intend to pass his wise remarks to my colleagues at the Department of the Environment, Transport and the Regions who are directly responsible for the current review of the building regulations. I know already that they share some of his concerns about the cowboy side of the building industry and are anxious to do what they can to ensure that we tackle the causes of poor housing at source, as well as doing what we can to alleviate the problems that we have inherited.

People need to know what they can do to improve energy efficiency. They also need an idea of how much it will cost and how quickly they can recoup that cost through savings on their fuel bills. We must ensure that as many people as possible have that information when they need it, and that they can find it with minimal effort. That is where the Bill comes in.

Many hon. Members have raised concerns about the fuel-poor. Of course, when energy efficiency is improved in such people's homes, with the extra leeway that they gain they will tend to make their homes more comfortable rather than saving energy. Unashamedly, we think that that is a good thing. We are interested not only in saving energy but in improving comfort and, we hope, health and quality of life, especially for those who live in poor housing. The Bill, however, is aimed at home buyers, who can usually afford to keep their homes warm and will therefore reduce energy use following energy efficiency improvements.

The debate has been wide ranging. Discussion of a modest and well-targeted Bill has been used as a vessel into which to pour all kinds of other things, from the building regulations to the efficiency and, in some cases, the honesty, of those who do the surveys, mortgage lenders and a range of other issues.

None the less, we must see the Bill as a small, well-focused part of a range of measures across the board. We must keep things in focus if we are to make those measures effective. The hon. Member for Torridge and West Devon looks as though he wants to intervene. I should be happy to give way to him.

Mr. Burnett *indicated dissent.*

Angela Eagle: He does not want to intervene; he must just have been moving in his seat.

If we concentrate on what the Bill is trying to achieve, we can produce legislation that will improve energy efficiency, for all the reasons that have been given today. It will help us to implement our policies by requiring the provision of information on energy efficiency for mortgage applicants. We support the Bill—but, as always in cases such as this, on condition that amendments are made.

Despite the drafting problems, the principle of the Bill is good. It is a short and sensible measure, which will make a practical contribution. Home buyers will be advised on how to save money by reducing their fuel bills, which will help them to make their mortgage payments. They will be able to make their homes more comfortable. The Bill will help us to protect the environment by implementing our climate change policies. Businesses installing energy-efficiency equipment, including small businesses, will benefit.

Indeed, the benefits of the Bill are such that more than 260 hon. Members from, I believe, every party in the House have supported an early-day motion on the same subject. Members of the SDLP, Ulster Unionists and United Kingdom Unionists are agreed on this, at least—which demonstrates the power of the approach of the hon. Member for Torridge and West Devon.

The organisation that represents those most concerned with the Bill, the Council of Mortgage Lenders, supports the principle, although, like the Government, it has reservations about some of the details. The Royal Institution of Chartered Surveyors has written to me expressing strong support, but it, too, has reservations.

I cannot put an exact figure on the benefits of the Bill, which will depend on the number of people who take advantage of the offer of advice, but, as my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) said, the Energy Saving Trust's energy efficiency advice centres estimate that householders taking advice from the centres make savings of £57 a year following average expenditure of £339. The Bill would offer the same opportunity to about 1 million households each year.

Information required by the Bill would reach house buyers at an appropriate time. When people move house, they will have to make decisions about expenditure, and that is a good time at which to draw their attention to the value of energy efficiency.

With the drafting sorted out, the costs imposed by the Bill will not be onerous, and the competitive mortgage market will keep costs down. In any event, we think that the costs will be outweighed by the benefits. We shall need to ensure that the Bill does not cause any delay to house purchases. It is vital that it is not excessively prescriptive: it must not put at risk our efforts to find ways of improving the efficiency of the home-buying process.

As I have said, there are drafting problems. Apart from the need to clarify details and to look closely at the definitions, we see four main problems. First, we want the Bill to contain a clause making it enforceable. Secondly, the form of energy advice to be offered will be dealt with in statutory guidance from the Secretary of State, and we see no need for the primary legislation to specify in detail what that guidance should include. We want to increase flexibility, and to allow advances in technology to be incorporated without further recourse to primary legislation.

Thirdly, we want the Bill to apply only to single dwellings used for owner-occupation. Fourthly, as drafted the Bill would be difficult to implement in Scotland, as my hon. Friend the Member for Blaydon (Mr. McWilliam) pointed out.

We are concerned that the Bill contains no sanction against mortgage lenders that do not provide a borrower with information about the energy efficiency of a dwelling. We need to discuss with the hon. Member for Torridge and West Devon how that will be dealt with in Committee, as there is little point in passing unenforceable legislation.

As I have said, the Bill itself does not need to specify in detail what should be included in guidance to be issued by the Secretary of State. We should consult on draft guidance, to ensure that the views of all those with an interest are taken into account. We want a system that serves the mortgage applicant well, while minimising work for mortgage lenders and those making inspections—and the cost to the customer. The important thing is that the information covers the key issues: what could I usefully do to improve this property's energy efficiency and what is it likely to cost and save me?

I come to some of the points that were made by the right hon. Member for Penrith and The Border (Mr. Maclean) and the hon. Member for Mid-Worcestershire. We, too, want a simple, unbureaucratic system that provides simple advice on the most cost-effective energy-efficiency measures. People want to know what to do, how much it will cost and what they will save.

Broadly, the Government's intention is that the survey or inspection should identify what energy-saving features are present in the property—for example, tank or roof insulation. The details of the inspection will need to be considered carefully to ensure that the cost is reasonable and that preparing it does not delay the sale.

To ensure that the extra cost to the buyer is kept to a minimum, the Government intend that energy features should be noted by the lender's valuer when he visits the property to make his valuation. There would not be a separate energy inspection. Preliminary contact with the industry suggests that a report along those lines might cost an extra £15 to £40, but, of course, the charge cannot be established until we have settled the exact extent of the survey.

We should like to consult on whether an energy rating should be included in the information that is provided to customers. If so, it could be provided by one of the Government-authorised energy rating companies, five of which are currently in operation. That will help to ensure consistent energy rating. I hope that that will answer the more detailed questions of the right hon. Member for Penrith and The Border.

Mr. David Willetts (Havant): The Minister has been speaking for nearly 40 minutes on a Bill which has had widespread support in the House. Will she say when she expects to be bring her remarks to a conclusion?

Angela Eagle: I am surprised by the hon. Gentleman's remarks as I stood up at 24 minutes past 12, I have taken many interventions, and we have had an interesting debate. However, I am drawing my remarks to an end. I know that another Bill will have its Second Reading debate after this one, but I am surprised by the hon. Gentleman's remarks, as he has not been in the House from the start and has paid no attention to the debate.

Mr. Bermingham: On a point of order, Mr. Deputy Speaker. First, the hon. Member for Havant (Mr. Willetts), the shadow spokesman, is grossly rude. Secondly, he cannot do his arithmetic because 24 off 51, as it was then, is 27, if my arithmetic is right; no doubt he cannot count. Perhaps he would dwell on his intervention and apologise. It has been a good-natured debate.

Mr. Deputy Speaker (Mr. Michael Lord): The hon. Member for Havant (Mr. Willetts) is responsible for his own remarks.

Angela Eagle: I will make progress, despite that discordant note in what has been an interesting and important debate. However, it is important that, when a Bill is going into Committee and the Government consider that some detailed points on drafting need to be dealt with, I give the Government's view. That inevitably takes some time, so I hope that the hon. Member for Havant (Mr. Willetts) will restrain himself and demonstrate a little patience.

Before I was so rudely interrupted, I was about to say that we support home energy rating. The building regulation requirements on energy efficiency are set in terms of minimum standards to be achieved. The rating system might also be a useful part of the information to be provided to home buyers. In drawing up the Secretary of State's guidance on the coverage of energy efficiency information, we would want to discuss that matter and consult on it. However, we would not want to prejudge that option by writing it into the primary legislation.

On a matter of greater detail, I should like the type of dwellings to be covered by the Bill to be specified more clearly. It would be sensible to restrict the Bill to single dwellings, be they flats or houses, being sold with vacant possession for owner-occupation. I would not like registered social landlords to be included within the scope of the Bill. Other levers can be used to improve energy efficiency in the housing association sector, for both new and existing properties.

The Energy Conservation (Housing) Bill promoted by my hon. Friend the Member for Eltham (Mr. Efford), which I hope will receive a Second Reading later this afternoon, specifically addresses energy efficiency in properties owned by registered social landlords.

It would not be practical to apply the provisions of the Bill before us to a landlord's interest in properties that are let. Under existing landlord and tenant legislation, a surveyor instructed by a mortgage lender would almost certainly not have a right of access to tenanted property. Nor would it be sensible for the Bill to apply when the freehold of a leasehold house or block of flats is acquired by the leaseholders or a third party.

A further difficulty relates to the way in which the Bill would operate in Scotland. The Bill's provisions would bear more heavily on Scottish house hunters than those in England, as there is a more sensible system of house purchase north of the border. In Scotland, many prospective house purchasers will bid for several houses before their bid is accepted. Unsuccessful bidders are likely to object to the additional costs of several surveys. We would need to explore the possibility of amending the Bill to make it more appropriate to the Scottish system of house purchase.

The Government are keen to encourage energy efficiency and to draw the attention of home buyers to its value. The Bill would provide an effective tool to help us

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carry forward our policies and implement our climate change programme. We support the Bill, subject to exploring in Committee the points that I have raised. We have genuine concerns about drafting that require full examination and should be considered in Committee. Subject to that, I commend the Bill, and congratulate the hon. Member for Torridge and West Devon on placing it before the House.

12.55 pm

Mr. Burnett: I shall not detain the House long. We have had an informative debate with some excellent and constructive speeches—for which I am grateful—from hon. Members on both sides of the House. One or two hon. Members may have misunderstood one of my remarks about the impact of my Bill. I said that 425,000 mortgages are given every year to buy houses that are not newly built. I believe that the Bill would have a significant impact on the huge stock of older buildings in the country.

I also thank the Association for the Conservation of Energy and the Green Liberal Democrats for their assistance. I am also particularly grateful to the Minister for her comments today and the time she has given in the past month. She has made a number of constructive proposals and the assistance of her officials has also been invaluable.

I hope that the House will forgive me if I do not summarise the compelling points and issues that hon. Members have raised today. It is apparent that there is a real head of steam in this Parliament for measures to protect our environment, for sustainable development and for energy efficiency. They are powerful means by which we can start to curb the pollution that blights our world and ensure that we bequeath to our successors an environment in which they can thrive.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

Employment (Age Discrimination in Advertisements) Bill

Order for Second Reading read.

12.57 pm

Ms Linda Perham (Ilford, North): I beg to move, That the Bill be now read a Second time.

This is Parliament's ninth opportunity in 15 years to put on the statute book legislation that begins to address age discrimination. The most recent attempt was the Bill that my hon. Friend the Member for Walsall, North (Mr. Winnick) introduced almost exactly two years, ago on 9 February 1996—the Employment (Upper Age Limits in Advertisements) Bill. I pay tribute to my hon. Friend's tireless campaign on the issue—he is one of the co-sponsors of my Bill—and to all colleagues and former colleagues who have shown determination and commitment to fighting agism.

I am also extremely grateful to the large number of hon. Members who have pledged their support for the Bill, irrespective of whether they are present in the House today. That reflects the importance of the issue and the fact that it simply will not go away. It is worth noting that this is not a party-political matter. My Bill is sponsored not only by Labour colleagues but by three Conservative Members, one Liberal Democrat Member, one Plaid Cymru Member and one Scottish National party Member. I have the support also of almost 150 hon. Members, from all parties, who signed early-day motion 126 on age discrimination in employment advertising, which was tabled in support of my Bill on 17 June 1997 and has continued to attract signatories.

My Bill is, however, the first attempt to introduce legislation under a Labour Government. Given our commitment to tackling age discrimination, I hope that it will also be successful. I am proud of the declaration in the 1997 Labour party manifesto that states:

"We will seek to end unjustifiable discrimination, wherever it exists."

I welcome the Government's commitment to fairness in employment and to promoting the practical benefits of an age-diverse work force. I particularly welcome the announcement, at the beginning of Age Concern's age discrimination week, by my right hon. Friend the Minister for Employment, Welfare to Work and Disability Rights of a code of practice to promote fair treatment of older workers both in work and trying to get work, which should encompass job advertisements.

Mrs. Cheryl Gillan (Chesham and Amersham): Does the hon. Lady agree—despite the Government's recent announcement, which was so conveniently timed to coincide with the promotion of her Bill—that she is disappointed that the Government have reneged on the clear promise made in the House on 5 February by the Minister of State, Department of Trade and Industry, the hon. Member for Makerfield (Mr. McCartney)?

Ms Perham: I am sure that, in his reply to the debate, my right hon. Friend the Minister will state the Government's position.

As I said, I welcome both the Government's commitment to tackling age discrimination and my right hon. Friend's announcement. I am convinced that the

Labour Government are committed to tackling age discrimination and I look forward to working with colleagues from both sides of the House in tackling an issue that is of great interest not only to hon. Members but to the public.

My right hon. Friend's announcement promised consultation with the Trades Union Congress—which I mention first—the Confederation of British Industry, the Employers Forum on Age and other interest groups. I appeal to him to give a commitment that, after that consultation—and the visits and consultation that he has had with a variety of organisations concerned with age discrimination, which will continue into the spring—he will issue perhaps a Green Paper with proposals on how we can make progress towards ending age discrimination in employment.

Support for my Bill is not confined to the House. I am very grateful for the great work done and long months of help given by Age Concern, particularly by its parliamentary officers Mark McLaren and Nick Stace, who are in the Strangers Gallery. Moreover, organisations as diverse as the Federation of Small Businesses, the Law Society, the Institute of Management, the Employers Forum on Age, the Third Age Challenge trust and the Association of Retired Persons over 50 have added their voices. In the London borough of Redbridge, the Redbridge Pensioners Action Association is a very active organisation.

I should tell the House that 61 per cent. of people in my constituency—including me—are over 40. Although many people who feel discriminated against are in their 40s, 50s or even 30s, my Bill would apply to all ages. It seems that more advertisements place a lower limit than an upper one.

What matters are qualifications and suitability for a job, not an applicant's age. I have received hundreds of letters from the public telling me their personal—and often harrowing—experiences of age discrimination. Can it be right that the United Kingdom Atomic Energy Authority, in Cumbria, can refuse to consider a 32-year-old man for its constabulary by stipulating an upper age limit of 30? In London, a woman of 54 who has a PhD, a diploma in translation and another in computing, is fluent in three languages and has administrative and editorial skills, has been unable to find a full-time post. A man was excluded from a bookkeeper's position because applicants had to be under 30. A former primary school friend recently wrote to tell me that when she approached a local employment agency and mentioned her age she was not even asked to sit down, but told that it would be difficult to help her.

The achievements of older people have been in the news recently, with the reselection of John Glenn for a return to astronaut duties and the birth of a baby to a 60-year-old woman. A cartoon in the 23 January 1998 issue of *Private Eye*, to which I am a subscriber, shows an elderly couple sitting in armchairs by the fire with their slippers on, with the woman saying to the man, "You can't go up into space—I'm pregnant!"

At the other end of the scale, some people are arbitrarily told that they are too young. An advertisement in *Miss London* a few months ago stipulated, "Mature secretary, 30+," but what if someone is 28 or 29? People realise that age discrimination could affect them at some point in their life, which is why in the most recent Gallup poll, carried out for Age Concern last month, three quarters of people backed the need for legislation—and I am one of them. Unjustified discrimination against people on grounds of age is in its way just as dehumanising and offensive as any other form of discrimination.

Mr. Peter Bottomley (Worthing, West): The whole House and people outside will greatly welcome the way in which the hon. Lady is presenting her Bill and the ideas behind it. Does she agree that, if evidence shows that the average mature person stays in a job far longer than the average young person it means, first, that they are capable of doing the job and, secondly, that employers are losing out by arbitrarily excluding them or refusing to consider offering them the post? I say that with particular emphasis, as Worthing, West has the highest proportion of retired people in the country.

Ms Perham: I thank the hon. Gentleman for that intervention. I left my first professional job within two years, whereas older people are far more likely to give longer service—for example, 10 years' service if they are 50 when appointed.

If passed, the Bill will be first piece of legislation to confront the issue of age discrimination. It will provide a positive sign that discrimination is unacceptable and ensure that all employers, large and small, have to address the problem. It will also act as a catalyst to change employers' attitudes. If the Bill is passed, age discrimination will be taken as seriously as other forms of discrimination, including sex, disability and race discrimination. The personal and economic waste that age discrimination perpetuates will begin to be addressed. The value of a mixed-age work force and opportunities for people of all ages will be championed.

My Bill is a modest measure to tackle only one aspect, employment age discrimination. I should like to go further and would have done so if I had thought that a more comprehensive Bill might become law under the private Member's Bill procedure. I want wide-ranging legislation that encompasses all aspects of age discrimination, not only in employment. The Bill must therefore be seen as a first step towards that wider legislation. It will send out the right message from the House that in the first Parliament of the new Labour Government we have not missed an opportunity to tackle this issue head on.

One of the most recent surveys, by Barkers in 1997, showed that one in 10 advertisements in *The Sunday Times* contain references to age. For example, can it be right for a company to ask for sales managers aged 25 to 40 or for buying controllers

"unlikely to be under 30"

and—as reported by Nigel Dempster in the *Daily Mail* of 5 January 1998—for the Balmoral estate to advertise for a foreman gardener who should be between 20 and 35 years old?

An even higher proportion of job advertisements use general language to discriminate. In this Wednesday's edition of *The Independent* an advertisement appeared for young audio secretaries aged 18 to 29 and for vacancies for well-educated college leavers to work with

"young, fun teams of surveyors."

[Ms Perham]

I shall not insult surveyors by commenting on that, although I am married to an engineer—

Mr. Jim Dowd (Lord Commissioner to the Treasury): Hear, hear!

Ms Perham: I know the background of my hon. Friend the Member for Lewisham, West (Mr. Dowd) and I know that he supports engineers.

I was pleased to learn recently that the worst offender, the European Commission, has now agreed to begin to revise its agist recruitment policies. Given that the Amsterdam treaty includes a provision that allows the European Union to tackle age discrimination for the first time, it seems wholly appropriate that we should take the initiative and legislate at the first opportunity to promote the positive value of workers of all ages.

The Bill would make it unlawful to publish an advertisement with an actual or implied age or age range unless it can be justified on grounds irrespective of age. Unlike the Bill of my hon. Friend the Member for Walsall, North, my Bill does not make discrimination a criminal offence; it makes it a civil offence that will be dealt with by an industrial tribunal.

The Bill would apply to any advertisement appearing in Great Britain. If it proceeds to its further stages, I would want to widen its scope to include Northern Ireland.

The Bill provides for exemptions, including the armed forces, but only for jobs that require combat effectiveness, mirroring the Sex Discrimination Act 1975, and where a genuine occupational qualification requires someone of a particular age—for example, what is referred to in the Sex Discrimination Act as "a dramatic performance".

Candidates for dramatic performances in the House have to be over 21, but there is no upper age limit. I was elected in May, just a few weeks before my 50th birthday and the Father of the House, the right hon. Member for Old Bexley and Sidcup (Sir E. Heath), who represents my wonderfully supportive and much-loved parents, George and Edith Conroy, was re-elected at the age of 80. That is one way to get one's parents in *Hansard*—I am sure that they are watching.

Other legislation that prescribes an age limit will take precedence over the Bill. The Bill does not currently include a separately established enforcement agency, partly because it would be largely self-enforcing, but also because I believe that only the Government can introduce the necessary legislation to establish an enforcement agency such as the Equal Opportunities Commission. However, clause 9 allows the Secretary of State to introduce a code of practice containing practical guidance.

I do not believe that the Bill will cost either employers or the Government significant sums to implement. The Equal Opportunities Commission had a budget of less than £6 million in 1996-97 and the Commission for Racial Equality had a budget of £15.5 million. The Government admit that they cannot estimate the cost of enforcing the Race Relations Act 1976 and the Sex Discrimination Act 1975.

The United States, the land of free enterprise, introduced the Age Discrimination in Employment Act a generation ago, in 1967. According to the Employment Service, in "An international overview", published in 1990, it has been proven to work

"causing employers to reconsider job evaluation and descriptions in order to use objective criteria—rather than arbitrary age criteria."

Other countries have followed suit. In 1992, New Zealand introduced similar legislation. Many states in Australia are following the example of South Australia, which introduced legislation in 1990. It has proved to be successful and is therefore attracting considerable support throughout the rest of Australia. There is also legislation in Spain, France, Sweden and Canada, and a wider range of countries have age-related discrimination laws or constitutional protection.

The barriers to legislation in this country are similar to those experienced by hon. Members who have introduced other discrimination legislation. It took many attempts to get on to the statute book legislation that outlaws discrimination based on gender, race or disability, but few people would now dispute its necessity.

In my view, the fact that there may be legal difficulties or other possible complexities is no excuse for not trying to right a wrong. There are armies of legal experts, civil servants and special advisers to help if the will exists.

Banning age limits has been tried, tested and proven to work. In 1996, the journal *People Management* adopted a policy of refusing to accept job advertisements with age limits. The reaction has been very positive. The journal said:

"If anything, the new policy has boosted business. People Management's revenue and market share have both increased substantially during the past 12 months."

However, we cannot expect all employers and advertisers to act voluntarily. My hon. Friend the Member for Walsall, North predicted as much when he said:

"I doubt whether, next year"—

he meant 1997—

"or the year after,"—

1998—

"any hon. Member will be able to say, '*People Management* took the first step in 1996, and look what has happened since.'"—[*Official Report*, 9 February 1996; Vol. 271, c. 560.]

The previous Government's campaign for older workers, although well-meaning, was, unfortunately for the case for persuasion, a rather ineffective way of dealing with the problems. Voluntary action and attitude changing have their part to play, but we need a legislative lever, too. Depressingly, the evaluation of the previous Government's campaign, published last year, showed that

"there was little awareness of the campaign".

A paper called "Age Discrimination in Employment" published in 1997 by Eurolink Age, a European network concerned with older people and issues of aging, said:

"there is no evidence as yet that this campaign has had a significant influence on employers' practice."

Those surveyed appeared to acknowledge that an aging population would affect their business without realising that it also directly impacted on their work force.

I have tried hard, with the help of Age Concern, to do what I can to draft legislation that will have the support of the Government, officials at the Department for Education and Employment and others. The Bill is the third or fourth re-draft, following meetings with my right

hon. Friend the Minister for Employment, Welfare to Work and Disability Rights and departmental officials. If some hon. Members want further changes to the Bill, that is the role of the Committee if the Bill progresses to that stage. I ask hon. Members to work with me and the people who obviously want and need legislation of the type that I propose.

I present the Bill to the House in a spirit of compromise and with a desire to make the Bill work. I want the Bill on the statute book so that we can start to honour our commitments to people who are discriminated against on grounds of age, and so that we can work to destroy the discrimination that devastates the lives of so many people.

Finally, I draw attention to the work of Age Concern in this area and to the way in which it has constantly and consistently campaigned for legislation to tackle age discrimination and to introduce policies that promote the well-being of older people. I pay tribute to its work in promoting the positive contribution that older people make to society and helping us to realise that we must act to tackle age discrimination.

Hon. Members will know that, this week, Age Concern has held an awareness campaign on all aspects of age discrimination—not only in employment, but in health, social security and consumer affairs.

Mr. Nigel Waterson (Eastbourne): Does the hon. Lady recall that, earlier in the week, she and I attended a meeting with Age Concern and the all-party group for older people, in which Lady Greengross was a speaker, as was the hon. Lady? Does she recall the tangible disappointment of Lady Greengross and other people from Age Concern at the Government's change of tack on this issue? Can she confirm that?

Ms Perham: Well, Lady Greengross has made her views clear. This week she has been interviewed perhaps as much as I have, so her opinion has been made known.

More than 100 hon. Members have signed early-day motion 628, tabled by my hon. Friend the Member for Knowsley, South (Mr. O'Hara), which welcomes Age Concern's age discrimination week and calls on the Government to respond with legislation, in the 1998–99 parliamentary Session, to ban age discrimination in the way that existing legislation outlaws race, sex and disability discrimination, tying in with the 1999 United Nations year for older persons.

I hope that the House will show its commitment to ending age discrimination by giving this limited Bill an unopposed Second Reading. Further to the intervention made by the hon. Member for Eastbourne (Mr. Waterson), about 2,000 people have contacted Age Concern with their stories of age discrimination.

My Bill is a modest but significant milestone measure that will begin to act on the iniquity of age discrimination. It is the first step towards addressing wider issues of age discrimination and it will consequently send out important messages to employers—and society in general—about the positive value of workers of all ages. I commend the Bill to the House.

1.19 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I start by thanking you, Mr. Deputy Speaker, for calling me early in the debate and by giving my unreserved apologies to right hon. and hon. Members. I will be unable to stay beyond the delivery of my speech, as I have an urgent engagement at the Henry Allen school in my constituency at 2.30. I hope that the Chair and the House will forgive my impoliteness.

I congratulate the hon. Member for Ilford, North (Ms Perham) not only on presenting the Bill, but on her ingenuity in including her parents in the debate. They will be rightly proud of her, and I am delighted that she found that avenue.

This has an element of deja vu because, on 9 February 1996, I was the Minister when the hon. Member for Walsall, North (Mr. Winnick) presented a similar Bill. On that morning, we had a first-class debate and agreed to differ in the end. It was a good-humoured debate which reflected the great concern in the House for this issue. I am delighted to see the hon. Gentleman in his place, and that the hon. Lady has put the issue at the top of the agenda once again. No matter what our differences are on the route, our aims are the same.

I add my voice to that of the hon. Lady in congratulating Age Concern, which has put agism on the map this week. I am sure that no one in the Chamber has not seen the series of advertisements by Age Concern. I see from the nodding heads and smiles that they have had an impact. They certainly had an impact on my husband, who said that he thought the model looked rather more attractive fully dressed. I hope that we also pay attention to those later on in years who are doing things to prove that older people are not past their sell-by date. The one example that comes to mind is the astronaut John Glenn, who is about to return to his career in space many years after his first famous trip.

It is important that this debate receives wide coverage, as that would help me in my argument that we should use education and persuasion and not legislation. Using legislation, in my view, is using a hammer to crack a nut. While we all agree on the aims, we will differ on the ways in which they can be achieved. My sympathies lie not only with the hon. Members for Ilford, North and for Walsall, North, but with the 150 Labour Members who appended their names to the early-day motion. They fully expected a new Labour Government to honour their pledges.

In 1996, the shadow employment Minister at the time, the hon. Member for Makerfield (Mr. McCartney)—now the Minister of State, Department of Trade and Industry—made an unambiguous pledge. He said:

> "The Labour party's position is quite clear. This Conservative Government may not accept my hon. Friend's Bill, but an incoming Labour Government will introduce comprehensive legislation to make age discrimination in employment illegal."—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

Nothing could be clearer than that quote from the hon. Gentleman, but, nine months after coming to power, the Labour Government have broken their promise. That will be disappointing not just to hon. Members, but to members of Age Concern and the other organisations that have worked so hard on both the Bills that have been presented to the House in the past two years.

Mr. Robin Corbett (Birmingham, Erdington): I am sure that it was a slip of the tongue when the hon. Lady said that the Labour Government had broken their

[Mr. Robin Corbett]

promise. Is it not more accurate to say that the Government have not yet kept their promise? Will she wait, with me, till the next election to see what happens?

Mrs. Gillan: That is a generous interpretation of the Government's actions. The comment made on the Floor of the House was unambiguous. The Minister is not rising to say that legislation is imminent. Indeed, he has let it be known that legislation is not favoured by his Department at this time.

It is disappointing that hon. Members and the wider audience outside the House have been duped. The right hon. Member for Camberwell and Peckham (Ms Harman) also supported legislation at the time. What have the Government done so far? Precious little. They have abandoned the older workers advisory group, which regularly advised me when I was a Minister responsible for such matters. Sally Greengross, who was mentioned earlier, was a member of that group. I believe that she has had the privilege of meeting the Minister on this subject only once since his appointment. He has abandoned a group on whose advice he could have drawn.

The Government have announced that a code of practice will be developed, but that is not substantially different from my own campaign, which was built on the excellent work of my predecessor, my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe).

Despite the criticism of the hon. Member for Ilford, North, our campaign, with the limited funds that we had to spend on it, caused people to think about age discrimination. We had a series of roadshows. Such importance did I attach to the matter that I went out to launch those roadshows throughout the country.

We had widely circulated booklets, "Too old—who says?", which contained advice to older workers, "Getting on", which was advice to employers, and "Age Works", which was targeted at recruitment agencies. While we were researching advertisements and the age limits found in them, we discovered that out of, say, 22 newspaper advertisements that carried an age limit, 17 would have been placed by recruitment agencies. It was obvious that we had to get to the middlemen to stop such discrimination.

We had seminars with the Carnegie third age programme, the Industrial Society and the Policy Studies Institute. We even produced a video. The expenditure was real and the intentions were good. We have not seen such expenditure or activity from the Minister, who is in his place and is listening.

It might be apposite for me to put on record my thanks to all the officials and organisations that assisted me in my time as Minister and helped to make the campaign a success and to move the matter forward.

I am totally opposed to age discrimination. It is particularly shortsighted if employers practise it. The benefits to business of employing older people are undeniable—better service, lower staff turnover, experienced personnel and increased customer satisfaction. Some organisations, such as B and Q, make a virtue of employing older workers.

There is a phenomenon known as corporate memory loss. If a business does not retain its older workers, it may lose the experience and knowledge of the business that they have accumulated over many years. In Japan, the culture is quite the reverse. Hon. Members may know that when one does business in Japan, there will be a senior, much older man sitting in the meeting room. He will often close his eyes and appear not to be listening—indeed, he is called the sleeper. He is the senior man in the organisation, who has many years of experience. Whether a company gets the contract depends on his assessment of its representatives at the meeting. Many organisations waste their older workers, and I am glad that corporate memory loss is at last on the agenda.

At a time when businesses face increasing Government burdens in the form of taxes, regulation and the social chapter, I believe that the Bill will add yet another layer of bureaucracy. There is little international evidence that such legislation makes a real difference. There has been legislation covering this area in France since 1986, under the code de travail. However, in 1994, when we examined advertisements in *Le Monde*, 30 per cent. of them stated maximum age preferences—people were openly flouting the law.

The Minister, who does not want legislation, cannot be convinced that much action is necessary in this area. In the footnotes to his press release on the code of practice, he says that employment between the ages of 50 and retirement has risen by 1.9 per cent., versus 1.6 per cent. for the working age population in the past year. At least the Minister acknowledges that there has been some improvement in the position of the over-50s, but I am afraid that he adds weight to the argument that the hon. Lady's Bill should go no further.

I remain thoroughly opposed to age discrimination, but I will not support the legislation if it goes to Committee. However, I would like the Bill to go to Committee. A problem that affects many people throughout the country has been highlighted in the past fortnight. I wish to see that problem eradicated. I hope that hon. Members will not talk out the Bill: I hope that the Government Whips will not play any tricks on the House today. I hope that the Bill will go to Committee because the hon. Member for Ilford, North is providing a great service to many people in this country, and I support her.

Self-regulation must be given a chance, but I again draw the attention of the House to the fact that, although the Labour Government made a clear promise in this area, they have chosen to break it.

1.31 pm

Mr. David Winnick (Walsall, North): I congratulate my hon. Friend the Member for Ilford, North (Ms Perham) on introducing the Bill and on the manner in which she did so. She deserves many congratulations, and I hope that the measure will make progress.

I was rather surprised to hear the hon. Member for Chesham and Amersham (Mrs. Gillan) say that she hopes that the Bill will go to Committee. When I presented my measure—which was almost the same as my hon. Friend's Bill—two years ago almost to the day, that was not the attitude displayed by the then Government. They did not wish my very modest measure to go to Committee.

Mr. Clive Efford (Eltham): Corporate memory loss.

Mr. Winnick: Indeed. The mood was one of hostility, although it was an enjoyable debate. The hon. Lady said

then that she opposed discrimination, but—as she said again today—she was certainly very much against legislation.

Mrs. Gillan: The difference between the hon. Gentleman's 1996 measure and this legislation is that this is a changed Bill. As the then Minister, I could not accept his proposals. I still do not accept this Bill, but I would like it to be discussed further.

Mr. Winnick: The House may make up its own mind on that intervention; the hon. Lady's remarks, now and then, are on the record.

Although there has been an increase in the amount of media coverage afforded to the subject in the past two years, there has been no change as far as dealing with discrimination on the ground of age. The hon. Lady—who is now leaving the Chamber; she explained why she had to go—was right to say that there is a greater awareness of age discrimination. The advertisement that has been referred to served a useful purpose by bringing the issue to the attention of those who perhaps would not bother to read a news story or a press release.

As for the present Government's attitude, a promise was given, but it was to bring in comprehensive legislation. I hope that the Government will support the Bill, but if they do not, so be it, although that would be unfortunate and I would share the disappointment felt by a number of my hon. Friends. I know that there has been a great deal of pressure exerted by employers not to bring in such legislation, and perhaps that pressure is all the greater because of other measures that we are introducing about which employers might not be keen, for example, on a national minimum wage, and trade union recognition as well I hope. I understand the pressure that is being exerted on the Government about the Bill.

Let us be clear that many people experience discrimination on the ground of age alone. I deplore all forms of discrimination, and I know that young people are often discriminated against. However, I know from what I have been told and from what has been said by hon. Members and others outside the House about the acute difficulties of those who could be described as middle aged. When they lose their job, they find it difficult to get another, certainly in the non-manual sector, simply because they are in their 40s. Indeed, age discrimination can begin when people are in their 30s. Some employers state in their advertisements that the upper age limit for applicants is 35. Those who reach their 40s, let alone their 50s, find that, time and again, even though they have the qualifications and are capable of doing the new job, the door is closed for no other reason than that they have reached the advanced age of, for example, 45.

I remember the maiden speech of one of my hon. Friends who entered the House in 1992, and who said that he had just turned 45. He was starting on a new career and has done well since then, but, as he pointed out then, he would not have stood a chance of obtaining so many other jobs simply because he had reached his mid-40s. That must be wrong and cannot be defended. If it is not possible by voluntary means, persuasion or education to overcome the problem, legislation is needed.

Yvette Cooper (Pontefract and Castleford): Does my hon. Friend agree that tackling age discrimination is a critical part of the fight against long-term unemployment because people who lose their jobs, particularly the over-50s, are more likely to become long-term unemployed and to stay on the dole year after year?

Mr. Winnick: My hon. Friend has made a valid point that ties in with my remarks about people's difficulty in getting a job because of their middle age.

Two years ago, I made much about linking age discrimination with that on the grounds of race and gender. We are not responsible for the colour of our skin, or whether we happen to be born male or female; neither are we responsible for when we were born. Discrimination on the grounds of race, gender or age must be unacceptable.

As I said two years ago, much of the argument against legislating against age discrimination, as outlined by the hon. Member for Chesham and Amersham and the Conservative party, is the same as that used over 30 years ago against any legislative attempt to deal with race discrimination. Then, Conservative Members, many of whom were by no means racist, although I accept that some were, repeatedly said that we could not change human nature by law. They said that it was a matter of trying to educate and pressurise people to make them understand that it was wrong to discriminate on the ground of race.

Thirty years on, and despite all the difficulties still connected with racial discrimination, would anyone suggest that the progress we have made on race relations, and its subsequent impact on jobs and housing provision, would have been made without legislation?

Thirty years ago, it was argued that it was the customer rather than the employer who might be prejudiced. It would be unthinkable that anyone could now queue up at a bank, building society or wherever and then say, "No, I cannot be served by that person. She is of Asian origin. She is black." It would be unthinkable for an employer to try to discriminate in such a blatant way. Indeed, it would be against the law, apart from anything else.I accept and concede the point that to be discriminated against because of one's colour might be much worse than being discriminated against because of age, but to be penalised for no other reason than when one was born is, in my view, absolutely wrong.

One of the ironies is that many companies that discriminate on the ground of age have in their most senior positions people in their 40s, 50s—even 60s. No one is suggesting for one moment, including those companies, that the people who do the most senior, executive jobs cannot do them because they have reached what could be described as a rather advanced or late middle age.

I hope that the Bill will make progress, but what is required is comprehensive legislation to deal with age discrimination. My remarks today demonstrate that I have increasingly come to that view. If I am asked why I tried two years ago to introduce a more modest, limited measure, I say that it was because I knew that if I had tried to introduce more comprehensive legislation, there would have been no chance of the then Conservative Government supporting it. Indeed, they decided not to support my more modest measure. My hon. Friend the Member for Makerfield (Mr. McCartney) said what he said at the time, but he also made the point that the Labour

[Mr. Winnick]

party is committed to comprehensive legislation, and, moreover, that an incoming Labour Government would consult on such legislation. As my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) pointed out, we have been in office a relatively short time—under a year—and there is time to consult.

If the problem will go away without legislation, those of us who are pressing for a change to the law will have to accept that there is no need for legislation, but I believe that it will not go away any more than the problem of race or gender discrimination. What has happened in the past two years demonstrates that little progress, if any, has been made in combating age discrimination, although there is a greater awareness of the issue. To my right hon. Friend the Minister for Employment, Welfare to Work and Disability Rights I say that if the problem does not go away, I hope that the Government will act, as it was a Labour Government who acted on race discrimination 30 years ago.

If the Government decide on a voluntary code of practice and decide that it simply does not work—that people continue to be penalised because of their age—I hope that they will conclude that comprehensive legislation is required. We must make progress on this issue. My hon. Friend the Member for Ilford, North has done a public service. Indeed, to a large extent she has carried out what the Labour party conference decided in combating age discrimination. If we reject the Conservative notion that legislation is never desirable in such a field, and the Government conclude that the problem will not go away unless legislation is introduced, I hope that Ministers will have the courage to do precisely that.

1.43 pm

Mr. Don Foster (Bath): I am delighted to follow the hon. Member for Walsall, North (Mr. Winnick), who has done so much to promote this issue.

I congratulate the hon. Member for Ilford, North (Ms Perham) not only on her success in the ballot and on choosing the Bill, but on the thoughtful, measured and well-informed way in which she opened the debate. I join her in congratulating Age Concern on its work in this area, and the campaign that it has been running for such a long time. I hope that, through the success of her Bill, something that Age Concern has campaigned for will become a reality.

Perhaps I should begin by declaring a sort of interest. Although I have a fair degree of confidence in the good sense and judgment of the voters of Bath at the next general election, one should not be over-confident. I may have to look for a job at that time and, if so, I hope that this Bill will have gone through. In the past 24 hours, I have looked at job advertisements in two local newspapers, *The Bath Chronicle* and the *Western Daily Press*, and I am currently debarred from many of the jobs advertised.

For instance, I have some of the skills required if I want to be a sales executive. I have no experience of that, but the advertisement says that no previous sales experience is required, and I have well-developed communication skills and a high degree of self-motivation. Sadly, however, I am debarred from that job because the applicant must be between the ages of 25 and 35. A fascinating advertisement said that if I answered five questions correctly, I could excitingly ring Rachel on 011790 77733. I could answer four of the questions: could I drive; was I enthusiastic; was I seeking a career—I may be seeking one in the future—and was my appearance smart. Others must judge the answer to the last of those four questions. However, if I was to ring Rachel, I had to be between the ages of 18 and 45.

I might have wanted to be a training instructor, advising people how to use soft ice cream and thick milk shake equipment, but I note that I could not do that because only people aged 22 to 35 were sought, despite the fact that training would be provided. I got quite excited when I saw an advertisement with no age bar. It said that the company wanted an excellent communicator, a persuasive individual, able to strike up excellent relationships with customers. However, the advertisement went on:

> "For talented people, this is an excellent opportunity to join a young and dynamic environment which offers excellent career scope for up and coming individuals."

It was an excellent way not to mention an age range, but, nevertheless, make it clear what was required.

Mr. Denis MacShane (Rotherham): It sounds like the Labour party.

Mr. Foster: I shall not comment on new Labour.

One job that I was surprised to see advertised, given that a certain television programme is enjoying popularity, was headed, "Do you have an inquisitive nature?" It said, if so:

> "Busy Bristol-based Private Investigation Company is looking for out-going and confident agents . . . aged 20 to 30."

Clearly, that company has never hear of Hetty Wainthropp.

The Liberal Democrats fully support the Bill. I accept that the measure is limited and, like the hon. Member for Ilford, North, we should like to go much further and persuade the Government to update the Fair Employment (Northern Ireland) Act 1976, which was last updated in 1989. We want additional comprehensive legislation, outlawing discrimination of all kinds, including religion, sexual orientation and age, to complement the existing legislation covering gender, faith, race and trade union membership.

No one should be denied access to employment for any reason that is unrelated to his or her ability to carry out a job, and no one should be hindered in the workplace because of matters irrelevant to his or her suitability for a job. The legislation that we should like would include outlawing age discrimination in advertisements for job vacancies, and this Bill is an important first step. That is why I am delighted to be one of its sponsors.

Unfortunately, discrimination in employment is still widespread, but tackling advertisements as proposed will at least begin to help to overcome that. Reference has already been made to last year's Age Concern survey, which found that one in 10 jobs advertised in *The Sunday Times* and 11 per cent. of the jobs advertised in *The Daily Telegraph* carried numerical age limits. The important thing to bear in mind is that a much higher proportion of those advertisements used language that effectively discriminated against particular age groups. Such discrimination is widespread, and I believe that it is

detrimental not only to the individuals concerned but to the economy as a whole. Many skilled and experienced people are being denied access to jobs.

The hon. Member for Chesham and Amersham (Mrs. Gillan) talked about "corporate memory loss". She was right. Too many skills are going untapped. Although we all seem to have accepted the idea that the computer industry is intended only for young people, many firms are now having to go out and recruit the computer programmers of the 1960s, because they are the only people with the relevant knowledge and skills to deal with the problems caused by the millennium bug.

That is a good example of the way in which we should invest in such people and encourage them back into the workplace, helping them with retraining where necessary. We should ensure that there is protection against discrimination through the type of legislation before us.

We have tended to concentrate on the problems faced by older people, but it is always worth remembering that age discrimination applies equally to younger people. The Age Concern survey found that 18 million adults had found some form of age discrimination in employment, and the authors point out that more than half of those were under the age of 45.

We know how important the issue is. Some people will suggest that the problem could be resolved by the introduction of a voluntary code of practice. Clearly, that would be better than nothing, but I believe that all the arguments are in favour of specific legislation.

We need to persuade people of the real advantages of not discriminating against older people. We need to get them to realise the benefits that companies such as B and Q have gained by employing people with better interpersonal skills, the ability provide higher quality customer service and a wide range of skills.

Of course, a voluntary code of practice would help, but, as the hon. Member for Walsall, North rightly suggested, voluntary codes of practice in respect of gender and of race did not work. We had to introduce specific legislation to get rid of discrimination on those grounds. The same is true of discrimination on the ground of age, so I hope that all right hon. and hon. Members will ensure that the Bill gets a Second Reading, goes into Committee and becomes law in due course.

1.52 pm

Miss Melanie Johnson (Welwyn Hatfield): I shall endeavour to be brief, because I understand that many of my hon. Friends want to contribute to the debate. The hon. Member for Chesham and Amersham (Mrs. Gillan) has now left the Chamber, but I shall still say that listening to her speech I found it difficult to understand why, after all that she had done, we had not seen a more marked improvement in the situation. She is unduly critical of what is being done.

However, I was interested to hear about the danger of corporate memory loss. That is not something from which we in Parliament suffer. On occasions, it has even been possible for me to contemplate the idea that we may occasionally have a surfeit of corporate memory in this place.

By the turn of the century, four out of 10 people will be over 45—a significant proportion of the population. More than 39 per cent. of those currently over 40 believe that they have experienced age discrimination in some way or another. Labour Research did a survey of job advertisements in 1995; at that time, 46 per cent. of them expressed an age preference. Where a preference was expressed for a particular age, 87 per cent. excluded the over-40s—research that is in line with what the hon. Member for Bath (Mr. Foster) found. That striking picture can be seen in a number of contexts.

Over the past 20 years, the number of men aged between 55 and 64 who are not working has risen from 14 to 37 per cent. Many employers clearly see 50 as a watershed. Labour Members are great supporters of youth, youth culture and modernity, but I think it is taking that too far to see 50 as a cut-off point.

What would we be like without the older people in our lives? I think that we have to include almost all those present in that category. A few of my hon. Friends could possibly dissociate themselves from my remarks, but, sadly, the vast majority of us cannot. Few of us would be in the House if the over-50s, let alone the over-40s, were excluded.

Bernard Baruch, the American financier, said in 1955:

"Old age is always 15 years older than I am."

I must agree with that sentiment. I felt the same even when I was 25.

Dorothy Fuldheim, an American writer, said:

"Youth is a disease from which we all recover."

Nearly all of us here have recovered. In previous years, we have not always set the example for the country that we should have set, but, in this respect, I think that we do set an example. There is now a wide age range in the House. Members come here because—hopefully—they are respected and merit public support, not because they are young, or indeed because they are not young. Where would we be if we did not have the likes of my right hon. Friends the Members for Hull, East (Mr. Prescott), for Sheffield, Brightside (Mr. Blunkett), for Holborn and St. Pancras (Mr. Dobson) and for Derby, South (Mrs. Beckett), to name but a few?

Mr. Nigel Waterson (Eastbourne): Is that irony?

Miss Johnson: No, it certainly is not. It is genuinely felt, and I am sure that there are Conservative Members of whom the hon. Gentleman would say the same.

Madam Speaker is another example. She performs her role with great energy, and she has clearly passed 40—I shall put it that way.

What can people in their middle and older years contribute? I believe that merit is the proper criterion for employment, as it is in many other contexts. Age brings experience, wisdom, maturity and sense. Older people may be wittier, just as energetic as younger people, and very good to work with. A group of former colleagues visited me yesterday, all of whom had certainly turned 40 and all of whom are still energetically inspecting schools on behalf of the Office of Standards in Education. I am very well served in my office, where three people have turned 40. Although I have turned 40 myself, I still hope to acquire the additional qualities that age brings, such as experience and maturity. I am working towards that.

The country cannot afford, in any sense—economically, or in terms of the general well-being of individuals—to neglect and discard those who reach riper

[Miss Johnson]

years. They not only have the benefits of experience, but are likely to have fewer family responsibilities, and to be more flexible and reliable. We need more of them, not fewer.

T. S. Eliot said in an interview in 1950:

"The years between 50 and 70 are the hardest. You are always being asked to do things and yet you are not decrepit enough to turn them down."

Let us apply that to employment—as, indeed, it should be applied to other areas of life.

1.58 pm

Mr. Nigel Waterson (Eastbourne): In the short time available, I am delighted to have an opportunity to contribute to the debate. I add my congratulations to the hon. Member for Ilford, North (Ms Perham) on her presentation of the Bill, which she did extremely well. It is nerve-racking for any of us to do such a thing. I apologise to the Front-Bench spokesmen if I cannot stay to the end of the winding-up speeches. I am sure that they will understand.

Mark Twain said that, when he was 16, he thought his father was really stupid, but that, by the time he was 21, he was amazed by how much the old man had learned. Age and youth are relative things. I am honoured to be a co-chairman of the all-party group for older people and am delighted to see my colleague, the hon. Member for Knowsley, South (Mr. O'Hara), in the Chamber. I never quite knew whether I qualified. It used to be the all-party pensioners group; we changed the name recently. The qualification age seems to have gone down further and further; these days, it is between 45 and 50. I am 47, so perhaps I need to declare an interest in this debate; some mornings I feel that I qualify more than others.

I know from first hand the contribution that older people make to our community—and would make, if they were only permitted. In my constituency of Eastbourne, 40 per cent. of my voters are over retirement age. The majority of my constituents are over 45 or 50. That is the sort of age where discrimination seems to bite.

It is extraordinary to see the experience and wisdom that those constituents have accumulated. Many of them put it to good use in the voluntary sector, working for charities and other organisations. That is all splendid, but I am sure that many of them would have liked to continue working either up to or beyond the normal retirement age, simply because they did not particularly feel like retiring and believed that they had something to offer. They were not ready for the scrap heap. That is what the Bill is about.

As we have heard, the Age Concern survey found that 18.5 million adults believed that they had encountered some form of age discrimination. The problem is found in a variety of sectors, not just employment. We are told that 40 per cent. of post-heart attack rehabilitation programmes impose an arbitrary upper age limit on who can join, which is remarkable in itself. The benefit system is also relevant. One's date of birth can make a big difference to one's entitlement. Bills such as this need to be discussed in the financial services sector. People pay more if they are older. They miss out on some entitlements. Even hiring a car or renewing insurance can cost people more if they are older.

This is a timely debate, if for no other reason than that it represents yet another broken election pledge by the Labour Government. The past few months have been littered with broken pledges. We have heard the quote before, but it bears repetition. The Minister of State, Department of Trade and Industry, the hon. Member for Makerfield (Mr. McCartney), said:

"an incoming Labour Government will introduce comprehensive legislation to make age discrimination in employment illegal."—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

Older people in my constituency will be as dismayed as I am that the Government have broken yet another pledge by reneging on their commitment to legislate against discrimination at work. They have announced a voluntary code of conduct for employers, rather than a change in the law.

As we have heard, Age Concern is equally dismayed, particularly as this coincides with age discrimination week. A spokesman said that Age Concern was

"very very disappointed the Government was not fulfilling the commitment made clearly in Parliament before the election."

At a meeting earlier this week with Lady Greengross of Age Concern, it was clear that Age Concern, representing millions of older people, felt that it had been severely let down by this Government.

Mr. Marsha Singh (Bradford, West): Will the hon. Gentleman give way?

Mr. Waterson: No, I will not. I do not have time.

I appreciate the efforts of the hon. Member for Ilford, North in introducing the Bill. She must have had a massive postbag and I commend her for her efforts. Many technical matters of definition need to be addressed in the Bill and that is why we have a Committee stage, but, for the moment, the Bill deserves a fair wind and a Second Reading.

2.3 pm

Ms Claire Ward (Watford): I, too, support the aims of the Bill, but, as currently drafted, it does not deal with some of the problems of age discrimination. Discrimination of any sort is, of course, unacceptable and we have had legislation for many years that prohibits discrimination on the grounds of sex, race and, lately, disability, but attitudes take much longer to change. Even if the House were to enact the Bill today, it would not, unfortunately, ensure that age discrimination did not continue in workplaces, health services and the leisure and other industries.

Mr. Singh: Will my hon. Friend give way?

Ms Ward: No.

If we enact comprehensive legislation at some time in future—we should not rule that out—it will still take a long time to change people's perception and to educate them so that they see other people's merits and what they can bring to employment rather than simply their age.

As a young hon. Member, I can speak with some authority about age discrimination against younger people. During my selection as a candidate for the recent general election, comments were occasionally made about my age. I have always believed that it is not a matter of

how old or young someone is, but whether they are capable of doing the job. Although in the House I feel young, when I watch my local football team in Watford I am conscious that the players are considerably younger than me.

I watched my father suffer age discrimination when he lost his job in his mid-50s. Despite looking much younger than his years—perhaps the House will allow me to be biased about that—he often faced discrimination when filling in forms that required him to state his age and details of his early education. When he finally gained employment, he suffered the comments of younger managers such as, "You are old enough to be my father" and "I am surprised that someone of your age is still working."

We all recognise that changes are required. Recently, one of my constituents, a capable and young-looking woman of 69, applied for a job in a well-known and highly respected high street store during the Christmas period. She requested an application form, completed it and handed it in with the passport photographs that were required. As she had previous retail experience, she was an ideal candidate. She was invited for an interview. When she got there the personnel department was quite impressed, but, being an honest woman, she felt that she should say that she was 69. She was promptly informed that company policy would not permit the store to employ her as she was over retirement age. Disappointed, she returned home determined to approach other employers who did not discriminate in that way. To make matters worse, over the next few days she was telephoned by the personnel department of the store and asked whether she was interested in work. Clearly, the staff had looked at her form and seen how much experience she had. When she advised them once again that she was 69, they apologised and said that they could not employ her. Since then, the company has apologised and provided a generous token, but it has not changed its policy.

Hon. Members will have encountered countless examples of discrimination in local advertisements, papers and among their constituents. Many people are extremely good at their job and at local community work irrespective of their age. If we are to attempt to remove age discrimination, it is important to debate the matter and I am pleased that my hon. Friend the Member for Ilford, North (Ms Perham) has provided us with an opportunity to do so. However, it is a long-term objective and we must work harder to ensure that discrimination is removed and that company policy—as well as that of local authorities and the Government—is changed so that we can change people's attitudes.

2.8 pm

Mr. David Willetts (Havant): We have just heard a fine and interesting speech from the hon. Member for Watford (Ms Ward), who I see from "The Times Guide to the House of Commons" was born in 1972 and began work as a part-time secretary in 1985—at the age of 13. I am pleased that there was no age discrimination there.

I congratulate the hon. Member for Ilford, North (Ms Perham) on introducing the Bill. It is a measure with a long history. We heard from the hon. Member for Walsall, North (Mr. Winnick), who has been pursuing his campaign for a long time with great vigour and persistence.

I want not only to congratulate the hon. Member for Ilford, North; I should like also to commiserate with her. I suspect that, when choosing to promote this Bill, she may have thought—having come so high in the ballot for private Members' Bills—that she would be in a position to start implementing the Labour manifesto pledge that, in work, older people

"should not be discriminated against because of their age."

However, rather than finding herself happily implementing a measure to pursue a manifesto commitment, she has the sad experience of her Bill being strangled at birth by being talked out in today's debate. She has gone from being a loyalist to being a rebel without her views on the subject of age discrimination changing one jot. I suppose that that is a feature of the vagaries of politics.

It is right to debate this subject this week because it is age discrimination week. Age discrimination is wrong in principle—that point has been made by hon. Members on both sides of the House—and economically wasteful. I had the honour of participating in some of the work done in the Carnegie study of the third age, which very clearly established that employers are missing out because of their entirely irrational prejudice against older workers.

There have been some very encouraging experiments by organisations such as B and Q, which has actively gone out and recruited older workers. Whether such a policy would be possible under the Bill is an interesting point. Regardless, having actively recruited older workers, B and Q reports less absenteeism and sickness and higher rates of consumer satisfaction with the service that they receive in B and Q shops.

The Opposition's position on the Bill is that there are arguments in favour of it, but that there are also substantial arguments against it. There are concerns in the business community about the burden that businesses would face if such regulations were imposed. We believe that it would be right for the Bill to proceed to Committee, having secured a Second Reading, so that those arguments can be thrashed out—particularly in the light of the comment made earlier in the debate by the hon. Member for Ilford, North, who went out of her way to say that she would be "flexible" in Committee and consider any practical amendments to the Bill.

Having stated the Opposition's position on the Bill, I look forward to hearing the Minister tell us the Government's view. This has been a rather erratic week for Government policy on older workers. First, we had a press notice from the Minister's Department that went on about a voluntary code of practice. That is fine—we have no problems with it—but it did not begin to clarify the Minister's view on legislation. Next, there were some quotations in the press that implied that the Minister had concluded against legislation. He apparently went beyond that press statement in his remarks to the press and talked about

"Trying to define some of these things in law could be setting up a minefield of complexity, with whole rafts of people going to industrial tribunals",

which sounded like a Minister preparing for a climbdown.

Subsequently, we were told that perhaps some legislation would be possible—which I believe the Minister said to the nation through the medium of the Jimmy Young show. It would be very helpful to know whether the Minister believes that there should be legislation to deal with the issue. I look forward to hearing from him on that.

[Mr. David Willetts]

Today, another ingenious defensive argument has been mounted—we heard it in the intervention of the hon. Member for Birmingham, Erdington (Mr. Corbett), who is no longer in the Chamber—which is that the Government's commitment was to legislate comprehensively, so it would not be possible for the Government to legislate in a small but practical manner to deal with part of the problem. It is the argument that one cannot do a little but can perhaps do a lot.

The claim that it is impossible to implement the measures in this private Member's Bill because there may be subsequent and much more ambitious legislation is stretching credibility an awful long way, especially as the Minister of State, Department of Trade and Industry, the hon. Member for Makerfield (Mr. McCartney)—who was then the Opposition Front-Bench spokesman—said in a press release issued on 8 February 1996 that

"Outlawing age discrimination in job adverts is a worthy beginning."

He believed that it would be a prelude to more ambitious legislation, so I cannot understand why the small measure before the House today has to be impeded because of the possibility of some more ambitious legislation later. I suspect that the Government have lost all interest in age discrimination. I suspect that they do not intend to legislate.

I suggest that we have clear evidence of the Government's real views on older workers in the pattern of expenditure in the welfare-to-work programme. We heard an extraordinary intervention from the hon. Member for Pontefract and Castleford (Yvette Cooper), who said that employing older people would be an important part of the Government's welfare-to-work policies; but we know that, of the £3.5 billion that is to be spent on welfare-to-work measures, £3.15 billion—90 per cent.—will go on young people aged 18 to 24 and only £350 million will go on the long-term unemployed. Despite some rather vague promises from the Chancellor when he launched the pilot projects for welfare to work, a parliamentary answer to a question that I subsequently tabled clearly establishes that the Government have no intention whatsoever of offering older workers the four options available to 18 to 24-year-olds, unless they have been unemployed for two years—four times longer than it is necessary for 18 to 24-year-olds to have been unemployed.

We know that young people are the more mobile section of the work force and are able to get back into work more rapidly than older workers. They already have an 80 per cent. chance of getting off benefit within a year of being unemployed for six months. It seems extraordinary that the Government should display such bias against older people in the one practical intervention in the labour market—the welfare-to-work programme—that they have made since coming to office.

I shall conclude by quoting, yet again, the words spoken in 1996 by the Minister of State, Department of Trade and Industry, the hon. Member for Makerfield, who was then the shadow spokesman on this subject. He said: "an incoming Labour Government will introduce comprehensive legislation to make age discrimination in employment illegal."—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

If statements of policy made to the House from the Front Bench are to count for anything, the Government should be supporting the Bill this afternoon.

2.16 pm

The Minister for Employment, Welfare to Work and Disability Rights (Mr. Andrew Smith): I join other hon. Members in congratulating my hon. Friend the Member for Ilford, North (Ms Perham) on her campaign on this important issue. I am grateful to her for the way in which she stated her case to the House. I listened with great interest to what she and what other hon. Members said.

Let me make it absolutely clear that I agree that unjustified age discrimination is unfair and a terrible waste of human potential. My hon. Friend's Bill and age discrimination week have achieved much in focusing greater public attention on these matters and on the need to counter age discrimination in employment. I share my hon. Friend's concern about the need to ensure that everybody has the chance to participate in the labour market. A modern economy needs a work force with the right skills and attitudes, and selection on the basis of age will often rule out the best candidate for the job. Such age discrimination is wrong, it makes no economic sense and it is unfair to the individuals affected. I share my hon. Friend's determination to tackle the sense of injustice felt in respect of age discrimination, especially as it affects older workers.

It is a bit rich for the hon. Members for Eastbourne (Mr. Waterson) and for Chesham and Amersham (Mrs. Gillan) to criticise us for failing to legislate in nine months, when the Conservative Government they supported did not legislate in 18 years. Let me make clear the Government's position. I hope that my hon. Friend will understand that, although we recognise the importance of the issue and are determined to tackle age discrimination, we do not support the Bill as an effective or appropriate way of doing so.

Our reasons for taking that view are first—as I know my hon. Friend recognised because she referred to it in her speech—that the Bill does not itself tackle age discrimination; secondly, it raises expectations of equal treatment that it does not fulfil—under the Bill, employers would still be free to discriminate during selection on the grounds of age, even if the age limit were not stated explicitly in the advertisement; thirdly, the Bill does not make allowance for positive action for particular age groups, not least for older people themselves. The new deal would therefore be caught by the Bill. It would expose to legal challenge advertisement of the new deal, not only for the 18 to 24-year-olds, but for the over-25s.

In summary, the Bill, although intended sincerely to take a first step in getting to grips with a pressing issue, would not achieve its purpose and, I fear, would not provide the practical benefits for older workers that my hon. Friend, I and many hon. Members on both sides of the House desire. Although the Government do not feel able to support the Bill, I would like to underline our belief, as stated in our manifesto, that older workers should not be discriminated against because of their age.

Mr. John McDonnell (Hayes and Harlington): If the Government do not see fit to support the Bill, which is not meant to outlaw overall age discrimination, but to be a first step along the path, will my right hon. Friend give a commitment to the House today that we will see legislation in the life of this Parliament to outlaw age discrimination? I am not talking about codes of practice,

which have proved ineffective in all other spheres of discrimination and would eventually result in the need for legislation, but a commitment to legislation to tackle discrimination on the grounds of age.

Mr. Smith: I am not making that commitment today, for the very reason that the Government, as my hon. Friend the Member for Walsall, North (Mr. Winnick) acknowledged, said that they would consult, and that consultation is under way. I intend it to continue into the spring. I have met a range of groups and made a number of visits, and we are examining the issues closely.

I do not wish to pre-empt the outcome of the consultation, but I am persuaded that there is a case for drawing up a code of practice on age discrimination in employment. I believe that such a code could do much to address the practical issues that older workers and businesses face. More work clearly needs to be done to confirm the benefits of a code and what it should include, but I expect it to include guidance on recruitment practices and examples of where businesses have benefited from a progressive approach to recruitment and retention.

From comments that I have received so far, I believe that such a code would carry us forward in countering unjustified age discrimination. I think that it would be welcomed by employers, trade unions and employees alike. To be effective, the code would require all sides of industry to support it. In drawing it up, we shall, of course, consult leading organisations as well as the general public.

I take the important point made by my hon. Friend the Member for Walsall, North. If we implement a code of practice, the monitoring of outcomes will be crucial. I want to ensure that close scrutiny of what happens, with the introduction and operation of a code, is given a high priority.

I believe that a partnership approach is vital if we are successfully to tackle age discrimination in employment. We must challenge attitudes and change behaviour; in some cases, we must change beliefs, as well as taking a more mechanistic approach. We have an opportunity, with a Government who genuinely believe in tackling discrimination, to get people working together—employers, big and small, professional organisations, trade unions and the lobby—to achieve a code that will be of benefit to all.

I hope and feel sure that my hon. Friend the Member for Ilford, North will want to be actively involved in helping to draw up the code. Her campaign for her Bill will deserve to be remembered as a key catalyst for the action that we take. It has also prompted another announcement that I make today.

The Employment Service has always said that it is wasteful and short-sighted for employers to refuse to consider jobseekers solely on the grounds of age, but, to date, it has reluctantly accepted vacancies from employers who could not be persuaded of the skills and experience that older workers have to offer—in other words, who specify age limits.

However, in the spirit of change that the Government wish to bring about, the chief executive of the Employment Service has proposed that jobcentres should ordinarily no longer accept upper age restrictions on vacancies notified by employers. We shall obviously examine very carefully how this is to be implemented, but I believe that it is right in principle, so, as we consult on the code of practice, we shall examine how those arrangements can best and most fairly be put in place. That will be an example of the Government acting and giving a lead to counter unfair age discrimination.

Mr. Singh: In the spirit of change, will my right hon. Friend consider publishing a Green Paper on age discrimination so that the merits of voluntary codes and legislation can be debated thoroughly and we can consult widely before moving forward?

Mr. Smith: I am pleased to assure my hon. Friend that we shall publish the results of our consultation. I cannot today say exactly what status that publication will have, but obviously it will act as a useful stimulus to the further public debate, and shifts in attitude and behaviour, that we all want on this important issue.

I emphasise that, although we are progressing with consultation on age discrimination, the code of good practice and the change of Employment Service practice, those are not the only expressions of Government involvement, concern and action on these issues. There have been a couple of references in the debate to the new deal. Naturally, much publicity has surrounded the new deal for 18 to 24-year-olds, but we are not ignoring in the new deal the needs of those over-25s who are long-term unemployed.

My hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) was right in saying that there is an important link between tackling age discrimination and tackling effectively the scourge of long-term unemployment, especially for people in areas that have suffered devastating structural change, which has condemned very many people who have had a long working life to unemployment in circumstances where they see very little prospect of getting back to work.

That position must be challenged, and the new deal will help, as will other measures that the Government are taking, such as the introduction of employment zones. We are at present piloting five prototype employment zones, in Plymouth, Liverpool, south Teesside, Glasgow and north-west Wales. The aim of the employment zones is to focus on the needs of people, so that the programmes are fitted to people instead of people being obliged to fit the programmes. Within the terms of reference and the prospectus that the employment zone areas are drawing up, based on local partnership, action is being taken to help older workers into jobs.

All that is taking place in addition to the wide range of existing Employment Service measures already available to help older workers into work, including work trials, job interview guidance and job clubs. Job clubs may be of particular help to older workers, and job club leaders are given guidance to deal with issues that may especially affect the older jobseeker.

Through the Employment Service, we are piloting in north Tees a programme for jobseekers between the ages of 45 and 65, called "targeting the over forty fives". It offers a workshop-based programme covering job search techniques and a direct marketing and recruitment service, providing details of jobseekers to all companies in Stockton. That pilot will run into the spring and the results will be evaluated.

[Mr. Smith]

The Government are keen to support the invaluable community-based projects that are helping older workers into jobs. For example, the new directions 50-plus project in Harlesden provides one-to-one counselling and group sessions for unemployed older people and maintains a register to match clients with local employers' vacancies and in an inner-city area with a high proportion of unemployed over-50s, the project is proving succesful. I know something of this at first hand because I visited it last September. It is also an impressive example of how partnership can work in practice in challenging age discrimination and helping older workers into jobs. Partnerships are a key theme of all our back-to-work activities and this project combines the best of individual initiatives and the labour market needs of the local area. It is a partnership between Harlesden city challenge and the third age challenge with support from the Employment Service and other agencies.

That is but one example; there are many others. For example the FENIX project in Barnsley provides an integrated recruitment, guidance and training services with local partners such as the Bradford training and enterprise council. The over-50s job club—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 13 February.

Remaining Private Members' Bills

ENERGY CONSERVATION (HOUSING) BILL

Read a Second time, and committed to a Standing Committee, pursuant to Standing Order No. 63 (Committal of Bills).

LEAD IN PAINT (HEALTH AND SAFETY) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 April.

SCHOOL CHILDREN'S CLOTHING AND FOOTWEAR (VALUE ADDED TAX) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 27 March.

WARM HOMES AND ENERGY CONSERVATION (FIFTEEN YEAR PROGRAMME) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 April.

LABELLING OF PRODUCTS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 July.

CHRONICALLY SICK AND DISABLED PERSONS (AMENDMENT) BILL [*LORDS*]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 February.

ACQUISITION AND POSSESSION OF AIR WEAPONS (RESTRICTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 July.

COMMUNITY CARE (RESIDENTIAL ACCOMMODATION) BILL

Order for Third Reading read.

Hon. Members: Object.

Third Reading deferred till Friday 13 February.

COLD WEATHER PAYMENTS (WIND CHILL FACTOR) BILL

Order read for resuming adjourned debate on Question [23 January], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 24 April

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 February.

BUSINESS OF THE HOUSE

Ordered,

That, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Community documents), the Speaker shall—

(1) at the sitting on Wednesday 11th February put the Questions on any Motions in the name of Mr. Secretary Davies relating to Local Government Finance (Wales) not later than Seven o'clock;

(2) at the sitting on Wednesday 18th February put the Questions on any Motions in the name of Secretary Harriet Harman relating to Social Security and Pensions not later than Ten o'clock; and

(3) at the sitting on Thursday 19th February put the Questions on any Motions in the name of Mr. Secretary Dewar relating to Local Government Finance (Scotland) and Housing (Scotland) not later than Seven o'clock.—*[Mr. Dowd.]*

Health Services (Solihull)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.32 pm

Mr. John M. Taylor (Solihull): I am naturally pleased to have been able to secure this debate on behalf of my constituents. I am also pleased that the debate will be answered by the Parliamentary Under-Secretary of State for Health, a man and a Minister whom I admire. He and I have had our exchanges across the Floor of the House from one polarity to another.

I should explain that while my constituency has the same name as the borough of Solihull—which, incidentally, is coterminous with the health authority—I represent only half of the borough by population, and rather less than half by area. The other Solihull constituency, Meriden, which together with mine makes up the entirety of the borough, is represented by my hon. Friend and colleague the Member for Meriden (Mrs. Spelman). Her diary of constituency engagements for today was already full when I learnt last week that I had been successful in securing this Adjournment debate.

My hon. Friend regrets that she cannot be here, but I want the House to know how keenly she feels about health services in the borough. I shall see her tonight at a meeting about Solihull hospital and let her know what the Minister has to say. Meanwhile, I have shared with her the essence of what I shall say this afternoon and likewise advised the Minister in advance so that he can give a properly considered reply in the expectation, naturally, that I will share it with my constituents.

I should make it clear that I have no personal medical expertise. My standing, other than the humbly important one of being their Member of Parliament, representing them in the matter of public services in Solihull, is the same as my constituents'. I am, like them, at all times a potential patient. There are just two interests that it may be prudent for me to declare: I am a BUPA policy holder and I have been chairman—unpaid—of the Solihull Institute for Medical Training and Research.

The House will not be surprised if I say that in anticipation of this debate I sought observations from the principal bodies charged by statute with providing, administering and monitoring health services in Solihull. They have been most helpful to me. I shall quote from them from time to time in the 15 minutes or so at my disposal, but I shall quote selectively. I could not say all that they have said to me, anyway. The responsibility for my remarks today rests entirely with me. I seek to speak to the House and the Minister about the anxieties of my constituents, their perceptions and their needs for reassurance.

I shall start with Solihull health authority, which has recently undertaken a major restructuring of its management, resulting in savings of nearly 30 per cent. of management costs in the past two years. It is now a small, highly focused health authority that might be regarded as a model for future health authority reorganisation.

For learning disabilities Solihull was funded on crude population, but it is now funded on a mental illness formula that involves a reduction of 19 per cent. for

[Mr. John M. Taylor]

1998-99. Would it be possible for funding formulae to be needs-weighted, relating specifically to each broad service area?

The high number of GP fundholding practices in Solihull leads to concern within the practices that there should be a smooth transition to the primary care groups, without the creation of unnecessary upheaval and loss of morale. How can those practices be reassured?

Solihull healthcare trust would say that its three main concerns are, first, the need to find £900,000 cost reduction in 1999-2000, on top of a current £1.4 million reduction; secondly, the future of Solihull health authority in the light of the White Paper; and thirdly, the health authority's ability to maintain existing funding for mental health services.

The community health council has at least four concerns—the maintaining of accident and emergency services at Solihull hospital; mental health services—again—at the healthcare trust; community dental services; and the absence of clarity about the future role of community health councils in the White Paper.

Now, in no particular order, except that I am keeping the NHS hospital till last, I come to some observations from the BUPA Parkway hospital in Solihull. It asks to what extent the NHS, nationally and locally, has taken up the Secretary of State's recommendation that it work in partnership with the private sector to minimise the impact of the expected crisis in medical admissions this winter. In particular, is it being borne in mind that every self-funding or insured patient admitted to the private sector represents a free bed for a less fortunate patient? The private sector has an excess capacity in beds, as the majority of its work consists of day cases. Those beds can be made available at marginal rates and represent a cost-effective way of reducing the length of stay for surgical patients in NHS hospitals, allowing NHS trusts to carry out high-tech surgery and the private sector to take charge of the low-tech recovery phase. In some areas, the private sector can be cheaper than the NHS—for example, its physiotherapy rates for general practitioner fundholders are approximately £2 an hour less than those in the NHS.

Does the Minister have any figures on the income received from the abolition of tax relief on private medical insurance for the over-60s versus the cost to the Department of Health of providing services to those over-60s who are now the responsibility of the NHS? Has the NHS received any of the extra notional income from the abolition of tax relief? Finally, would the Minister care to comment on the Heartlands-Solihull merger, and what lessons might be learnt for the future mergers proposed or anticipated in the White Paper?

The Solihull Council for Voluntary Service—to which I pay tribute—has said:

"One knock-on effect of Solihull being a borough with a 'manageable' population is that it becomes easier for staff in public and voluntary organisations to have close working relationships. There are, for example, excellent working arrangements between Solihull Healthcare NHS Trust and a range of voluntary organisations including Bereavement Counselling Service, Cancer Support Group, Crossroads and the Stroke Association. Although it is not automatically the case, such working relationships are likely to be less strong in larger population areas.

Similarly, the fact that there are co-terminous boundaries for the Health Authority and the Local Authority greatly assists co-operation between health services, education and social services."

Having said those things, there will clearly be many cases where economies of scale are such that Solihull itself cannot provide certain specialist health services. However, as access to those services can be bought in through existing contractual arrangements, it would not seem to follow automatically that Solihull needs to be part of larger organisational arrangements as a whole.

I turn next to the Solihull station of the West Midlands ambulance service, which has a good story to tell. In particular, it recognises that the nature of accident and emergency facilities at Solihull hospital requires a high proportion of patients—typically 60 to 65 per cent. in any month—to be transported to hospitals outside the borough. West Midlands ambulance service has positioned resources that have enabled response standards to be improved significantly during the past two years. Regular communications with Solihull health authority, Solihull metropolitan borough council and the community health council have built a joint understanding of needs and how they are best met.

I must add that I find it a little difficult to reconcile the comments of the ambulance service regarding accident and emergency at Solihull hospital with the statements by the Minister of State, Department of Health, the hon. Member for Darlington (Mr. Milburn), in his letter to me of 2 February 1998. However, I shall return to that matter by way of written questions or correspondence—or both if necessary.

That brings me to my conclusion, which must focus on Solihull hospital in the context of Birmingham Heartlands and Solihull NHS trust. Before I do so, I must dwell for a moment on the merits of co-terminosity—it is an awful word, but it has provident meaning. A not inconsiderable number of agencies, statutory bodies and voluntary organisations respond to the concept, culture, boundaries and identity of a place called Solihull. They relate to each other within that understanding. Solihull is also a magistrates jurisdiction, for instance. It is a unitary authority for local government purposes. Surely it has a critical mass with a population of more than 200,000. The Government should disturb those relatable communities only if they are absolutely sure that some good will come to the people, in this case my constituents.

I conclude by referring to the NHS hospital. It is a magnificent state-of-the-art building to which has been added recently a renal dialysis unit; ophthalmology services, including cataract surgery; magnetic resonance imaging—MRI—scanning; and other specialist out-patient services, such as treatment for diabetes.

The real issue is, and has always been, not just what further services we might expect at Solihull, important as they may be—orthopaedic services, perhaps—but what the Minister can say to my constituents about the scope and future security of accident and emergency services at Solihull hospital. My constituents want to hear about those services and, in particular, services for children.

2.45 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): I congratulate the hon. Member for Solihull (Mr. Taylor) on securing time to debate a subject which I know is of importance to him and his constituents, and to which he brings a depth of knowledge, experience, wisdom and a commitment to the totality of health services in his constituency.

In November, the hon. Gentleman asked me whether Ministers had any plans to visit Solihull to see at first hand the health services provided. I explained at the time that I had a commitment to visit the Birmingham Heartlands and Solihull NHS trust, which I fulfilled last Friday. I was enormously impressed by the professionalism of the staff to whom I was introduced. I had the pleasure of presenting an award to the nurses of ward 19 of Solihull hospital for their introduction of a new, non-invasive ventilation system for patients.

It would seem that the people of Solihull have firm grounds for confidence in the care that is available to them at the Solihull branch of the Heartlands and Solihull NHS trust. I say branch because one of the attractive things about that trust is the way in which two branches, two different sites, make one hospital. That was at the heart of the reorganisation of health services in the area, and the arrangement seems to be working extremely well.

In the past, I know that there was, as there inevitably is when two hospitals come together, a degree of uncertainty and concern on the part of the hon. Gentleman and his constituents about the merger. That merger took place during the previous Conservative Government of which the hon. Gentleman was a distinguished member.

When the brand new hospital opened in 1994, the people of Solihull were almost immediately presented with the threat of its closure due to a combination of financial and emerging clinical difficulties and the possible withdrawal of accreditation by the Royal College of Physicians for some senior house officer training posts. The hon. Gentleman knows all about the Save Solihull hospital campaign which followed.

The solution that was finally implemented after the report of a project group commissioned by the West Midlands regional health authority was a merger with Birmingham Heartlands, in accordance with the philosophy of one hospital on two sites. That provided for the protection of patient services, allowed for staff rotation to allow the culture of excellence to be spread, and ensured cover for smaller specialties. The reduction in management costs and the sharing of support services that resulted helped to eliminate Solihull hospital's financial deficit.

It would be helpful if I spoke about the improvement in services since the merger, because although it was accepted that the outcome of the merger was ultimately a reasonable one, local people had some understandable reservations about the perceived loss of identity to their local services.

The hon. Gentleman put great store on the distinct and unique identity of Solihull hospital. Some were concerned that they would be referred to Birmingham for treatments of any significance. I am glad to say—the hon. Gentleman will acknowledge this—that that did not prove to be the case.

Both the quantity and the quality of hospital health care provision have increased since the merger with Birmingham Heartlands in April 1996. Solihull hospital experienced many improvements after the merger. These include 24,000 more patients treated per year; the development of new patient services at Solihull, such as a £700,000 renal dialysis unit—during my visit to Heartlands and Solihull, I met staff who worked in and were responsible for the unit; a £500,000 ophthalmology unit and a £750,000 dedicated day procedures unit; the expansion of specialist services with clinics for paediatrics, diabetes, and vascular and thoracic surgery; the integration of planning for obstetrics and gynaecology services at both hospital sites within purpose-built women's units, providing the latest in medical expertise and technology; and the installation of a new £1.2 million MRI scanner, built and funded with the co-operation of the trust and the public.

As the hon. Gentleman knows, the list is longer still, and the improvements in services were very much part of his speech. The point is that Solihull hospital has flourished since the merger. In a written reply to the hon. Gentleman in November, we provided him with an extensive list of the full range of services available at Solihull. It is a quality service. The standard is high, and the reasons for that are clear to see: investment, the dedication of staff, and the confidence of patients.

The performance of the trust has been outstanding. It has increased its number of five-star wards in the NHS league tables from two, three years ago, to 37 in the latest edition. At the same time, waiting times have been kept consistently low, with only 13 people waiting more than 12 months for admission at the end of December.

The hon. Gentleman is concerned about accident and emergency services at Solihull. He knows that the previous Minister of State made it a condition of the merger with Heartlands that a 24-hour A and E service would continue to be provided at Solihull. The hon. Gentleman also knows that, despite the political backing for the continuation of that service, the Royal College of Surgeons took a close look last year at its approval for training accreditation of senior house officers for A and E. I hope that he will agree that the Royal College is, of course, completely independent of Government. It had every right to examine its legitimate concerns for the provision of a safe and effective service, and to ensure that the quality of training for its juniors was adequate.

Despite its concerns, the Royal College reached agreement last autumn with the Birmingham Heartlands and Solihull NHS trust on a way for the full A and E service at Solihull to continue. Training accreditation was confirmed until 31 July 1998, from which time the Royal College agreed in principle a pilot training programme involving A and E at Solihull, which would establish how recognition could be maintained in the merged trust configuration. I understand that negotiations on the training of junior doctors are still in progress with the Royal College. I wish them well.

As for the longer-term future, I am afraid that I cannot in good conscience provide the hon. Gentleman with any guarantees. The NHS is inevitably and rightly a constantly changing environment, and adaptation to that change, though sometimes difficult, is a necessity. In the circumstances, it would be rash for me to speculate about the future for Solihull hospital, or any other unit in the health service. As I have already said, I have confidence in the trust, its chairman and chief executive, with whom I have discussed these issues.

Mr. John M. Taylor: Will the Minister make it clear that, as he cannot see into the future or give guarantees, Solihull hospital is no different in that respect from any other hospital?

Mr. Boateng: I am happy to clarify that. I cannot see into the future. The NHS is a constantly changing

[Mr. Boateng]

environment and it must adapt to changes in circumstances. That applies to all units of the health service. One of the matters that affect the future of A and E at Solihull is the negotiations with the Royal College. They are clearly of utmost importance, which is why I wanted to make it clear in the debate that I want those negotiations to reach a satisfactory conclusions and I wish them well. I cannot, however, determine their outcome. That is a matter for a totally independent body—the Royal College.

I know that the staff are first rate and that the chairman and chief executive have my full confidence and that of the staff and the local community in the service that they seek to provide.

In the remaining minutes, I want to pay tribute to the contribution of the other trust in Solihull, the Solihull Healthcare NHS trust. It, too, has attained a level of excellence that is reflected in the achievement of two five-star awards for short out-patient waiting times. The trust provides learning disability, mental health and community health services to a population of more than 200,000. The trust has a reputation for providing good quality services.

I note the hon. Member's concern about funding for mental health services. That must be a matter for Solihull health authority. Increasing the resources available for one part of the health service inevitably has an impact on another part. Local people will have an opportunity to influence this decision and contribute to the debate and the decision-making processes, as one would expect. There will be renewed debate when the health authority publishes its commissioning intentions each year.

The hon. Gentleman brought up the issue of needs-weighted allocation formulae. We are committed to a fully needs-based approach to resource allocation. Changes to the weighted capitation formula for the 1998-99 health authority allocations were recommended by the national resource allocation group. On the basis of the available evidence, the RAG recommended that we should apply the current psychiatric needs weightings to services for people with learning disabilities. The RAG also recommended that the blocks of expenditure for administration and other hospital services should be weighted for need.

We made those changes as part of our commitment to making the distribution of resources fairer. That is in support of our objectives of reducing both inequities in access to health services and inequalities in health.

The health authority recovery plan has required the working up of a recovery strategy, which has been carefully implemented, but it will obviously have a knock-on effect on the level of health services in the Solihull area that can be afforded. I am satisfied that the health authority is making every effort to ensure that the effects of that financial recovery on service provision are appropriate, and I know that it hopes to appoint a new chief executive soon to assist it in the process.

The health authority has made very significant progress in reducing its management costs and in developing a constructive and energetic GP commissioning council, which will be able to spearhead the developments proposed in our White Paper. I hope that the GP fundholders in Solihull, to whom the hon. Gentleman referred, will work closely with the commissioning council to help ensure the smooth transition for which he wished.

The Secretary of State has made the position clear in terms of the private sector. It is for the local health authority, the trust and other local bodies to decide the most effective pattern of services and how those should be delivered. That will normally be achieved by making the best use of NHS facilities, which is what we have encouraged in our 1998–99 planning guidance. However, it is a matter for them how they apply the resources at their disposal—and I have no doubt that they will take seriously what the hon. Gentleman has said.

I am grateful to the hon. Gentleman for raising those important issues. I hear what he says about private medical insurance premiums, but let us be in no doubt about the fact that we have enormously assisted by diverting the resources from the previous tax reliefs to reducing VAT on fuel. That helps the most vulnerable, including the elderly.

In terms of the resources available to it, the NHS has been massively improved by the additional spending that the Government have provided—an additional £1.2 billion, not to mention the extra money for winter pressures, which has been well used in the hon. Gentleman's constituency.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 26 January 1998

CHURCH COMMISSIONERS

Lambeth Palace

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what was the annual cost of running and maintaining Lambeth Palace in each of the last three years. [25204]

Mr. Stuart Bell: Lambeth Palace is the base for the Archbishop of Canterbury's ministry ano a listed historic building. The cost of running and maintaining the fabric of Lambeth Palace, which includes not only domestic accommodation but a chapel, meeting rooms and office accommodation, was £440,000 in 1996, the last year for which figures are currently available. The figure includes expenditure on repairs and decorations, other outgoings such as insurance and water rates, garden upkeep and extra provision for security and takes account of rental income from leased accommodation.

The costs in 1994 and 1995 were £410,000 in each year. Expenditure each year varies depending on the incidence of major repairs.

Bishops

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, pursuant to his oral answer of 12 January 1998, *Official Report*, column 18, what plans he has to reduce the £124,545 spent on average per bishop per year. [25203]

Mr. Stuart Bell: In 1996 the Commissioners spent 10 per cent. of their total expenditure on supporting episcopal ministry. The Commissioners endeavour to provide the level of support for bishops necessary to enable them to undertake their ministry to the Church efficiently and economically.

Spending on episcopal housing, staff salaries and expenses is subject to close budgetary control. Repairs to buildings are limited to the minimum which the Commissioners feel is consistent with the proper maintenance of those properties in their care. The Commissioners are engaged in a review of the suitability of diocesan bishops' houses and in many cases steps have been taken to reduce long-term running costs.

Church Commissioners (Staff)

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners how many people work for the Church Commissioners; and what was their total cost in 1996. [24830]

Mr. Stuart Bell: The Commissioners' administrative costs in 1996 (inclusive of salaries, staff pensions and office running costs) were £10.6 million, down 8 per cent. in real terms since 1993. £5.2 million were asset management costs; £5.4 million was the cost of central Church functions for which the Commissioners are responsible. Two hundred and forty-seven staff worked for the Commissioners as at 31 December 1996, down 12 per cent. over the previous three years. I direct the hon. Member to page 22 of the Commissioners' Report and Accounts, a copy of which is in the Library. This shows the Commissioners' efficient cost management record over the last ten years.

ATTORNEY-GENERAL

Overseas Visits

Mr. Wilshire: To ask the Attorney-General, pursuant to his answer of 15 January 1998, *Official Report*, column *268*, if he will publish the programme of his wife when she accompanied him to Dublin at public expense. [25595]

The Attorney-General: My wife's programme on visiting Dublin on 17 and 18 September 1997 was as follows:

17 September

Arrive Dublin.

Visit British Embassy, to meet HM Ambassador, followed by short tour of Dublin.

Attend reception, lectures and banquet hosted by the Ambassador of the United States on the occasion of the opening of the Forum for US-EU Legal and Economic Affairs.

18 September

Return to London.

LORD CHANCELLOR'S DEPARTMENT

Magistrates Courts

Mr. Soames: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he plans to take to strengthen the principle of local justice dispensed through magistrates courts. [25032]

Mr. Hoon: My hon. Friend will be aware that on 29 October 1997, *Official Report*, columns 901–05, I made a statement to the House setting out in some detail the Government's plan for the future structure of the magistrates courts service. As part of that statement, I made clear my commitment to the concept of local justice dispensed through a locally administered magistrates courts service. We will shortly be embarking upon a joint working group with the service and local authorities which will examine the financial and legal relationship between them, define their relative responsibilities and enable the close local relationship which is already in evidence to develop further.

Civil Justice Reforms

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer to the hon. Member for Hendon (Mr. Dismore) of 19 January 1998, *Official Report*, column *403*, if the implementation of those civil justice reforms and changes intended for completion in April 1999 are progressing as anticipated; and if he will make a statement. [25416]

Mr. Hoon: I am pleased to confirm the answer I gave to the question of the hon. Member for Hendon on 19 January that the preparations for implementation of the civil justice reforms in April 1999 are indeed progressing as planned. For example, draft rules for the fast and multi-tracks, revised in the light of responses to the consultation paper issued last year, will be considered by the Rule Committee this month. A similar exercise will follow the closure of consultation on the small claims procedures at the end of this month. Further details can be obtained from the Department's bulletin, "Implementing the Civil Justice Reforms", a copy of which has been placed in the Library.

Legal Aid

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department on what date his Department's proposals to introduce the legal aid changes announced by the Lord Chancellor on 18 October 1997 will come into effect. [25340]

Mr. Hoon: When my noble and learned Friend the Lord Chancellor announced on 18 October 1997 the Government's proposals for reform of the legal aid system, he indicated his determination to consult widely before reaching any final decisions. We have received a large number of representations, each of which is being carefully considered. We intend to complete this consultation before implementing any changes.

Jacqui Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department (1) what is the total cost to the Legal Aid Board of court fees since January 1997; [24121]

(2) what is the additional cost to the Legal Aid Board arising from the increase in court fees since January 1997. [24120]

Mr. Hoon: From the Legal Aid Board's computer system it is not possible to identify separately the amounts paid in respect of court fees from other disbursements.

Arbitration

Jacqui Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions in the last 12 months an application under Order 19 rule 3(2), to rescind an automatic reference to arbitration has *(a)* been made and *(b)* been granted. [24123]

Mr. Hoon: In the 12 months to 31 December 1997, there were 820 applications made and 650 applications granted.

Jacqui Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions in the last 12 months an application under Order 19 rule 3(2)(d), to rescind an automatic reference to arbitration where it would be unreasonable for the claim to proceed, having regard to the subject matter, circumstances of the parties or interests of third parties who would be affected, has *(a)* been made and *(b)* been granted. [24122]

Mr. Hoon: *(a)* The information is not held centrally, and could be provided only at disproportionate cost. *(b)* The information is not held centrally, and could be provided only at disproportionate cost.

Small Claims

Jacqui Smith: To ask the Parliamentary Secretary, Lord Chancellor's Department how many district and deputy district judges are able to sit as arbitrators in small claims proceedings; and how many of those have received training in handling small claims. [24119]

Mr. Hoon: All district judges and deputy district judges, apart from those who sit in the Principal Registry of the Family Division, have the jurisdiction to sit as arbitrators in small claims proceedings. The Judicial Studies Board provides training on handling small claims arbitrations for all Deputy District judges as part of their induction programme.

WALES

Travellers

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his policy concerning permanent sites for travellers in Flintshire. [24158]

Mr. Win Griffiths: Guidance to local planning authorities in respect of the provision of permanent sites for gipsies in their development plans is set out in Welsh Office Circular 2/94 and in Planning Guidance (Wales) Planning Policy. Local authorities no longer have a statutory duty to provide sites for gipsies, but should have regard to gipsies' accommodation needs in drawing up their development plans. The definition of "gipsies" is contained in Welsh Officer Circular 76/94 and excludes those persons who move from place to place without any connection between their movement and their means of livelihood.

Integrated Rural Policy

Mr. Charles Kennedy: To ask the Secretary of State for Wales what plans his Department has to adopt an integrated rural policy for Wales; and if he will make a statement. [24697]

Mr. Ron Davies: My appointment of my hon. Friend the Member for Bridgend (Mr. Griffiths) as Minister with specific responsibility for rural and countryside issues recognises the special needs of people living and working in rural Wales. I am committed to fostering an integrated approach so that there is improved co-ordination across the wide-range of agricultural, environmental and economic policies which affect the interests and well-being of rural communities. I have also initiated discussions with both farming unions in Wales to discuss these matters.

Subject to legislation, the creation of the new economic development powerhouse, equipped with the combined strengths, skills and expertise of the Welsh Development Agency, the Development Board for Rural Wales and the Land Authority for Wales, will provide for the first time the opportunity for unified policies and programmes for development across the whole of rural Wales. The legislation will also restore the Welsh Development

Agency's grant-making powers, which will be available to promote business growth and diversification in rural Wales, and the powers to promote initiatives that support social as well as economic regeneration. The new economic development powerhouse, in partnership with the National Assembly and other agencies, will be well equipped to contribute to the promotion of sustainable development in rural Wales.

The new Agency will have a strong regional presence and a rural policy unit which, in collaboration with other partners, will I hope be able to come forward with effective and innovative proposals for securing the future prosperity of rural communities in Wales.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Road Deaths (Alcohol)

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of deaths caused in each of the last 10 years by drivers who had consumed at least one alcoholic drink in the 12 hours prior to an accident but who had a blood alcohol limit lower than the legal limit at the time of accident. [22821]

Ms Glenda Jackson: This information is not available in the form requested.

When drivers are breath-tested and found to be within the legal limit their precise breath or blood alcohol content is not normally measured, so no information about their alcohol consumption, if any, is available. It is known that some drivers with blood alcohol below the legal limit, including drivers who cause a death, are prosecuted and convicted of "under the influence" drinking-driving offences, but no estimate can be made of the number of fatalities.

Where a driver has been killed in a road accident the driver's blood alcohol level may be taken in post mortem examinations on behalf of Coroners and Procurators Fiscal. Figures based on these reports are given in the table. They have been adjusted for under-reporting and include the estimated number of persons other than the driver to have been killed in the accidents concerned. 1995 is the latest year for which sufficient information is currently available.

These figures do not show when alcohol was last consumed by the drivers in these accidents, nor whether the presence of alcohol played any role in causing or aggravating the accidents. Other things being equal, the lower the concentration of alcohol, the less likely it is the alcohol was the cause of the accident.

Accidents where the driver had a blood alcohol concentration below 10mg/100ml are not included in this table because below that level, measurement is unreliable and may indicate natural fermentation rather than consumption of alcohol.

Fatalities in road accidents involving a motor vehicle driver or rider who was killed with a blood alcohol level between 10 and 80mg/100ml: Great Britain (adjusted for under-reporting)

	Number
1986	270
1987	310
1988	270
1989	320
1990	270
1991	270
1992	270
1993	200
1994	260
1995	250

Bridleways

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 November 1997, *Official Report*, column *133*, what factors underlay the decision not to include measures to encourage the re-establishment of ancient bridleways in his plans for increasing access to the countryside. [24082]

Angela Eagle: We have a long-standing commitment to give people greater freedom to explore open countryside. However, we have no plans at present to introduce new measures relating to rights of way. Local authorities already have powers to create linear routes.

Driving Licence

Mr. Gerald Howarth: To ask the Secretary of State for the Environment, Transport and the Regions if the new form of driving licence will display the union flag of the United Kingdom; and what consultations he is having regarding the format of the new licence. [24397]

Ms Glenda Jackson: The forthcoming photocard driving licence will, like existing paper licences, not include the Union flag in its design. Proposals for plastic photocard driving licences were the subject of public consultations in 1991 and 1996. No further consultations are proposed on the format of the licence, the main features of which are laid down in the second EC driving licence directive, as amended.

Diabetic Drivers

Mr. Whittingdale: To ask the Secretary of State for the Environment, Transport and the Regions what consultations were undertaken prior to the decision to exclude insulin-dependent diabetics from holding driving licences for categories C1 and D1 vehicles. [24223]

Ms Glenda Jackson: The Department consulted over 100 representative organisations in August 1996 on a number of proposals for implementing the requirements of the Second EC Driving Licence Directive (91/439). These included the proposal that drivers with entitlements to drive vehicles in categories C1 and D1 on the strength of an ordinary car licence should, on expiry of their current licence, have to meet the higher health standards required for those categories by the Directive if they wished to renew those entitlements.

Mr. Whittingdale: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of accidents for each of the last five years involving vehicles in categories C1 and D1 driven by insulin-dependent diabetics. [24222]

Ms Glenda Jackson: No information is collected nationally on the medical conditions of drivers involved in road accidents. It is not, therefore, possible to supply the information requested.

Rail Fatalities

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the monthly number of staff fatalities in the railway industry for each of the last five years. [24439]

Ms Glenda Jackson: Details on the number of staff fatalities in the railway industry for the past five years are as follows:

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*Total*
April	0	0	0	1	0	1
May	0	1	0	0	0	1
June	2	0	2	0	0	4
July	1	2	1	2	0	6
August	2	0	0	0	0	2
September	0	0	0	0	1	1
October	0	0	3	0	0	3
November	1	0	0	0	1	2
December	2	2	1	1	0	6
January	0	0	1	0	0	1
February	0	1	0	0	0	1
March	3	2	1	1	0	7
Total	11	8	9	5	2	35

The figures cover all railways in Great Britain, and are published in the Chief Inspector of Railways Annual Reports on Railway Safety, copies of which are placed in the Library of the House.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the monthly number of railway fatalities per passenger mile in each of the last five years. [24438]

Ms Glenda Jackson: This information is not available in the for requested. However, annual death and injury rates to passengers per billion passenger miles are published in the Chief Inspector of Railways Annual Report on Railway Safety, copies of which are available in the House of Commons Library. The relevant extract from the report for 1996–97 listing these rates over the past five years is as follows:

Death or injury rate: passenger

	Train accidents per billion passenger miles			*Movement accidents per billion passenger miles*			*Non-movement accidents per billion passenger journeys*		
	Killed	*Major*	*Minor*	*Killed*	*Major*	*Minor*	*Killed*	*Major*	*Minor*
1991–92	0.08	0.75	12.01	1.16	3.03	90.65	0.63	63.64	2,091
1992–93	0.00	0.13	2.67	0.68	3.35	98.93	1.29	100.26	2,395
1993–94	0.00	0.22	5.67	0.62	1.80	95.37	1.30	103.05	2,793
1994–95	0.14	0.50	8.17	0.55	2.65	98.41	1.26	85.28	2,685
1995–96	0.04	0.04	2.24	0.29	1.91	102.91	1.23	98.65	2,819

	Train accidents per passenger miles		*Movement accidents per billion passenger miles*		*Non movement accidents per billion passenger journeys*	
	Killed	*Injured*	*Killed*	*Injured*	*Killed*	*Injured*
1996–97	0.04	6.50	0.40	20.21	1.80	1,025.80

New accident regulations were introduced in 1996–97.

Under the new regulations—the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 1995 (RIDDOR 95) there is no distinction between a major and minor injury to a passenger.

The reporting trigger is that the person is taken from the site of the accident to hospital for treatment.

Train accidents are accidents to trains and rolling stock.

Movement accidents are accidents to people caused by the movement of railway vehicles, but excluding those involved in train accidents.

Non-movement accidents are accidents to people on railway premises which are not connected with the movement of railway vehicles.

Green-field Sites

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the proposal by the Civic Trust to introduce a levy of 10 per cent. on the value of green-field sites with planning permission; and if he will make a statement. [24465]

Mr. Caborn: We want to stimulate a debate about the scope for using economic instruments to help achieve our planning objectives and we will take further account of the Civic Trust's proposal in that context. It is likely to be one of the items discussed when my hon. Friend the Minister for London and Construction meets the Director of the Civic Trust next week.

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what measures he will take to protect green-field sites in the North East of Chelmsford and the A12 corridor. [25291]

Mr. Caborn: The Government wish to see as much new development as possible allocated to urban areas and existing settlements, and maximum use made of previously developed sites. Any proposals for the development of green-field sites in Essex are, initially, for the local planning authorities to consider. When examining such proposals they, and my right hon. Friend the Secretary of State, should he become involved, will have regard to national policies and the protection of the countryside, and to the need for new development to be suitable and environmentally acceptable.

Cleaner Vehicles Task Force

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* name of, *(b)* occupation of and *(c)* organisation represented by each of the members of the Cleaner Vehicles Task Force; and if he will make a statement. [24467]

Dr. Strang: The Cleaner Vehicles Task Force aims to create a new partnership between Government and the private sector to promote environmentally friendly vehicles that people and businesses will want to buy and drive. The task force's members are:

	Name	*Occupation*	*Organisation*
Co-Chair	Gavin Strang	Minister for Transport	DETR
Co-Chair	Ian McAllister	President	SMMT
		Chairman and Managing Director	Ford UK
	John Battle	Minister for Science, Energy and Industry	DTI
	Sir Robert May	Government Chief Scientist	OST
	Walter Hasselkus	Chairman and Chief Executive	Rover Group
	Keith Taylor	Chairman and Chief Executive	Esso UK
	Neil Johnson	Chief Executive	RAC
	David Lea	Assistant General Secretary	TUC
	Nigel Haigh	Director	IEEP
	Michael Gwih	Chief Executive	Arriva Group
	David Green	Director-General	FTA
	Mike Parker	Chief Executive	Nexus
	Mike Baunton	Managing Director	Varity Perkins

Environmental Sustainability

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions to what extent environmental sustainability is included as a quality factor under the new best value replacement to compulsory competitive tendering for local authorities; and if he will make a statement. [24458]

Ms Armstrong: It will generally be for local authorities to decide how to reflect environmental sustainability in their performance targets for the different services under the proposed best value regime, following consultation with the local community and in the light of their progress in drawing up Local Agenda 21 strategies.

Home Zone Sign

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the use of the home zone sign in other European member states in reducing traffic casualties; and if he will make a statement. [24468]

Ms Glenda Jackson: The effectiveness of the "home zone" signs used in some EU member states depends on drivers observing very low speed limits (and being conditioned to give way to pedestrians). My Department has been working with local authorities on schemes and studies to reduce vehicle speeds in residential streets and shopping areas. Our experience in this country so far has been that signs by themselves do not reduce vehicle speeds to 20mph or below, and that other self-enforcing measures are needed. We have no plans at present to change primary legislation to introduce home zones but we think there is scope within the current legislation for further speed reducing measures to be applied.

Coastguard (Wales)

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on coastguard provision in Wales *(a)* currently and *(b)* after 2001; and if he will list in each case those stations that will be permanently manned. [24479]

Ms Glenda Jackson: There are three permanently staffed Coastguard centres in Wales, located at Swansea, Milford Haven and Holyhead.

There are no plans to change Her Majesty's Coastguard provision in Wales, including the 11 Sector Managers and 47 auxiliary stations, after 2001, with the exception of an increase in the staff complement at Holyhead Coastguard station for the control of the additional radio aerials, following the proposed closure of the Liverpool Maritime Rescue Sub-Centre in 2000. A proposed five year strategy for the service was announced on 17 November 1997, *Official Report*, column *9–10*, and a consultation document was issued on 20 January copies of which have gone to all coastal MPs and the House Library.

Planning (Amble Sewerage Scheme)

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to call in the planning application for the Amble sewerage scheme. [24784]

Mr. Raynsford: This application has not been referred to my right hon. Friend, the Secretary of State and he has received no representations about the proposals.

Greenhouse Gas Reductions

Mr. Kenneth Clarke: To ask the Secretary of State for the Environment, Transport and the Regions what specific policy decisions have so far been taken by the Government to deliver the new commitments to the reduction of greenhouse gases that he gave in Tokyo on behalf of the Government. [24707]

Mr. Meacher: The Kyoto Protocol set a legally-binding target for the European Union of an 8 per cent. overall reduction in the emissions of six greenhouse gases between 2008 and 2012, compared with 1990. Under our Presidency of the European Union we aim to share out this target between Member States, and to take forward proposals for common and co-ordinated policies and measures. Our priority within the UK will then be to ensure that we achieve our legally binding target.

We have already taken action to reduce carbon dioxide emissions. The Chancellor announced in the July Budget, that the real increase in fuel duty would be raised to 6 per cent., a year. Later this year we will be consulting on a programme of policies and measures to meet our legally binding target and launch a national debate on moving towards our domestic aim of a 20 per cent. cut in emissions.

Unitary Development Plan (Newcastle)

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to answer the letter about the City of Newcastle upon Tyne Unitary Development Plan sent to him by the hon. Member for Newcastle upon Tyne, Central. [24657]

Mr. Raynsford: I replied to my hon. Friend's letter on 14 January.

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make modifications to the Revised Unitary Development Plan published by the City of Newcastle upon Tyne. [24656]

Mr. Raynsford: None. Following very careful consideration of all the relevant issues considered by the Inspector to the UDP Inquiry, the Secretary of State decided not to object to the proposals to delete land from the Green Belt for the Northern Development Area. I understand that Newcastle City Council resolved to adopt their plan on 21 January.

Key factors which were taken into account in reaching this decision included the City Council's proposal to accommodate 76 per cent. of its housing requirements within the existing built up area and the fact that the Inspector accepted that further development in the built up area would lead to town cramming. In addition, the Inspector found that a continuation of population dispersal from Newcastle to Northumberland and North Tyneside would be less sustainable than the proposed development which lies less than 5km from the city centre and can be readily linked to the public transport network.

Northern Development Area

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will request the SRB partnership for the Graingertown area of Newcastle upon Tyne city centre to report to him on the effect of the proposed Northern Development Area on office redevelopment prospects. [24658]

Mr. Raynsford: It would not be appropriate for the Secretary of State to do so in view of his quasi-judicial role in the planning system. However, there are well-established procedures in place which allow individuals and organisations to make full representations on development proposals at all stages of the planning process. I understand that the issues of the effect of the proposed Northern Development Area on development elsewhere in the local authority area have already been examined in public before an independent planning inspector in the context of Newcastle upon Tyne Unitary Development Plan Public Inquiry.

Low Flying

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has for further legislation regarding low flying to combat aircraft noise. [24699]

Ms Glenda Jackson: We are considering whether new legislation may be required in respect of civil aircraft noise disturbance, whether that is attributable to low flying or to other causes.

Millennium Compliance

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines he has issued to local authorities *(a)* on dealing with computer systems which are not millennium compliant and *(b)* on budgeting for the costs of remedying computer systems which are not millennium compliant; and if he will make a statement. [24704]

Mr. Raynsford: Local authorities are responsible for their own systems and have access to high quality advice on this issue from the Local Government Management Board, the professional body of local government IT officers (SOCTIM) and other professional bodies. My officials have also kept the Local Government Association (LGA) informed on the steps being taken by central government. In addition, the Government have published best practice guidance on millennium compliance. The LGA's views on the pressures faced by all local authorities were taken into account in our proposals for local government revenue expenditure in 1998–99.

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate for each local authority of the costs of dealing with computer systems which are not millennium compliant; and if he will make a statement. [24702]

Mr. Raynsford: The Local Government Association (LGA) highlighted the possible level of pressures local authorities might face in preparing for millennium compliance. Their estimate of £500 million, with spending of at least £100 million required for 1998–99, was based on the overall cost to local authorities. The LGA's

views on the pressures faced by all local authorities were taken into account in our proposals for local government revenue expenditure in 1998–99.

Road Lighting

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those roads for which he is responsible where lighting columns are life expired and need replacing. [24280]

Ms Glenda Jackson *[holding answer 21 January 1998]:* The Highways Agency is responsible for lighting columns on the trunk road network. Lighting columns on local roads are the responsibility of the relevant local highway authority.

The Highways Agency is not aware of any life expired lighting columns on trunk roads as corrective action is taken when problems arise or preventive maintenance identifies signs of defects.

Motorway Service Areas

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many public inquiries on applications for motorway service areas were completed in the period 1 May to 31 December 1997; and what was the estimated cost of each inquiry to his Department; [24582]

(2) how many public inquiries are currently in progress in respect of applications for the development of motorway service areas; and what is the estimated cost to date of those inquiries to his Department. [24578]

Ms Glenda Jackson: Three motorway service public inquiries were completed between 1 May and 31 December 1997: M4 Maidenhead area; A1(M) North Yorkshire and M25 Junctions 15–16 (Elk Meadows). The only such public inquiry currently under way is one which opened on 20 January into a motorway service area proposal at Redbourne on the M1 between Junctions 8 and 9.

A substantial part of the cost of all four inquiries to my Department will be the time spent on them by staff of the Highways Agency as part of their normal duties. The time spent specifically on these cases could not be separately identified.

Rents

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions what was *(a)* the amount of Housing Rent Account surplus used to finance rent rebates, *(b)* the number of council tenants paying full rent in each local authority area in which Housing Rent Account surpluses are being used and *(c)* the financial contribution made per week by each tenant paying full rent in each local authority area in the most recent available year. [24710]

Mr. Raynsford: In 1997–98, we estimate that £1,228.6 million of notional Housing Revenue Account surpluses will be used to meet the cost of rent rebates granted by housing authorities in England. In the same year, we estimate that 1,038,873 council tenants will not be granted rent rebates, and will therefore pay full rent.

The full amount of a tenant's rent, irrespective of whether he or she is granted a rebate, is a credit to the Housing Revenue Account and contributes towards any notional rental surplus. In 1997–98 the average weekly unrebated rent per dwelling for all council tenants in England is £41.18.

Road Accidents

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what financial criteria are used by his Department in determining the cost of a road accident for a *(a)* fatality, *(b)* serious injury and *(c)* slight injury; and in each case what is the current figure. [24485]

Ms Glenda Jackson *[holding answer 21 January 1998]:* The values attributed to the avoidance of deaths and injuries in road accidents in 1996 were *(a)* fatal £983,710; and *(b)* serious accident £118,030; *(c)* slight accident £11,590. These values take account of medical costs, lost production, the cost of police and courts, insurance administration, property damage, and human costs based on the widely accepted concept of "willingness to pay".

Vehicle Inspectorate

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what additional resources have been allocated in the financial year 1998–99 to the Vehicle Inspectorate to enhance safety regulation in road transport. [24772]

Ms Glenda Jackson *[holding answer 22 January 1998]:* Additional resources have been allocated to the VI for road safety enforcement activities in the financial year 1998–99. The total available for this activity will be £16,295,000, an increase of £246k over the current year's allocation.

Driving Standards Agency

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the future of the regional office of the Driving Standards Agency at Haymarket House, Edinburgh. [24420]

Ms Glenda Jackson *[holding answer 22 January 1998]:* The Driving Standards Agency is currently reviewing its Area Office structure. The Agency's preferred option is to relocate the driving test booking operation from Haymarket House to its Newcastle Office but to retain a number of administrative activities, such as handling examiner deployment, customer service and estates functions, in Edinburgh. We expect to announce the results of that review soon.

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the future of the driving test centres at *(a)* Edinburgh, Newington, *(b)* Saltcoats, *(c)* Hamilton, *(d)* Aberfeldy, *(e)* Girvan, *(f)* Cumnock, *(g)* Callander, *(h)* Fort Augustus, *(i)* Tarbert, *(j)* Bettyhill, *(k)* Helmsdale and *(l)* Duns. [24421]

Ms Glenda Jackson *[holding answer 22 January 1998]:* The Driving Standards Agency is currently reviewing its test centre estate across England, Scotland

and Wales to ascertain whether there is scope for rationalisation while retaining satisfactory levels of service. There are no plans at present to withdraw the driving test service from any of those centres identified by the hon. Member. Any proposals to close particular test centres at a later date would be subject to consultation with local driving instructor groups, local authority interests and the Members within whose constituencies those centres are located.

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the plans by the Driving Standards Agency to move the driving test centre in Beeches Road, Chelmsford to another site in the town; and when he expects the move to take place. [25290]

Ms Glenda Jackson: The Driving Standards Agency proposes to relocate its driving test centre to a new site at the Chelmar Business Park. Subject to contracts being agreed and the due planning process being completed, a new centre should be opened either later this year or early next year.

Radioactive Waste

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions when Her Majesty's Government expect to ratify Directive Euratom 96/29 passed by the Council of Ministers in 1996; and what measures he plans to prevent the recycling of nuclear waste into consumer goods. [24817]

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to relax the limits on uncontrolled disposal or release of radioactively contaminated materials; and if he will make a statement. [25493]

Angela Eagle: I refer the hon. Member to the reply I gave to the hon. Member for Lewes (Mr. Baker) on 19 January 1998, *Official Report*, column *376*.

Byways (Vehicle Regulation)

Mr. Tyler: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Newport, West (Mr. Flynn) of 10 June 1997, *Official Report*, column *403*, when he expects to announce proposals to improve regulation of vehicles on byways. [25070]

Mr. Meacher *[holding answer 23 January 1998]:* We hope to make an announcement next month.

Official Cars

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25161]

Angela Eagle *[holding answer 23 January 1998]:* Following the merger of the former Departments of the Environment and Transport the total number of cars available to Ministers has been decreased by one to nine. One new car has been acquired since 1 May.

Road Traffic Reduction Act

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the provisions of the Road Traffic Reduction Act 1997 to come into force; and if he will make a statement. [24985]

Ms Glenda Jackson *[holding answer 23 January 1998]:* Guidance to local authorities on implementing the provisions of the Road Traffic Reduction Act was issued in draft on 15 January for public consultation. Comments are sought by 20 April 1998. We envisage that the Act will be brought into force later this year, and be followed by final guidance.

Great Leighs Bypass

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on funding of the Great Leighs bypass. [25292]

Ms Glenda Jackson: Essex County Council bid for support for this scheme in their Transport Policies and Programme (TPP) submission for 1998–99. Because of financial constraints no new major schemes were accepted in the 1998–99 local transport capital settlement, which was announced on 17 December 1997.

The guidance for the TPP round of 1999–2000 is due to be published in the Spring. My Department is currently considering the headings under which bids will be invited. It is not possible at this stage to say how much weight will be given to major road schemes such as Great Leighs Bypass.

Rail Passengers

Mr. Collins: To ask the Secretary of State for the Environment, Transport and the Regions if he will bring forward proposals to reduce overcarrying of passengers on the rail network in England and Wales; and if he will make a statement. [25077]

Ms Glenda Jackson: Central door locking has appreciably reduced the risk of accidents caused by passengers boarding and alighting from trains when it would be unsafe to do so. It may have increased the risk of overcarrying, but the Health and Safety Executive does not consider overcarrying a safety issue. Measures to prevent overcarrying are for train operators to consider.

Parachute Flights

Mr. Collins: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effectiveness of the regulations regarding maximum permitted decibel levels and the environmental impact of private parachuting flights; and if he will make a statement. [25098]

Ms Glenda Jackson: Aircraft used for parachuting are subject to the same noise certification requirements as comparable aircraft used for other purposes. Depending on local airspace constraints and the location of drop zones, the need for the aircraft to climb over a limited area can be a source of nuisance to those below. Aerodromes and aircraft operators should plan their routes, procedures and activities so as to minimise noise nuisance; subject always to the overriding requirements of safety.

"New Leadership for London"

Sir Norman Fowler: To ask the Secretary of State for the Environment, Transport and the Regions what analysis his Department has made of the answers to the questions set out in the Government's Consultation Paper, "New Leadership for London"; if he will publish this analysis; and if he will make a statement. [25528]

Mr. Raynsford: An analysis of the responses we received to the Green Paper "New Leadership for London" will be set out in the White Paper which we intend to publish in March. A list of names of all the individuals and organisations who responded to the Green Paper was placed in the House of Commons Library on 21 November 1997. On the same day, copies of their letters were made available for inspection by the public, in the library of the Department of the Environment, Transport and the Regions, 2 Marsham Street, London SW1P 3EB.

Rural Policy

Mr. Charles Kennedy: To ask the Secretary of State for the Environment, Transport and the Regions what plans his Department has to adopt an integrated rural policy in England; and if he will make a statement. [24695]

Mr. Meacher: The Government are committed to developing an integrated approach to tackling the problems of rural areas.

The Comprehensive Spending Review (CSR) of Countryside and Rural Policy which is currently being undertaken jointly by DETR and MAFF is considering the aims and delivery of countryside and rural policy for the medium and long term. We expect to make an announcement about how we intend to take forward rural policy in due course, taking account of the work of the CSR.

Passenger Ferries

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions what is the frequency of those Marine Safety Agency inspections of passenger ferries at which the MSA inspectors witness emergency drills. [25279]

Ms Glenda Jackson: I have asked the Chief Executive of the Marine Safety Agency, Mr. Bradley, to write to the hon. Member.

Letter from R. M. Bradley to Mr. Alisdair Morgan, dated 26 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your Question about the frequency of emergency drills on passenger ferries.

Emergency drills are witnessed by inspectors of the Marine Safety Agency at least once a year on all passenger ferries inspected in the UK, and on UK registered ferries operating overseas. The frequency may be increased as required by the inspector in the exercise of his professional judgement.

Air Traffic Control

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the impact on the revenue costs of the National Air Traffic Control over *(a)* 10 and *(b)* 20 years of the PFI project for the Air Traffic Control centre at Prestwick. [25464]

Ms Glenda Jackson: Negotiations are still continuing between National Air Traffic Services Ltd., and Sky Solutions, the preferred bidder for the New Scottish Air Traffic Control Centre at Prestwick. It would therefore be inappropriate for me to make a statement on estimated costs at this time.

INTERNATIONAL DEVELOPMENT

Emergency Relief

Sir Alastair Goodlad: To ask the Secretary of State for International Development what is the proportion of the United Kingdom aid programme devoted to emergency relief operations and disasters preparedness and prevention programmes. [24233]

Clare Short: The proportions of our aid programme devoted to emergency relief operations and disaster preparedness and prevention programme are set out in the table.

Bilateral aid expenditure

£ thousand

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Total emergency[1] aid all countries	142,831	179,544	208,165	141,560	119,934
of which					
Disaster preparedness all countries	1,119	1,939	2,782	2,891	4,303
Total DFID programme all countries	1,145,113	1,177,598	1,144,066	1,124,226	1,078,795
Total GPEX all countries	1,353,889	1,308,743	1,379,665	1,421,567	1,283,224
Emergency aid as a percentage of DIFD programme	12.47	15.25	18.20	12.59	11.12
Disaster preparedness as percentage of DFID programme	0.10	0.16	0.24	0.26	0.40
Emergency aid as a percentage of GPEX	10.55	13.72	15.09	9.96	9.35
Disaster preparedness as percentage of GPEX	0.08	0.15	0.20	0.20	0.34

Key:

[1] Emergency aid includes disaster relief, emergency food aid, short term refugee relief and disaster preparedness.

1. DFID programme include all bilateral spending, financial aid, TC, ATP, programme aid, emergency aid and DFID debt relief.

2. GPEX = Gross Public Expenditure on Development Assistance (includes spending on CDC investments, other (non-DFID) debt relief and small amounts of drug related assistance funded by the Home and Foreign and Commonwealth Offices).

Mr. Rowe: To ask the Secretary of State for International Development what money the Government plan to give *(a)* bilaterally and *(b)* multilaterally to (i) Burkina Faso, (ii) Niger, (iii) Mali and (iv) Chad for long-term disaster preparedness and food security in 1997–98 and 1998–99. [24348]

Clare Short: We plan to channel DFID assistance to Niger, Mali, Burkina Faso and Chad through multilateral agencies, mainly the EU, and through non-governmental organisations.

We are in close touch with the European Commission on EU plans.

Food Shortages

Mr. Rowe: To ask the Secretary of State for International Development what response she has made to the request for international food aid issued *(a)* by Niger in November and *(b)* by Burkina Faso in December. [24349]

Clare Short: UK assistance to these countries is provided mainly through the EU. We are in close touch with the European Commission about their plans.

Mr. Rowe: To ask the Secretary of State for International Development what representations the Government have received from *(a)* NGOs and *(b)* UK officials in Burkina Faso and Niger about the impending food shortages in these countries. [24350]

Clare Short: We have received an official representation from one NGO on this issue. Our Embassy in Abidjan, which is accredited to Niger and Burkina Faso, has recently received a request from the Nigerien authorities for assistance which is now being considered.

Development Assistance

Mr. Rowe: To ask the Secretary of State for International Development how much money has been given in development assistance to *(a)* Burkina Faso, *(b)* Niger, *(c)* Mali and *(d)* Chad in each year since 1992; and what percentage was (i) bilateral and (ii) multilateral assistance; and what proportion was given for (1) emergency relief and (2) long term disaster preparedness and food security. [24347]

Clare Short: Figures for total bilateral assistance (including emergency aid and debt relief) to Burkina Faso, Niger, Mali and Chad from financial year 1991–92 to 1996–97 are given in Table 1a. Further details are given in British Aid Statistics which are available in the House Library.

Figures for bilateral emergency aid to Niger, Mali and Chad (which includes disaster relief, emergency food aid, short-term refugee relief and disaster preparedness) are given in Table 1b. No bilateral emergency assistance was provided to Burkina Faso during this period.

Figures for the imputed UK share of multilateral assistance to these countries for the calendar years 1992–95 (the latest year for which figures are available) are given in Table 2. We have no details of the proportion of this expenditure which was given for emergency relief, and long-term disaster preparedness and food security.

Table 1a: Total bilateral assistance 1991–92 to 1996–97

£ thousand

Country	*Year*	*Gross public expenditure*[1]
Burkina Faso	1991–92	969
	1992–93	345
	1993–94	248
	1994–95	168
	1995–96	325
	1996–97	204
		Total 2,259
Chad	1991–92	227
	1992–93	291
	1993–94	424
	1994–95	110
	1995–96	110
	1996–97	142
		Total 1,303
Mali	1991–92	1,351
	1992–93	1,223
	1993–94	811
	1994–95	921
	1995–96	1,336
	1996–97	8,656
		Total 14,299
Niger	1991–92	392
	1992–93	373
	1993–94	468
	1994–95	539
	1995–96	686
	1996–97	454
		Total 2,912

[1] Includes non-DFID debt relief.

Table 1b: Bilateral emergency aid 1991–92 to 1996–97

£ thousands

Country	*Year*	*Food aid*[1]	*Disaster relief*[2]	*Refugee relief*	*Disaster preparedness*	*Total*
Chad	1991–92	—	90	—	—	90
	1992–93	—	—	80	—	80
	1993–94	—	222	65	—	287
	1994–95	—	—	—	—	—
	1995–96	—	—	—	—	—
	1996–97	—	14	—	—	14
Mali	1991–92	—	—	—	—	—
	1992–93	—	—	—	—	—
	1993–94	—	—	—	—	—

Table 1b: Bilateral emergency aid 1991–92 to 1996–97

£ thousands

Country	*Year*	*Food aid*[1]	*Disaster relief*[2]	*Refugee relief*	*Disaster preparedness*	*Total*
Mali *cont.*	1994–95	—	—	—	—	—
	1995–96	—	128	—	—	128
	1996–97	—	23	–	–	23
Niger	1991–92	—	—	—	—	—
	1992–93	—	—	—	—	—
	1993–94	—	—	—	—	—
	1994–95	—	—	—	—	—
	1995–96	—	13	—	—	13
	1996–97	—	—	—	—	—

[1] DFID uses the World Food Programme as a means of delivering emergency food aid. These amounts are recorded as bilateral food aid as DFID has control over the decision to provide such food aid to a particular destination. Regular non-emergency provisions of food aid are not included in this table.

[2] DFID uses certain UN Agencies as a means of delivering emergency assistance to individual countries. These amounts are recorded as bilateral disaster relief as DFID has influence over the use and destination of funds.

Table 2: Imputed UK share of net multilateral oda disbursements 1992–1995

£ millions

			of which		
		Total multilateral	*EC*	*UN*	*Other*
Burkina	1992	9.2	5.8	0.7	2.7
	1993	13.4	9.2	0.7	3.4
	1994	8.7	5.1	0.5	3.1
	1995	11.5	7.7	0.7	3.1
Chad	1992	3.7	1.1	0.7	1.9
	1993	3.3	0.7	0.6	1.9
	1994	6.9	4.1	0.3	2.6
	1995	4.8	2.8	0.5	1.6
Mali	1992	9.9	6.7	0.9	2.3
	1993	9.0	6.5	0.8	1.7
	1994	10.5	5.8	0.5	4.2
	1995	12.4	8.7	0.7	3.0
Niger	1992	6.1	4.1	1.3	0.7
	1993	7.1	5.5	1.0	0.6
	1994	7.4	4.8	0.5	2.2
	1995	5.6	4.3	0.5	0.8

Net Official Development Assistance (oda) is an internationally comparable aid statistic.

NORTHERN IRELAND

Long-term Unemployment

Mr. Godman: To ask the Secretary of State for Northern Ireland (1) how she intends to deploy New Deal Welfare to Work resources relating to Northern Ireland; and if she will make a statement; [22735]

(2) When she proposed to announce the results of the Government's consultation on long-term unemployment; and if she will make a statement; [22743]

(3) if she will make statement on the New Deal Welfare to Work as it affects lone parents and people with disabilities. [22744]

Mr. Worthington: Responsibility for the subject in question has been delegated to the Training and Employment Agency, under its chief executive Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. Norman Godman, dated 19 January 1998:

PARLIAMENTARY QUESTIONS 22735, 22743 AND 22744

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your questions about the New Deal and the recent consultation on long term unemployment in Northern Ireland.

No 22735

Northern Ireland has been allocated £140 million from the £3.5 billion being raised from the Windfall levy to fund the New Deals for young people and the long term unemployed. We estimate that 13,000 young people will enter the Gateway in the first full year of operation beginning in April this year, of which 7,000 are likely to take up one of the four New Deal options. Provision is also being made for a further 3,000 young people in the New Deal age category who would otherwise have benefited from existing training and employment programmes. Resource transfers for the latter will be made from existing programmes during 1998/99. In addition we estimate that approximately 3,000 people aged over 25 and unemployed for more than 2 years will be eligible for subsided employment.

The allocation for the New Deal for the disabled has yet to be apportioned. The allocation for Lone Parents is mentioned below.

No. 22743

Work on the review of long-term unemployment was temporarily overtaken during the Autumn by the overriding priority of the New Deal. We have been examining how existing programmes for the long term unemployed could be best aligned with the New Deal while taking account of the outcome of last year's consultation exercise. I expect an announcement will be made shortly on the future shape of existing programmes and services.

No. 22744

An additional £9 million has been allocated to Northern Ireland to fund the New Deal for Lone Parents. From April this year, Lone Parents making a first-time claim for Income Support and whose youngest child is of school age will be offered advice and support to overcome the barriers preventing them from taking up employment. All other Lone Parents will be able to avail of this opportunity from October 1998. Personal Advisers will help Lone Parents to identify suitable after-school childcare services, advise them on in-work benefits and where appropriate, arrange pre-employment training as well as providing an in-work support service to ease the transition from Welfare to Work. Similar opportunities for the sick and disabled who are able to take up employment will mirror the arrangements in Great Britain. We will ensure that the launch of this initiative in Northern Ireland will coincide with national implementation.

I hope you find this reply helpful.

Fair Employment and Equality Review

Mr. Godman: To ask the Secretary of State for Northern Ireland when she expects to respond to the recommendations of the Standing Advisory Commission on Human Rights report on Fair Employment and Equality Review; and if she will make a statement. [22738]

Mr. Worthington: The Standing Advisory Commission on Human Rights has provided a major report on employment equality which includes over 160 recommendations. Following consultation with those who would be directly affected by SACHR's recommendations, the Government's consideration of the recommendations is well advanced and my right hon. Friend the Secretary of State has already indicated certain recommendations on which the Government propose to take action—clarification of the law on direct recruitment of the long-term unemployed and firmer powers against persistent discriminators. The Government will give a response to the full range of SACHR's proposals in a paper to be published early this year. Those recommendations which are accepted by the Government will be implemented as appropriate.

Political Parties (Funding)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what steps her Department is taking to ensure the inclusion of Northern Ireland in the Government's proposed legislation on the funding of political parties. [22808]

Marjorie Mowlam: As my hon. and learned Friend will be aware the Committee on Standards in Public Life—formally the Nolan Committee, now the Neill Committee—has been asked by the Prime Minister to undertake a wide-ranging investigation into the funding of political parties. Northern Ireland will be included in this. My officials will also be keeping in contact with colleagues in the Home Office regarding Government's legislative proposals. We welcome submissions from political parties and other interested groups.

River Pollution

Mr. Trimble: To ask the Secretary of State for Northern Ireland what criteria are used to measure pollution in rivers; and which rivers fail to meet the standards. [25020]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Environment and Heritage Service, under its chief executive Mr. Robert C. Martin. I have asked him to arrange for a reply to be given.

Letter from Robert C. Martin to Mr. David Trimble, dated 26 January 1998:

As Chief Executive of Environment and Heritage Service (EHS), I am responsible for all operational aspects of the environmental policies of the Department of the Environment for Northern Ireland. I am responding to the Parliamentary Question which you put down on 27 January 1998 regarding the criteria used to measure pollution in rivers, and the rivers which fail to meet standards.

EHS assesses the quality of approximately 2,400 kilometres of rivers in Northern Ireland by sampling and analysing water at just under 300 monitoring stations. On the basis of the analysis results, the waters are classified as of Very Good, Good, Fairly Good, Fair, Poor or Bad quality. The classification system employed is the General Quality Assessment (GQA) drawn up by the Environment Agency for England and Wales.

The policy of EHS with regard to river quality is generally to manage river systems so that water quality is at least Fair under the Chemical GQA system with no downward movement between classes, and to maintain or improve water quality as required by national policy, EC Directives and international agreements. This policy was published in the report *River Quality in Northern Ireland 1995* (paragraph 11). A copy of the report is attached. The Chemical GQA scheme is explained in Appendix 1 of the report.

Under the terms of the EC Directive on the quality of fresh waters needing protection or improvement in order to support fish life (the 'Freshwater Fish Directive', 78/659/EEC), approximately 1,200 kilometres of rivers have been designated as salmonid (suitable for game fish) or cyprinid (suitable for coarse fish). Designated waters are required to comply with the quality standards set out in Annex 1 of the Directive. A copy of the Directive is attached.

In 1996, the most recent year for which data have been processed, 88 per cent of the length of rivers monitored was of Fair quality or better. Appendix A lists those rivers or reaches which fell below GQA Fair quality.

Also in 1996, 72 per cent of the length of designated rivers complied with the requirements of the Freshwater Fish Directive. Appendix B lists those designated rivers or reaches which failed to comply.

I trust you will find this reply helpful.

DEFENCE

Fleet Air Arm (826 Squadron)

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 12 November 1997, *Official Report*, columns *576–77*, on 826 squadron, in which years since 1968 the squadron was based at *(a)* RNAS Culdrose, Helston, Cornwall and *(b)* Malta. [24540]

Dr. Reid: From 1968 until disbandment in 1993, 826 Naval Air Squadron was a front line Anti-submarine Warfare squadron parented by RNAS CULDROSE where it was based when not embarked or deployed. The squadron was deployed in Malta from 31 October to 12 November 1969 and 3 to 22 March 1971. This and similar information, together with that supplied on 12 November 1997, *Official Report*, columns *576–77*, is obtainable from the Fleet Air Arm Museum.

Land Command

Mr. Bayley: To ask the Secretary of State for Defence how many service personnel are under the command of each one star and each two star commander of Land Command United Kingdom. [24796]

Dr. Reid: The number of service personnel under command of two-star and one-star commanders in land Command in the United Kingdom is as follows:

Two Stars

Appointment	*Regular*	*TA*	*Total*
General Officer Commanding			
2 Division	10,704	17,737	28,441
3 Division	8,966	3,221	12,187
4 Division	17,218	5,702	22,920
5 Division	5,335	13,492	18,827
London District	4,620	714	5,334
Scotland	2,596	7,084	9,680

One star

Appointment	*Regular*	*TA*	*Total*
Commander			
1 Mech Bde	6,280	0	6,280
2 (SE) Bde	2,843	1,501	4,344
5 AB Bde	4,599	208	4,807
15 (NE) Bde	2,401	8,865	11,266
19 Mech Bde	6,029	0	6,029
24 Airmob Bde	5,200	0	5,200
42 (NW) Bde	1,870	5,690	7,560
43 (Wx) Bde	1,597	3,221	4,818
49 (E) Bde	2,170	8,852	11,022
51 (H) Bde	883	3,183	4,066
52 (L) Bde	1,654	3,862	5,516
143 (WM) Bde	1,676	3,069	4,745
145 (HC) Bde	4,525	3,980	8,505
160 (W) Bde	1,630	3,584	5,214

The figures for service personnel include uniformed non-regular permanent staff. The figures for two-star commands include in total some 8,000 service personnel working in headquarters and other units which are distributed throughout the United Kingdom and do not feature in the figures for one-star commands.

Mr. Bayley: To ask the Secretary of State for Defence what is the proposed capital expenditure for United Kingdom Land Command 2nd Division over the next five years. [24795]

Dr. Reid: It has been the policy of successive Governments not to publish detailed information on the outcome of the Department's long-term costings, of which planned capital expenditure forms a part. I am, therefore, withholding the information requested under exemption 2 of the Code of Practice on Access to Government Information.

Mr. Bayley: To ask the Secretary of State for Defence what is the annual cost of maintaining the (i) Land Command United Kingdom Divisional Headquarters in Edinburgh, (ii) the Brigade Headquarters at Perth and (iii) the Brigade Headquarters at Edinburgh. [24792]

Dr. Reid: The estimated cost of maintaining these headquarters next financial year will be:

(i) HQ Scottish District, Edinburgh: £5,598,000

(ii) HQ 51 Brigade, Perth: £648,000

(iii) HQ 52 Brigade, Edinburgh: £930,000.

These figures include pay and running costs of the headquarters, and maintenance of the buildings. In the case of HQ Scottish District, the figures include the costs of not only the Headquarters but its supporting camp.

Mr. Bayley: To ask the Secretary of State for Defence how many *(a)* regular and *(b)* territorial army soldiers are based currently in (i) Scotland and (ii) the 2nd Division; and how many would be based in the English part of the proposed Northern District with its headquarters at Edinburgh being considered by Land Command United Kingdom. [24797]

Dr. Reid: Land Command has 2,596 regular and 7,084 territorial army personnel currently based in Scotland; and 10,704 regular and 17,737 territorial army personnel in the 2 Division area. A region covering the North of England would at present include some 10,258 regular and 15,730 territorial army personnel.

Mr. Bayley: To ask the Secretary of State for Defence how many *(a)* service and *(b)* civilian personnel are employed at the Army Brigade Headquarters in (i) Perth and (ii) Edinburgh; and what is the total number of regular and territorial troops under their respective commands. [24790]

Dr. Reid: Headquarters 51 Brigade in Perth has an establishment of 12 Service, and nine civilian personnel; Headquarters 52 Brigade in Edinburgh, 12 Service and 15 civilian staff.

The total established strength of Land Command units under command or administrative control of Headquarters 51 Brigade is 883 regular and 3,183 Territorial Army personnel; and of Headquarters 52 Brigade: 1,654 regular and 3,862 Territorial Army personnel.

Mr. Bayley: To ask the Secretary of State for Defence how many *(a)* service and *(b)* civilian personnel are employed at the headquarters of 15 and 49 Army Brigades; and what is the total number of regular and territorial troops under their respective commands. [24798]

Dr. Reid: There are currently 33 service and 37 civilian personnel employed in the Headquarters 15 Brigade at York; and 38 service and 37 civilian personnel in the Headquarters of 49 Brigade at Chilwell. The authorised strength of units under command or administrative control of Headquarters 15 Brigade is 2,401 regular and 8,865 territorial army personnel; and of Headquarters of 49 Brigade, 2,170 regular and 8,852 territorial army personnel.

Mr. Bayley: To ask the Secretary of State for Defence how many *(a)* service and *(b)* civilian personnel are employed at the United Kingdom Land Command Divisional Headquarters in (i) Edinburgh and (ii) York; and what is the total number of regular and territorial troops under their respective commands. [24791]

Dr. Reid: Headquarters Scottish District in Edinburgh has an establishment of 91 Service and 60 civilian staff. The equivalent figures for Headquarters 2 Division at York are 104 and 171 respectively. I regret that the figures for Headquarters 2 Division given in the answer from my hon. Friend the Under-Secretary on 16 January 1998, *Official Report*, column *349*, excluded a number of staff who should have been included.

The total established strength of units under command or administrative control of Scottish District is 2,596 regular and 7,084 Territorial Army personnel. The figures for 2 Division are 10,704 and 17,737 respectively.

Defence Council Instructions

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many Defence Council instructions have been issued since 1 January 1996; and how many were unclassified. [24507]

Mr. George Robertson: A total of 1,920 Defence Council Instructions have been issued since 1 January 1996, of which 1,609 were unclassified.

Peacekeeping Forces

Mr. Cox: To ask the Secretary of State for Defence if he will list the countries where British peacekeeping forces are currently operating. [25008]

Dr. Reid: United Kingdom armed forces are currently deployed in Cyprus, Iraq/Kuwait, Georgia, Bosnia/Herzegovina and Croatia on peacekeeping operations under specific United Nations mandates. UK forces are also engaged in monitoring activities in Northern and Southern Iraq and in the Gulf of Oman and the Gulf, as part of a wider coalition force to monitor Iraqi compliance with United Nations Security Council Resolutions.

Trident

Mr. Flynn: To ask the Secretary of State for Defence what discussions were held on the co-ordination of patrols of Trident and Triomphant submarines at the Anglo-French summit in London in November. [24606]

Mr. George Robertson: I refer the hon. Member to the answer I gave to the hon. Member for Salisbury (Mr. Key) on 22 January 1998, *Official Report*, column *628*.

Mr. Flynn: To ask the Secretary of State for Defence what has been the impact of the introduction of Trident on *(a)* the availability of the United Kingdom's ballistic missile-carrying submarines to fire their missiles and *(b)* the number of submarines that can be deployed on patrol at any one time. [24602]

Mr. George Robertson: The introduction into service of our Trident submarines has not resulted in any change in the United Kingdom's policy of maintaining continuous deterrent patrols. Submarines on patrol are at a reduced alert state reflecting improved strategic conditions.

Mr. Flynn: To ask the Secretary of State for Defence what is the Government's present policy towards disclosing the number of nuclear warheads deployed on Trident submarines and the date they entered service; and if he will make a statement on changes in Government policy in respect of disclosing such information. [24604]

Mr. George Robertson: Details of the exact number of warheads deployed on our Trident submarines are covered by exemption 1 of the code of practice on access to government information relating to defence, security and international relations. The Government are considering, in the Strategic Defence Review, whether we can in future be more open about aspects of our nuclear capabilities.

Mr. Flynn: To ask the Secretary of State for Defence what is his Department's assessment of the *(a)* current and *(b)* future capacity of Russia to track and determine the whereabouts of the United Kingdom's Trident submarines when on patrol; and if he will make a statement. [24603]

Mr. George Robertson: Although the most modern Russian submarines might be theoretically capable of detecting UK Trident submarines at close range, the operating arrangements for UK Trident submarines are designed to ensure that they remain undetected.

Mr. Flynn: To ask the Secretary of State for Defence if he will make a statement on the number of warheads currently deployed on each of the United Kingdom's Trident submarines relative to the original estimates of the number of warheads required. [24605]

Mr. George Robertson: The original requirement for Trident was drawn up at the height of the Cold War based on 16 Trident C4 missiles on each submarine capable of carrying a total of 128 warheads. The previous Government announced in 1994 that they would not deploy more than 96 warheads on each Trident submarine. We are considering future warhead requirements in the Strategic Defence Review.

Mr. Flynn: To ask the Secretary of State for Defence what assessment he has made of the relative accuracy of the Trident D5 missile against the Polaris/Chevaline system; and what are his Department's requirements in respect of the accuracy of nuclear weapons. [24594]

Mr. George Robertson: The Trident missile system is inherently more accurate than Polaris reflecting technological advances in missile system design. The greater accuracy of Trident has allowed us to plan on our Trident force also undertaking the sub-strategic role allowing the withdrawal of our air delivered WE-177 nuclear bombs without replacement. Details of the performance of Trident are covered by exemption 1 of the code of practice on access to government information relating to defence, security and international relations.

Mr. Flynn: To ask the Secretary of State for Defence if the warheads on the Trident D5 missile deployed by the United Kingdom are independently targetable. [24596]

Mr. George Robertson: Trident warheads are independently targetable within constraints imposed by the missile system and its trajectory.

Mr. Flynn: To ask the Secretary of State for Defence if he will make a statement on the relative capability of the anti-missile defence technology employed in the Trident D5 missile system against that of Polaris/Chevaline. [24597]

Mr. George Robertson: Chevaline and Trident utilised different technologies to overcome anti-ballistic missile systems precluding direct comparisons. We are satisfied that Trident could meet any foreseeable requirements against such systems.

Mr. Flynn: To ask the Secretary of State for Defence if he will make a statement on the range of the Trident D5 missile system as deployed by the United Kingdom relative to that of the Polaris system. [24595]

Mr. George Robertson: Polaris missiles had a range of up to 2,500 miles. The maximum range of the Trident D5 missile is in the region of 6,000 miles. The additional range of the Trident missile ensures that our strategic submarines can operate within a wider area and are therefore less vulnerable to detection.

Nuclear Arms Control Treaties

Mr. Flynn: To ask the Secretary of State for Defence which nuclear arms control treaties that place restrictions on the level of nuclear weapons capability measure that capability in terms of megatonnage. [24592]

Mr. George Robertson: We are not aware of any nuclear arms control treaties that place restrictions on the level of nuclear weapons capability which measure that capability in terms of megatonnage. However, the 1974 Treaty on the Limitation of Underground Nuclear Weapon Tests and the 1976 Treaty on Underground Nuclear

Explosions for Peaceful Purposes limited the yield of underground nuclear weapon test explosions and other underground nuclear explosions. These were both bilateral Treaties between the United States and the Soviet Union, and had no other members. Both are effectively superseded by the 1996 Comprehensive Nuclear Test Ban Treaty, signed by all the Nuclear Weapon States, which bans any nuclear weapon test explosion and any other nuclear explosion in any environment.

Nuclear Co-operation

Mr. Flynn: To ask the Secretary of State for Defence on how many occasions in the last four years *(a)* representatives and *(b)* contractors of the Delegation Generale pour l'Armement, and the Commissariat a l'Energie Atomique have visited (i) the United Kingdom to discuss the furtherance of nuclear co-operation and (ii) the atomic weapons establishments at (1) Aldermaston, (2) Burghfield, (3) Cardiff and (4) Foulness. [24608]

Mr. George Robertson: Details of the total number of visits are as follows. More precise information is not held centrally and could be obtained only at disproportionate cost.

Financial year	*Aldermaston*	*Burghfield*	*Cardiff*	*Foulness*
1993–94	4	3	0	0
1994–95	3	1	0	1
1995–96	4	3	0	1
1996–97	8	0	0	0
April 1997 to 21 January 1998	6	0	0	0

Mr. Flynn: To ask the Secretary of State for Defence (1) what activities have been undertaken by the Anglo-French Joint Commission on Nuclear Policy and Doctrine since May 1997; [24609]

(2) if he will place in the Library a copy of the report of the Anglo-French Joint Commission on Nuclear Policy and Doctrine approved at the Anglo-French summit in London in November. [24610]

Mr. George Robertson: Discussions within the Franco-British Joint Commission on Nuclear Policy and Doctrine and reports of the Commission to Ministers are confidential between our two Governments and are covered by exemption 1 of the code of practice on access to government information relating to defence, security and international relations.

Mr. Flynn: To ask the Secretary of State for Defence on how many occasions in the last four years members of the French armed forces have visited the United Kingdom to discuss nuclear co-operation. [24607]

Mr. George Robertson: My Department has regular contacts with members of the French Armed Forces and French officials on defence nuclear matters. These include meetings of the Franco-British Joint Nuclear Commissions, biannual staff talks and visits to the United Kingdom on an ad-hoc basis.

Sub-strategic Nuclear Capability

Mr. Flynn: To ask the Secretary of State for Defence what is the purpose of the United Kingdom's sub-strategic nuclear capability; and if he will make a statement on the United Kingdom's future sub-strategic nuclear capability. [24601]

Mr. George Robertson: A sub-strategic capability enhances deterrence by demonstrating that the United Kingdom has a range of nuclear options available for self-defence in extreme circumstances. Our sub-strategic capability will in future be provided solely by our Trident force.

Nuclear Warheads

Mr. Flynn: To ask the Secretary of State for Defence what account his Department takes of the relationship between megatonnage and destructive effect when assessing warheads of different explosive yields. [24600]

Mr. George Robertson: Assessments of our deterrence requirements take into account a range of factors that might affect the destructive effect that would result from the use of a nuclear weapon, including the explosive yield.

Mr. Flynn: To ask the Secretary of State for Defence what is his Department's assessment of the comparative explosive yields of the warheads currently carried on strategic ballistic missiles deployed by Russia relative to those deployed in the 1960s. [24593]

Mr. George Robertson: By the end of the 1960s, we assess the Russian strategic ballistic missile force comprised (approximately) 1,050 single warhead Intercontinental Ballistic Missiles (ICBMs) with a total yield of 1,380 megatonnes (Mt), and 215 single warhead Submarine-Launched Ballistic Missiles (SLBMs) with a total yield of 395 Mt. The total explosive yield of both was 1,775 Mt.

By contrast, in 1997, the Russian strategic ballistic missile force comprised (approximately) 755 ICBMs with single and multiple (3,580) warheads giving a total yield of 2,330 Mt, and 524 SLBMs with multiple (2,314) warheads giving a total yield of 670 Mt. The total explosive yield of both was 3,000 Mt.

Anti-ballistic Missile Defence Systems

Mr. Flynn: To ask the Secretary of State for Defence how many anti-ballistic missile defence systems capable of use against strategic ballistic missiles are deployed world-wide, where they are located; how many launchers are involved; and what is his Department's assessment of how soon other states will be capable of deploying such defences. [24599]

Mr. George Robertson: Russia has the only deployed strategic ballistic missile defence system. This has up to 100 launchers in the vicinity of Moscow. No other state is known to be developing such systems.

Agricultural Holdings

Mr. Charles Kennedy: To ask the Secretary of State for Defence if he will place in the Library a copy of the regional lists of his Department's agricultural holdings, indicating, respectively, *(a)* the number of hectares used for agricultural production and *(b)* the number of agricultural tenancy agreements involved. [24694]

Mr. Spellar: The number of agricultural holdings by Region for my Department is given in the table:

	Number of tenancies	*Number of hectares*
Southern Eastern Region	78	2,944
South Western Region	155	24,230
Eastern Region	123	7,342
Northern Region (including Wales)	186	3,863
Scotland	13	1,933
Total	555	40,312

Anglo-Bahrain Defence Talks

Mr. Soames: To ask the Secretary of State for Defence if he will make a statement on the latest Anglo-Bahrain defence talks. [25031]

Mr. George Robertson: The last round of UK-Bahrain defence talks were held on the 18–19 November 1997 in Bahrain. The UK delegation was led by my right hon. and noble Friend the Minister of State for Defence Procurement. The talks addressed issues of mutual defence interest and bilateral defence relations.

Western European Union

Mr. Soames: To ask the Secretary of State for Defence what assessment he has made of the implications of the Amsterdam Treaty for the future of the Western European Union. [25033]

Mr. George Robertson: The Treaty of Amsterdam provides for closer practical co-operation between the Western European Union and the European Union but makes clear that the two organisations will remain separate unless all Member States, in accordance with their national constitutional requirements, agree otherwise.

Missile Defence (Russia)

Mr. Flynn: To ask the Secretary of State for Defence what is his Department's current assessment of the efficacy of Russia's missile defence system around Moscow; what is the extent of the geographical area protected by that system; and what is his assessment of Russia's future modernisation plans for that system. [24598]

Mr. George Robertson: We assess that the Moscow Anti Ballistic Missile system comprising the short range GAZELLE and longer range GORGON interceptors remains operational and effective. The range of GORGON extends to several hundred kilometres. Deployment of any significant upgrades in the near future appears unlikely.

Porton Down

Mr. Baker: To ask the Secretary of State for Defence how many project licence applications for animal procedures at Porton Down have been *(a)* approved unamended for submission to the Home Office, *(b)* approved in amended form for submission to the Home Office and *(c)* rejected for each year from 1990 to date. [24832]

Mr. Spellar: These are matters for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 26 January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA) I have been asked to reply to your question about the progress of project licence applications for animal procedures at Porton Down submitted to the Home Office in each year since 1990.

DERA's Chemical and Biological Defence Sector (CBD) at Porton Down has had a formal, internal, ethical review process for all project licence applications since March 1995. Prior to that date the review process was conducted on a much less formal basis which was not documented. I can, therefore, only provide you with accurate details of the progress of licence applications, prior to submission to the Home Office, since 1995.

Each project licence application is submitted to an internal, peer group, ethical review meeting which is open to all members of staff. After hearing the licence application details the staff discuss both scientific and ethical issues. The review can result in an application being held over subject to revisions being made, approved without further amendment for submission to the Home Office or it is possible that a licence application could be completely rejected.

Since the internal ethical process was formalised in 1995, no applications have been totally rejected prior to submission to the Home Office, but all have been amended to a greater or lesser extent. The table below shows the number of project licence applications submitted to the Home Office since March 1995.

Year	*Number of applications*
1995	6
1996	11
1997	13

I hope this is helpful.

Search and Rescue

Mr. Ainger: To ask the Secretary of State for Defence what reviews he has undertaken into the location of search and rescue helicopters in the United Kingdom; and if he will make a statement. [24584]

Mr. Spellar: The provision of search and rescue capability, along with every other aspect of defence, is being considered as part of the Strategic Defence Review. No decisions have yet been taken.

RAF Menwith Hill

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 31 July 1997, *Official Report*, column 472, on RAF Menwith Hill, if a copy of the report resulting from the internal US review was sent to his Department; and which Department within the United States Government carried out this review. [24542]

Dr. Reid: The review was conducted by the National Security Agency and looked into US security practices at the site. As such, there was no requirement for the report to be made available to Her Majesty's Government. However, my Department was made aware of the broad recommendations of the report at the time.

Ann Clwyd: To ask the Secretary of State for Defence if he will make a statement on the European Commission report Assessing the Technologies of Political Control, and its application to RAF Menwith Hill. [24579]

Dr. Reid: I am aware of the report referred to by my hon. Friend, which is not a European Commission report but one that has been prepared for, although not endorsed in any way by, the European Parliament. I have no comments to make on the contents of the report, other than to say that no activity considered inimical to British interests is, or would be, permitted at RAF Menwith Hill, which operates with the full knowledge and consent of Her Majesty's Government.

Defence Diversification Agency

Mr. Hesford: To ask the Secretary of State for Defence what plans he has to establish a defence diversification agency or similar organisation; and if he will make a statement. [24838]

Mr. Spellar: I expect to announce soon the publication date of a consultative Green Paper setting out our proposals for defence diversification.

Nuclear Weapons (Transport)

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 12 November 1997, *Official Report*, columns *580–81*, when his Department expects to produce a new edition of the Local Authority and Emergency Service Information on Nuclear Weapon Transport Contingency Plans. [24541]

Dr. Reid: It is planned that the 3rd edition of the Local Authority and Emergency Service Information on Nuclear Weapon Transport Contingency Plans (LAESI) will be published this year.

TREASURY

Corporate Taxation

Mr. Lilley: To ask the Chancellor of the Exchequer if he will make a statement on the progress of his review of corporate taxation. [25282]

Mr. Geoffrey Robinson: We are consulting widely with business and other interested parties on the proposed changes to corporation tax announced in the pre-Budget report. The consultation period ends on 30 January 1998. We shall then take decisions in the light of the responses received.

FOREIGN AND COMMONWEALTH AFFAIRS

Schengen Agreement

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs if officials were present at the time agreement was reached at Amsterdam on what voting arrangements will operate for opting into the Schengen area. [25134]

Mr. Doug Henderson: Officials do not attend formal sessions of European Councils. As far as handling of this issue at Amsterdam is concerned, I refer the hon. Member to previous statements I have made to the House, in particular my answer to his question on 20 January 1998, *Official Report*, column *466*.

Death Penalty

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the dependencies of the United Kingdom that *(a)* have legislative provision for and *(b)* carry out the death penalty. [24875]

Mr. Tony Lloyd: All the Dependent Territories have legislative provision for the death penalty, but, with the exception of Bermuda and St. Helena, only in respect of those offences which remain capital offences in the UK. Like the UK, none carries out the death penalty. In Bermuda, where murder remains a capital offence, the death penalty has not been carried out since 1977. In St. Helena there is still provision for the death penalty for piracy.

Algeria

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press for an international investigation into *(a)* massacres and *(b)* human rights abuses in Algeria. [24841]

Mr. Fatchett: I pressed the Algerians to accept a visit by the UN Special Rapporteurs for Extrajudicial, Summary or Arbitrary Executions and for Torture during the EU Troika visit to Algiers on 19–20 January. We regret that they were not ready to agree to this.

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last had discussions with the Algerian authorities about the human rights situation in Algeria. [24843]

Mr. Fatchett: When I visited Algiers from 19–20 January with my Austrian and Luxembourg colleagues we discussed human rights with the Foreign Minister, Mr. Attaf, and the Prime Minister, Mr. Ouyahia.

St. Helena

Mr. Truswell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had on *(a)* the future of and *(b)* support to St. Helena. [25028]

Mr. Tony Lloyd: Six St. Helena Councillors visited Britain late last year at my invitation. During their visit they had discussions on the future of the island with my noble Friend Baroness Symons, Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Parliamentary Under-Secretary of State for International Development, and my hon. Friend the Parliamentary Under-Secretary of State for the Home Department and myself.

A review of policy towards the Dependent Territories, including St. Helena is underway. Separately a team of Foreign and Commonwealth Office and Department for

International Development officials are in St. Helena now to review the Country Policy Plan which shapes our aid support.

Club of Three

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the aims of Club of Three; what was the United Kingdom's financial contribution to the meeting of September last, and what arrangements have been made for the projected London meeting of mid-1998. [25129]

Mr. Doug Henderson: The Club of Three is an informal private gathering, not a governmental or intergovernmental organisation. It would not therefore be appropriate for me to make a statement on its aims. We did not make a financial contribution to the meeting in September 1997. The arrangements for meetings are a matter for the organisers.

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the participants in past Club of Three meetings; and if *(a)* minutes or *(b)* conference papers are circulated or deposited. [25128]

Mr. Doug Henderson: The Club of Three is an informal private gathering, not a governmental or intergovernmental organisation. We are not therefore in a position to answer the question.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has received concerning the expected shipment of high-level nuclear waste from Cherbourg to Japan. [25060]

Mr. Fatchett: Formal representations on the high level nuclear waste shipment presently sailing from France to Japan have been received from the governments of Colombia and the Dominican Republic. Our diplomatic posts have relayed to them, and to the governments of all those countries on its route, details of the voyage and the measures taken to ensure the safety of the ship and its cargo.

CULTURE, MEDIA AND SPORT

Television Licence

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport what plans his Department has to review the present levels of television licence charges; and if he will make a statement. [24653]

Mr. Fisher: As my right hon. Friend the Secretary of State announced on 11 December 1997, *Official Report* column *636*, the Government have considered the five-year television licence fee formula announced by the previous Government in December 1996, and have concluded that it remains appropriate. The formula, based on advice from independent consultants, provides for cumulative fee increases of just below RPI for the five years from April 1997. The RPI-linkage in individual years reflects anticipated spending pressures and, in the latter years, the benefits of BBC efficiency savings and the development of alternative sources of revenue.

The Government's Agreement with the BBC provides for a review of the arrangements for funding the BBC after 2002. The Government intend to conduct such a review well before that date and to include in that review a detailed consideration of the question of concessions.

Parthenon Marbles

Mr. O'Hara: To ask the Secretary of State for Culture, Media and Sport how many E-mail messages were received in his Department on 5 December calling for the return of the Parthenon marbles to Greece. [24820]

Mr. Fisher *[holding answer 23 January 1998]:* On 5 December the Department received 2,666 such E-mails.

Public Buildings (Design)

Sir Sydney Chapman: To ask the Secretary of State for Culture, Media and Sport what progress he has made in his plans for an inter-departmental strategy to ensure good quality design in public buildings. [24571]

Mr. Fisher: Departments are responsible for their own building programmes and will recognise that good design brings hard economic benefits in better use of space and in low energy and maintenance costs. Well-designed buildings contribute to the public realm and improve the quality of our lives. The main commissioning bodies meet in the Government Construction Clients Panel to share their experience on all aspects of becoming better clients. My colleagues have agreed that this and other review bodies must take account of design quality as a factor in achieving value for money.

Performing Arts

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what proposals he has for increasing the proportion of lottery finance for the Arts which is made available for running costs, with particular reference to the performing arts. [23524]

Mr. Fisher: The Government have made it clear in the White Paper "The People's Lottery" that they intend that Lottery money should be used increasingly to focus on people—and in the arts on revenue support for the art and artists—rather than buildings and capital developments.

HMS Cavalier

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport (1) what export licences *(a)* currently apply to HMS Cavalier and *(b)* have been applied for; [24416]

(2) what valuation has been placed on HMS Cavalier. [24415]

Mr. Fisher: If HMS Cavalier were to be exported from the UK it would first require an export licence from the Department of Trade and Industry. Depending on its value, it might also need one from the Department of Culture, Media and Sport. It is not yet clear whether the vessel requires an export licence from my Department since there is no firm value for the ship. Whether or not licences have been applied for is commercially

confidential information. If it is decided that a licence from my Department is required, HMS Cavalier will be subject to the normal considerations as to whether one should be granted or the decision deferred.

Film Festivals

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport if he will list the film festivals *(a)* he and *(b)* the Minister for Film and Tourism have attended since 1 May 1997. [25550]

Mr. Chris Smith: I have attended the Cannes and London film festivals since 1 May 1997. My right, hon. Friend the Minister for Film and Tourism has attended the Cannes, Venice, Edinburgh, Dinard, London, Bristol and Sundance film festivals.

Ministerial Engagements

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many official engagements the Minister for Sport has undertaken since his appointment *(a)* in London and *(b)* outside London. [22669]

Mr. Banks: Since my appointment as Sports Minister, I have attended 81 official engagements in London, and 23 official engagements outside London.

Of the engagements attended: 45 are speaking engagements at conferences, photocalls and launches of sports centres, 15 are official lunches and dinners, nine are engagements which involve the disabled, 17 are awards ceremonies and 18 are attendance at various sporting occasions.

HOME DEPARTMENT

Racial Incidents

Mr. Allan: To ask the Secretary of State for the Home Department if he will list, by police area, the number of reported racial incidents in 1989 and each year since 1994 for which figures are available. [24664]

Mr. Michael: Racial incidents figures are submitted by each police force to Her Majesty's Inspectorate of Constabulary at the end of each financial year. The incidents are recorded under the Association of Chief Police Officers' definition of a racial incident:

"any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person".

The information requested is given in the table:

The number of racial incidents reported to each force in 1989 and each year since 1994

Forces	*1989*[1]	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Avon and Somerset	71	159	286	318	310
Bedfordshire	25	60	41	43	77
Cambridgeshire	60	100	75	160	141
Cheshire	0	98	62	27	92
City of London	0	1	6	2	10
Cleveland	55	50	62	112	68
Cumbria	4	17	24	27	37
Derbyshire	20	221	291	192	208
Devon and Cornwall	3	14	44	73	82
Dorset	12	25	37	41	67
Durham	23	32	26	23	24
Dyfed-Powys	0	0	3	23	18
Essex	26	133	127	178	116
Gloucestershire	20	28	37	34	34
Greater Manchester	40	658	637	776	595
Gwent	4	21	22	32	60
Hampshire	[2]n/k	212	210	279	178
Hertfordshire	49	117	183	234	295
Humberside	52	79	75	58	55
Kent	81	160	173	129	256
Lancashire	93	262	222	320	337
Leicestershire	190	315	366	270	299
Lincolnshire	2	4	2	0	7
Merseyside	123	155	131	130	162
Metropolitan Police	2,697	5,124	5,480	5,011	5,621
Norfolk	22	33	39	41	56
North Wales	1	2	3	5	4
North Yorkshire	6	22	30	37	43
Northamptonshire	72	102	146	214	195
Northumbria	217	405	508	475	488
Nottinghamshire	27	264	259	362	330
South Wales	94	400	517	443	357
South Yorkshire	52	115	156	194	169
Staffordshire	44	117	164	253	225
Suffolk	62	73	73	74	74
Surrey	7	79	39	77	55
Sussex	141	214	247	263	260
Thames Valley	128	166	233	266	233

The number of racial incidents reported to each force in 1989 and each year since 1994

Forces	*1989*[1]	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Warwickshire	21	87	114	99	66
West Mercia	6	100	35	46	64
West Midlands	169	487	375	489	725
West Yorkshire	306	244	254	355	623
Wiltshire	19	51	64	37	35
England and Wales total	5,044	11,006	11,878	12,222	13,151
Provincial total	2,347	5,882	6,398	7,211	7,530

[1] Until 1993–94 figures were submitted to HMIC every calendar year.
[2] The figure for Hampshire in 1989 is not known.

It is difficult to be precise about the extent to which rising figures may be partly due to the increasing willingness among ethnic minority communities to report these incidents and an increasing confidence that the police take these matters seriously. Police forces are also taking steps to increase the reporting rate of racial incidents taking place and to discover when and where they are taking place and on whom. Such developments are also likely to be influencing both public confidence and the number of offenders reported.

Internet (Racially Inflammatory Material)

Mr. Dismore: To ask the Secretary of State for the Home Department if he will make a statement on the use of the Internet for the promotion of anti-semitic propaganda. [24661]

Mr. Mike O'Brien: The Government deplore the distribution—via the Internet or any other medium—of anti-semitic or racially inflammatory material.

Material passing over the Internet is subject to the same laws, providing that it falls within our jurisdiction, as material being distributed by other means. The Public Order Act 1986 makes provision to deal with material which is threatening, abusive or insulting and intended or likely to stir up racial hatred.

Animal Experiments

Mr. Hancock: To ask the Secretary of State for the Home Department what experimentation procedures are undergone by animals classified as experiencing the most severe category of suffering and pain. [24418]

Mr. George Howarth: Information on the assessment of severity is provided in the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986, sections 4.4 to 4.20. Section 4.11 states that:

> "Procedures will be regarded as being of substantial severity if they result in a major departure from the animals' usual state of health or well-being. These are likely to include acute toxicity procedures where significant morbidity or death is an endpoint; some efficacy tests of antimicrobial agents and vaccines; some models of disease and major surgery where significant post-operative suffering may result".

The assessment of severity is a complex matter, as it involves not only the type of procedure involved but the effect of any measures that can be taken to reduce suffering—the use of analgesics or anaesthesia, for example.

Mr. Hancock: To ask the Secretary of State for the Home Department how many animals were classified as experiencing the most severe category of pain and suffering during animal experiments in each of the last three years. [24417]

Mr. George Howarth: Figures for the number of animals which suffer adverse effects in each of the severity bandings are not collected.

The number of projects classified as being of substantial severity is published annually in the report of the Animal Procedures Committee. Of the 3,869 project licences in force on 31 December 1996, 66 (1.7 per cent.) were classified as being substantial. The figures for 31 December 1997 are currently being collated.

Not all animals used in substantial projects will, however, suffer substantial adverse effects, and some animals used in projects classed as being of mild or moderate severity may suffer substantial adverse effects. Section 4.14 of the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986 explains that:

> "The assessment of the overall severity of a project will reflect the cumulative effect of each procedure; the number of animals used in each procedure; the frequency of use of each procedure; the proportion of animals that are expected to be exposed to the upper limits of severity in each procedure; and the length of time that the animals might be exposed to the upper limits of severity".

Mr. Baker: To ask the Secretary of State for the Home Department how many *(a)* announced and *(b)* unannounced visits have been made by inspectors to Porton Down under the Animals (Scientific Procedures) Act 1986 for each year from 1990 to date. [24833]

Mr. George Howarth: The number of visits *(a)* to the Chemical and Biological Defence (CBD) establishment at Porton Down, *(b)* to Departments within CDB that were by appointment and *(c)* to Departments on an unannounced basis were as follows:

Year	*(a)*	*(b)*	*(c)*
1990	5	15	11
1991	9	34	10
1992	8	25	11
1993	7	13	12
1994	6	9	5
1995	13	16	50
1996	13	20	30
1997	11	18	31

Handguns (Compensation)

Miss Kirkbride: To ask the Secretary of State for the Home Department what has been the total paid out to date in compensation under the terms of the Firearms (Amendment) Act 1997 compensation scheme; what are the projections for future expenditure; and what additional compensation will be given to those whose payments have been delayed. [24511]

Mr. Michael: As at 16 January, £30.3 million had been paid. The estimate for the total cost of the compensation schemes under the two 1997 Acts, including administration costs, is £166 million. No payments have been "delayed". It has been made clear from the start that the size and complexity of the compensation arrangements would make this a long process and this Government, like the previous Government, argued in the debates that no guarantees could be given that payments would be made within a particular timescale. The House accepted that position, and accordingly there are no arrangements in the schemes for the payment of additional sums if claims are not settled within a given time.

Everything possible is being done to process claims in the shortest possible time. Weekend overtime is being worked, casual staff have been appointed and data processing staff have been introduced to enter the payment details on to the computer system, allowing the trained examiners more time to spend on processing the claims.

We can understand the impatience of those awaiting settlement of their claims, but the position is not helped by the volume of inquiries pressing for early payment, which simply divert staff from their primary task of processing claims, thereby hampering the efforts to reduce turn-round times.

Mr. Paice: To ask the Secretary of State for the Home Department (1) if he will defer the surrender date of handguns under the Firearms (Amendment) (No. 2) Act 1997, until all outstanding compensation has been paid for handguns surrendered under the Firearms (Amendment) Act 1997; [25198]

(2) what action he is taking to expedite the payment of compensation for owners of handguns; and if he will pay interest on all sums not paid within 30 days of surrender. [25072]

Mr. Michael *[holding answer 23 January 1998]:* It has been made clear from the start that the size and complexity of the compensation arrangements would make this a long process, and this Government, like the previous Government, argued in the debates that no guarantees could be given that payments would be made within a particular timescale. The House accepted that position, and accordingly there are no arrangements in the schemes for the payment of additional sums if claims are not settled within a given time.

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We can understand the impatience of those awaiting settlement of their claims, but the position is not helped by the volume of inquiries pressing for early payment, which simply divert staff from their primary task of processing claims, thereby hampering the efforts to reduce turn-round times.

Arrangements for the surrender of small-calibre pistols during February are well advanced and by now most certificate holders and dealers will have received details about where and when to hand in their firearms. There are no plans to defer the surrender period. There is no reason to do so and it would cause massive confusion for the police, for shooters and for the general public.

Police (Disciplinary Inquiries)

Mr. McDonnell: To ask the Secretary of State for the Home Department (1) if he will list by police authority the number of police officers suspended from duty *(a)* pending and *(b)* during a disciplinary inquiry in (i) 1995–96 and (ii) 1996–97; [24588]

(2) if he will list by police authority the average length of time taken in respect of inquiries into police discipline since 1995; [24589]

(3) if he will list by police authority the number of police officers taking early retirement *(a)* during and *(b)* following an inquiry into disciplinary matters relating to them since 1995; [24590]

(4) if he will list the cost of inquiries into disciplinary matters and complaints against the police by police authority in *(a)* 1995–96 and *(b)* 1996–97. [24587]

Mr. Michael: Police disciplinary and complaints procedures are managed locally by individual police forces. At present, the information requested is not available centrally. I have today requested this information from each of the 43 police forces in England and Wales. When I have the responses, I will write to my hon. Friend and place a copy of my letter in the Library.

New Prisons

Mr. Cox: To ask the Secretary of State for the Home Department how many new prisons are at present under construction; where they are sited; and when they are due to be completed. [25436]

Ms Quin: There are no prisons under construction at present: construction of the most recently built prison, Her Majesty's Prison Lowdham Grange, which is situated eight miles north-east of Nottingham, was completed on 23 January. It is due to receive prisoners on 16 February 1998.

Prisoners (Drug Tests)

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the results of random mandatory drug testing of prisoners for April to June 1997 and July to September 1997, showing for each establishment the number of tests done, the number of prisoners testing positive for opiates and the number of prisoners testing positive for cannabis in the 13 prisons in which an interview based survey about injectable drug use and HIV risk behaviours was carried out in 1994–95. [25056]

Mr. George Howarth: The tables give the results of random mandatory drug tests for the 13 prisons in which the survey about injectable drug use and HIV risk behaviours was carried out in 1994–95.

	Number of tests	*Number positive for opiates*	*Number positive for cannabis*
April to June 1997			
Belmarsh	155	3	4
Bristol	170	4	39
Cardiff	215	2	57
Highpoint	51	3	13
Kingston	35	0	2
Lancaster	72	8	23
Liverpool	219	22	32
Maidstone	173	8	28
Stafford	193	9	38
Wealstun[1]	149	9	45
Whitemoor	153	10	21
Woodhill	198	9	50
Wymott	168	18	12
July to September 1997			
Belmarsh	162	0	10
Bristol	170	11	36
Cardiff	119	1	30
Highpoint	0	0	0
Kingston	24	0	3
Lancaster	67	9	22
Liverpool	360	38	49
Maidstone	166	5	13
Stafford	155	11	18
Wealstun[1]	168	4	44
Whitemoor	152	3	9
Woodhill	195	13	36
Wymott	122	6	10

[1] Rudgate has amalgamated with Thorp Arch to form Wealstun prison since the survey was conducted.

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the results from random mandatory drugs testing of prisoners for April to June 1997 and July to September 1997, showing for each establishment the number of tests done, the number of prisoners testing positive for opiates and the number of prisoners testing positive for cannabis, for the eight prisons that are participating in willing anonymous salivary HIV/Hepatitis B surveillance studies. [25055]

Mr. George Howarth: The tables give the results of random mandatory drug tests for the eight prisons that are participating in the willing anonymous salivary HIV/Hepatitis B surveillance studies.

	Number of tests	*Number positive for opiates*	*number positive for cannabis*
April to June 1997			
Dartmoor	194	5	39
Feltham	136	2	27
Ford	152	5	22
Holloway	146	4	10
Leyhill	127	2	17
Littlehey	161	1	31
Manchester	349	27	63
Wakefield	165	0	6
July to September 1997			
Dartmoor	168	5	21
Feltham	129	1	25
Ford	139	1	8
Holloway	163	13	7
Leyhill	126	4	15
Littlehey	196	6	35
Manchester	333	23	33
Wakefield	190	0	4

Special Constables

Mrs. May: To ask the Secretary of State for the Home Department if he will make a statement on the role of special constables. [24583]

Mr. Michael: Special constables are unpaid volunteers who serve as police officers in their spare time. They are fully trained and have the same powers as a regular constable.

The Special Constabulary exist to assist the work of regular officers, not to replace them. They are an additional resource, which also encourage the public to get involved in tackling crime. Special constables are principally deployed on foot patrol, providing a higher visibility on the streets, but they also undertake a wide variety of policing duties.

The Government fully value the contribution made by these men and women who give up their free time for the benefit of their communities. They play an important role in the partnership between the police and the public in the fight against crime. Building on that partnership is fundamental to the Government's proposals for joint action by police and local authorities in reducing crime and disorder. We are taking forward the recommendations of the Special Constabulary Working Group to improve conditions of service, training and the equipment of special constables.

12–19 January was also dedicated as "Specials Week" and I visited police forces around the country raising the profile of special constables and encouraging people to volunteer. During "Specials Week", I visited projects in South Yorkshire, Cleveland, Hampshire, Essex, Northamptonshire, Greater Manchester, Gloucestershire and South Wales. I also took part in a recruitment seminar held by Cumbria Constabulary via video link. This launched a three-month long advertising campaign to promote the Special Constabulary. At each event, I was impressed by the demeanour of the Special Constabulary and the very positive relationship they enjoy with regular police officers.

Prison Visitors (Illegal Drugs)

Mr. Cox: To ask the Secretary of State for the Home Department how many persons visiting prisons during 1997 were *(a)* found to be in possession of illegal drugs and *(b)* subsequently charged with an offence; and if he will make a statement. [25437]

Mr. George Howarth: In 1997, 1,179 arrests by the police of people visiting prisons in connection with possible drug-related offences were reported to Prison Service headquarters. The Prison Service does not record what action was subsequently taken by the police.

Cannabis

Mr. Mitchell: To ask the Secretary of State for the Home Department how many applications he has received for licences for research into the therapeutic use of natural cannabis in the last five years; how many have been granted; and to which bodies; and if he will indicate whether each application is for clinical or laboratory research. [24524]

Mr. George Howarth: Five; all were granted as listed. Licences do not distinguish between clinical and laboratory research.

Professor A. Smith, University of Oxford

Mr. D. Todd, James Paget Hospital

Dr. R. Pertwee, University of Aberdeen

Dr. P. Taylor, Bethlem Hospital

Dr. A. Holdcroft, Hammersmith Hospital.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department in what form the cannabis supplied by the Laboratory of the Government Chemist and the University of London is made available to medical researchers. [24666]

Mr. George Howarth: I understand that the Laboratory of the Government Chemist no longer supplies cannabis in any form to medical researchers, although it has done in the past. The University of London has supplied cannabis extract in capsule form to one medical researcher.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 January 1998, *Official Report*, columns *326–27*, in respect of the licences granted for medical research of cannabis, if he will make it his policy to collect information on the results of this research. [24735]

Mr. George Howarth: No. This is not a licensing requirement.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 January 1998, *Official Report*, column *326*, concerning the origin of supplies of cannabis, if the Laboratory of the Government Chemist and the University of London grow their own cannabis plants. [24730]

Mr. George Howarth: Yes.

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 January 1998, *Official Report*, column *326*, what steps are taken by the Laboratory of the Government Chemist and the University of London to ensure that cannabis offered to medical researchers is of a consistent standard and quality. [25116]

Mr. George Howarth: Standard and quality are not matters for the Home Office.

Police Misconduct

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what changes he proposes to make to the current position whereby the police investigate allegations of police misconduct. [24668]

Mr. Michael: We are committed to finding ways of increasing public confidence in the investigation of complaints against the police including examining the scope for introducing a greater degree of independence into the system. We are currently considering these issues in the light of the Home Affairs Committee's recently published report on the police complaints and discipline system.

Voting Methods

Mr. Gareth R. Thomas: To ask the Secretary of State for the Home Department what steps he proposes to take to modernise voting methods. [24799]

Mr. George Howarth: We have set up a Working Party on Electoral Procedures which will examine and review current electoral arrangements, including legislation where relevant, in the light of the recent general election. The Working Party began this review under my chairmanship last week and will be advising the Home Secretary on recommended changes to electoral practice in due course.

Young Offenders Institution, Colchester

Mr. Whittingdale: To ask the Secretary of State for the Home Department (1) if he will list those offences for which offenders have been sentenced to the Young Offenders Institution in Colchester indicating the number of offenders in each category; [24573]

(2) what assessment he has made of the effectiveness of the Young Offenders Institution in Colchester; and if he will make a statement; [24572]

(3) how many offenders have completed their service at the Colchester Young Offenders Institution; and how many of those have since been charged with a further offence. [24574]

Ms Quin: (i) The information requested is shown in the table:

Offences committed by young offenders at Her Majesty's Young Offender Institution (HMYOI) Colchester

Principal Offence	*Number of young offenders*
Burglary	21
Robbery	16
Actual bodily harm	6
Grievous bodily harm	5
Wounding	4
Theft	4
Arson	3
Affray	3
Car crime	3
Possession of drugs with intent to supply	1

(ii) At 20 January 1998, 36 young offenders had completed their sentence at Colchester YOI, and of those one is known to have been reconvicted.

(iii) I refer the hon. Member to the reply I gave to my hon. Friend the Member for Castlepoint (Ms Butler) on 22 January 1998, *Official Report*, columns *639–40*.

The Institute of Criminology at Cambridge has been carrying out an assessment of the experimental regime at Colchester YOI. Preliminary results show that the regime can have a positive effect upon the attitudes of young offenders but do not prove that it deters young offenders from reoffending. However, the test of the effectiveness of the regime will not be known until the recidivism rate on all those who have been released from Colchester is known and cannot be fully known until a considerable period of time has elapsed.

Gaming Board

Mr. Dismore: To ask the Secretary of State for the Home Department when he expects places on the Gaming Board to become vacant; and what procedure will be adopted for filling such vacancies. [24284]

Mr. George Howarth: The Chairman of the Gaming Board is due to retire on 30 June 1998. The present terms of the other four Board members will expire on 31 December 1998, 31 August 1999, 31 December 2000 and 31 July 2001 respectively.

In dealing with appointments to the Board, the Government observe the Code of Practice for public Appointments Procedures. A competition is currently being held to fill the Chairman's post.

MI5 Files

Mr. Baker: To ask the Secretary of State for the Home Department if he will release for public scrutiny the files held by MI5 relating to the Zinoviev letter. [24747]

Mr. Straw: The Security Service recently released its records dating from 1909 to 1918 to the Public Records Office. Work has now started within the Service on the review of its files relating to the Second World War, and in due course attention will turn to the records surviving from the inter war period.

Primates (Imports)

Mr. Baker: To ask the Secretary of State for the Home Department what is the *(a)* longest and *(b)* average recorded journey time endured by non-human primates imported into the United Kingdom for research purposes during (1) 1996 and (2) 1997 from (i) China, (ii) Mauritius, (iii) Indonesia and (iv) Philippines. [24748]

Mr. George Howarth: Precise journey times are not available for 1996. When new measures were introduced early in 1996. The Home Office required only that an estimate of total journey time be provided prior to each acquisition and that, after each acquisition, confirmation be provided that the importation was in accordance with what had been authorised.

The information requested is as follows:

China:

1996: Longest—54 hours; Average—not available.

Mauritius:

1996 Longest—31 hours; Average—not available.

1997: Longest—38 hours; Average—31 hours.

Indonesia:

1996: Longest—58 hours; Average—not available.

1997: No importations.

Philippines:

1996: Longest—38 hours; Average—not available.

1997: Longest—38 hours; Average—not available.

Mr. Baker: To ask the Secretary of State for the Home Department if he will incorporate into section 5(4) of the Animals (Scientific Procedures) Act 1986 measures to deal with the adverse effects which may be encountered by non-human primates during transport prior to arrival in the United Kingdom. [24745]

Mr. George Howarth: Section 5(4) of the Animals (Scientific Procedures) Act 1986 requires that in determining whether and on what terms to grant a project licence, the likely adverse effects on the animals involved be weighed against the benefits likely to accrue. This is the cost-benefit assessment. It does not provide for measures to deal with adverse effects.

There are no plans to amend section 5(4) of the Animals (Scientific Procedures) Act 1986. Adverse effects likely to arise from the journey can be considered when carrying out the cost-benefit assessment. In advising the Secretary of State on the acceptability of overseas sources of non-human primates, the Home Office Animals (Scientific Procedures) Inspectorate takes into account any adverse effects which may arise during transport.

Financial Regulation (Islands)

Mr. Beith: To ask the Secretary of State for the Home Department if the terms of reference of the review of the system of financial regulation in the Isle of Man and the Channel Islands enable it to recommend changes in the law of these territories by means other than legislation in Tynwald and the States. [25413]

Mr. Mike O'Brien: It is not part of the terms of reference for the reviewer to recommend changes in the Island law. The review is basically a mapping exercise to establish clearly with the Islands how the Islands' current laws and regulatory systems operate in practice.

Mr. Beith: To ask the Secretary of State for the Home Department what consultations he had with the Isle of Man government and with the authorities in Jersey and in Guernsey before his announcement on 20 January of a review of the financial legislation in Crown dependencies. [25415]

Mr. Mike O'Brien: Official letters from the Director of the Constitutional and Community Policy Directorate of the Home Office were sent on 19 January to the Chief Secretary to the Isle of Man Government, the Lieutenant Governor of Guernsey and the Lieutenant Governor of Jersey (copied to the Bailiff of Jersey in the absence of the Lieutenant Governor) telling them about the review and giving its proposed terms of reference.

Shortly before this, Home Office officials had informed the Lieutenant Governors of Guernsey and the Isle of Man, and the Bailiff of Jersey informally and in confidence about the review so that they could brief themselves in advance of the official notification.

Mr. Beith: To ask the Secretary of State for the Home Department who has been appointed by the government of the Isle of Man and the authorities in the Channel Islands to participate alongside Mr. Andrew Edwards in the review of financial regulation in the Crown dependencies; and if their status in the conduct of that review will be the same as that of Mr. Edwards. [25414]

Mr. Mike O'Brien: Mr. Edwards has been engaged as a consultant to conduct the review of financial legislation and regulatory systems in the Crown dependencies. The Island authorities will arrange for him to see all the officials and practitioners in each Island who can be of assistance to him. They have not appointed any particular person to work with him.

Game Licences

Mr. Boswell: To ask the Secretary of State for the Home Department (1) how much the game licence system has cost to administer for *(a)* game shooters and *(b)* game dealers in each year since 1992; [24991]

(2) how many game licences have been issued to *(a)* game shooters and *(b)* game dealers in each year since 1992; [24989]

(3) what was the net revenue from the system of licences for *(a)* game shooters and *(b)* game dealers in each year since 1992. [24990]

Mr. George Howarth: Information on the number of game licences sold in England and Wales by type, and the gross revenue, is as follows:

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Licence to deal in game					
Volume	1,825	1,718	1,538	1,384	1,626
Value (£)	7,300	6,872	6,152	5,536	6,504
Licence to kill game					
Volume	38,161	37,331	26,938	22,872	28,039
Value (£)	199,768	196,184	143,774	118,946	146,842
Total					
Volume	39,986	39,049	28,476	24,256	29,665
Value (£)	207,068	203,056	149,926	124,482	153,346

Note:
The licence to kill game includes gamekeeper's licence.
Source:
Post Office Counters Ltd.

I will write to the hon. Member separately on the question of the administration costs of the game licensing system.

Chelmsford Prison

Mr. Burns: To ask the Secretary of State for the Home Department if he will list the procedures for searching for illegal drugs *(a)* within Chelmsford Prison and *(b)* in the visitors area of the prison; and if he will make a statement. [25288]

Mr. George Howarth: In the main prison, prisoners' cells and common areas are randomly searched by staff at frequent and irregular intervals. They are regularly aided by the prison's drug dog.

All prisoners are strip searched when entering and leaving the prison. When leaving a wing or activity area, prisoners are subject to rub down searches. Staff, official visitors and legal representatives are subject to random rub down searches when entering the prison. If there are grounds for suspecting the presence of drugs in a particular area or on a particular person, a targeted search will be conducted.

In the visits area of Chelmsford prison, social visitors are subject to rub down searches and their baggage is x-rayed before entering the visits area. A drug dog attends on a regular basis and sits with its handler in the entrance to the visits area. This dog is trained to detect discreetly and indicate to is handler if a visitor is carrying drugs. It will not attempt to retrieve the drugs or make physical contact with the suspect. Prisoners are subject to rub down or strip searches before leaving the visits area.

Mr. Burns: To ask the Secretary of State for the Home Department how many times illegal drugs have been found *(a)* within Chelmsford Prison and *(b)* in the visitors area of the prison in each of the last five years; and if he will list the types of illegal drugs that have been found. [25289]

Mr. George Howarth: Accurate records of occasions when drugs have been found at Chelmsford Prison are available for 1996 and 1997 only. Details are listed in the tables.

	Number
Drug finds in the prison during 1996	
Cannabis	47
Opiate	11
Cocaine	2
Amphetamine	3
LSD	0
Methadone	0
Drug finds in the visitors area during 1996	
Cannabis	11
Opiate	0
Cocaine	0
Amphetamine	0
LSD	0
Methadone	0
Total drug finds in 1996	73

	Number
Drug finds in the prison during 1997	
Cannabis	73
Opiate	7
Cocaine	0
Amphetamine	4
LSD	0
Methadone	0
Drug finds in the visitors area during 1997	
Cannabis	11
Opiates	2
Cocaine	0
Amphetamine	0
LSD	1
Methadone	1
Total drug finds in 1997	99

Asylum Seekers

Mr. Cousins: To ask the Secretary of State for the Home Department if he will list the number of *(a)* asylum (i) applications and (ii) appeals to be dealt with and the average waiting time, *(b)* applications for citizenship to be dealt with and the average waiting time and *(c)* full-time equivalent posts (1) in the Immigration and Nationality Department and (2) not covered by superannuation at (A) 1 January 1996, (B) 1 May 1996, (C) 1 January 1997, (D) 1 May 1997 and (E) 1 January 1998. [24680]

Mr. Mike O'Brien: The available information is given in the table. The number of staff not covered by the Principal Civil Service Pension Scheme on the dates specified is not readily available and could be identified only at disproportionate cost.

	1 January 1996	*1 May 1996*	*1 January 1997*	*1 May 1997*	*1 January 1998*
(a) Asylum					
(i) Applications awaiting initial decision	69,650	67,730	57,405	54,020	51,795
Average waiting time in months for applications decided[1]:					
Pre-1993 Act applications	40.9	42.6	47.5	51.2	56.1
Post-1993 Act applications	9.3	10.3	12.4	13.1	14.2
(ii) Appeals					
Awaiting determination[2]	11,890	15,415	21,000	24,350	24,625
Average waiting time in months for appeals determined[3]	6.3	7.9	9.5	10.4	10.3
(b) Citizenship					
Applications awaiting decision[4]	46,708	45,167	58,596	61,212	74,328
Average waiting time for applications granted[5]					
Naturalisations	13.8	14.7	15.4	15.6	19.4
Registrations	5.8	8.3	7.3	7.0	6.9
(c) Staff posts in IND[6]	5,265	5,327.8	5,348.9	5,282.9	5,077.7

[1] Average of the preceding six months.
[2] Adjudicator and tribunal asylum appeals.
[3] Adjudicator asylum appeals only; average of the preceding six months.
[4] As recorded on the Nationality Directorate computer system.
[5] In the preceding months.
[6] Full-time equivalents.

Fire Service, Derbyshire

Mr. McLoughlin: To ask the Secretary of State for the Home Department if he will provide the figures for the element within the Derbyshire standard spending assessment which relates to Derbyshire Fire Service for each of the last five years. [25337]

Mr. George Howarth: The information requested is as follows:

	£ million
1993–94	[1]17.067
1994–95	[1]18.234
1995–96	17.592
1996–97	20.308
1997–98	21.441
1998–99	[2]22.474

[1] Includes civil defence element.
[2] Provisional figure.

Lotteries

Mr. Sanders: To ask the Secretary of State for the Home Department if he will extend the period of consultation on the draft Lotteries (Frequent Draws) Bill; and if he will make a statement. [24995]

Mr. George Howarth: In the light of representations, I have decided to extend the consultation by two weeks, that is until 13 February.

Prison Development Sites

Helen Jones: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 January 1998, *Official Report*, column *514*, if he will make available a list of the sites in the north-west assessed for possible future prison development, together with the results of those assessments. [25344]

Ms Quin: The majority of the 81 sites involved were rejected as unsuitable at an early stage. Those which offer potential are either being pursued publicly, such as at

Winwick, or have yet to be assessed in more detail. The Prison Service does not identify possible sites for new prisons until it has reached the stage where it has decided to pursue planning clearance. At this stage, the concerned hon. Member will be informed.

Overseas Visits

Mr. Wilshire: To ask the Secretary of State for the Home Department, pursuant to his answer of 16 January, *Official Report*, column *330*, if he will publish the programmes of Lady Williams when she accompanied her husband to *(a)* Jersey and *(b)* the Isle of Man at public expense. [25598]

Mr. Mike O'Brien: When Lady Williams accompanied her husband to Jersey, arrangements were made for her to visit the Islands' Crime and Drugs Strategy Unit and hold discussions on the misuse of drugs. This programme was disrupted by the party's late arrival in the Island, because of a defect in the aircraft, but arrangements were made for her to visit the Island's Police Headquarters Drugs Unit.

In the Isle of Man, Lady Williams visited Santon Primary School and the Life Education Mobile Centre and was given a presentation on their work. After a working lunch, she visited Police Headquarters/Probation Offices and then two Elderly Persons' Complexes.

TRADE AND INDUSTRY

China

Mr. Redwood: To ask the President of the Board of Trade what new inward investments to Britain she signed during her visit to China. [23710]

Mrs. Beckett: None were under discussion.

Inward investment activities were not the principal purpose of my visit, the first visit by a cabinet minister to China since the handover of Hong Kong last June. At the invitation of the Chinese government, I chaired a meeting of the Joint Economic Commission with the Chinese Minister for Foreign Trade and Economic Cooperation. I also met with other senior Chinese ministers including Premier Li Peng and launched a major new initiative, "Britain in China 1998", which will raise awareness of what Britain can offer China. I was accompanied on the visit by a team of senior business people from UK power, aerospace and chemical sectors.

During my recent visit to China I also addressed audiences at inward investment seminars held in Beijing and Shanghai. Both seminars were chaired by Adair Turner of the CBI. These events, organised by the Invest in Britain Bureau (IBB) with the full support and encouragement of the Chinese government, form part of IBB's annual overseas promotional programme to promote the advantages of a UK location for manufacturing investment. The seminars in China, a new market for IBB, are a long term initiative aimed at raising awareness of the opportunities which the UK offers as an investment location as and when business in China looks to increase its investment overseas.

Clean Coal Technology

Mr. Page: To ask the President of the Board of Trade when her Department applied to the European Commission for permission to use NFFO—non-fossile fuel obligation—funds for clean coal technology. [23794]

Mr. Battle: Policy on clean coal technology and new and renewable energy, including the non-fossil fuel obligation (NFFO), are under review. Accordingly, no application for permission to provide state aid for clean coal technology demonstration projects using NFFO-type arrangements or otherwise has been made.

Mr. Bill O'Brien: To ask the President of the Board of Trade what plans she has to assist the progress of clean coal technology; and if she will make a statement. [24965]

Mr. Battle: We have already initiated a number of activities to support work in this important area. These include:

establishing an industry-led task force as part of the Foresight exercise to identify the UKs research, development and demonstration requirements for the future. My Department is contributing some £50,000 to this £100,000 study by industry and universities which will be completed in the spring;

supporting a number of trade missions, seminars and workshops in key export markets for UK clean coal technology expertise and components;

both leading and providing financial support to a number of International Energy Agency initiatives to promote the development of clean coal technologies in developing countries which are expected to be the main market for these technologies over the next decade and beyond.

My Department has just completed a review of clean coal technology which examined what further support the Government should provide to research, development and demonstration. An announcement will be made about the outcome of the review once Ministers have had time to consider the review recommendations alongside those arising from the Department's wider Comprehensive Spending Review exercise.

Deregulation

Mr. Page: To ask the President of the Board of Trade how many regulations have been abolished by her Department since 1 May; and if she will list them. [23797]

Mrs. Beckett: Since 1 May 1997 my Department has revoked the Unichem Limited (Allotment of Shares) Order 1989. In addition we have simplified primary legislation by exempting certain types of radio equipment from licensing under the Wireless Telegraphy Act 1949 and by removing unnecessary requirements from the Restrictive Trade Practices Act 1976.

Power Stations

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the impact of the newly agreed sulphur dioxide targets on the amount of coal burned in power stations by 2001. [23708]

Mrs. Beckett: The Environment Agency has issued a Consultation Document setting out proposals for new sulphur dioxide targets. My Department is currently considering these.

Royal Greenwich Observatory

Mr. Paice: To ask the President of the Board of Trade what plans she has for Her Majesty's Nautical Almanac Office if the Royal Greenwich Observatory in Cambridge is closed. [24304]

Mr. Battle *[holding answer 20 January 1998]:* The work of the Nautical Almanac Office is carried out by the Royal Greenwich Observatory (RGO) under contract to the Ministry of Defence. The Particle Physics and Astronomy Research Council (PPARC) has confirmed that all the current contracts held by the RGO will be honoured. PPARC is discussing the future of this work with the Ministry of Defence, and with other potential suppliers of the service to the MoD.

Mr. Paice: To ask the President of the Board of Trade what action she proposes to take with regard to the future of the Royal Greenwich Observatory and its facilities in Cambridge. [24306]

Mr. Battle *[holding answer 20 January 1998]:* I have asked the Particle Physics and Astronomy Research Council (PPARC) to explore every avenue for keeping the institution of the Royal Greenwich Observatory (RGO) alive. PPARC has declared itself satisfied that feasible options exist for a viable future for the RGO and is in the midst of detailed negotiations with interested parties over these options. These negotiations also cover the future of the current RGO staff, building and other assets.

Mr. Paice: To ask the President of the Board of Trade if she will commission an independent assessment of the proposal made by the Royal Greenwich Observatory to the Particle Physics and Astronomy Research Council for its continuation as a company limited by guarantee. [24305]

Mr. Battle *[holding answer 20 January 1998]:* At its meeting on 12 December 1997, the Particle Physics and Astronomy Research Council concluded that given the costs, uncertainties and associated risks it could not support the proposal to establish a Company Limited by Guarantee as a vehicle for continuing some of the current functions of the Royal Greenwich Observatory and developing a commercial business of telescope design and manufacture. The decision was taken on the basis of the advice offered by PPARC's Implementation Oversight Committee, members of an Audit Group (which included members of its Audit Committee), and its independent financial advisers and does not consider that any further assessment is necessary.

New Statesman Ltd.

Mr. Redwood: To ask the President of the Board of Trade, pursuant to her answer of 14 January 1998, *Official Report*, column *216*, on the New Statesman Ltd., if the company has filed its accounts. [24402]

Mrs. Beckett *[holding answer 20 January 1998]:* Accounts for New Statesman Ltd., in respect of period ended 31 March 1997, were delivered to the Registrar of Companies on 13 January 1998.

Coal Industry

Mr. Redwood: To ask the President of the Board of Trade what action she plans to take to assist the coal industry after June. [24410]

Mrs. Beckett *[holding answer 20 January 1998]:* My right hon. Friend the Prime Minister announced on 10 December 1997, *Official Report*, column *1003*, that we were using the opportunity of the supply arrangements for the period to 30 June 1998 to review the long-term energy requirements of the nation and make sure we have an energy policy consistent with a competitive industry and the long-term energy needs of the country. The role of coal, and the opportunities for the UK coal industry, will be considered in that context.

Mr. Redwood: To ask the President of the Board of Trade (1) when the Minister for Science, Energy and Industry was first informed of the Prime Minister's intention to announce an extension to coal contracts; [24408]

(2) when the Minister for Science, Energy and Industry was first notified of the decision by the Prime Minister to ask the Paymaster General to negotiate agreement between the coal companies and the generators; and what consultations he had with the Paymaster General before the decision; [24406]

(3) what consultation the Minister for Science, Energy and Industry held with ministerial colleagues prior to the Prime Minister's announcement of an extension of coal contracts. [24407]

Mrs. Beckett *[holding answer 20 January 1998]:* The Minister for Science, Energy and Industry has worked closely with ministerial colleagues and the Prime Minister at all stages in dealing with matters relating to the coal industry.

Mr. Redwood: To ask the President of the Board of Trade what assessment her Department has made of the likely job losses in the coal mining industry over the next two years. [25423]

Mr. Battle: Levels of employment in the coal mining industry will depend upon the commercial decisions taken by the private sector coal companies.

Mr. Redwood: To ask the President of the Board of Trade what assessment she has made of the impact of the Prime Minister's pledge to cut CO2 emissions by 20 per cent. on jobs in the mining industry over the next five years. [25419]

Mr. Battle: The Government's review of energy sources for power generation will consider the role that coal can play in contributing to the United Kingdom's energy and electricity generation requirements in the context of sustainable development, including the meeting of environmental targets.

Scott Inquiry

Ann Clwyd: To ask the President of the Board of Trade when she expects to publish her Department's response to the Scott consultation documents. [24959]

Mrs. Roche: As I stated in a written answer to my hon. Friend, the Member for Cynon Valley, *Official Report*, 18 December 1997, column *310*, we expect to set out the Government's proposals on the Strategic Export Controls Review during the current parliamentary session. This is likely to take the form of a White Paper.

Copyright

Mr. Kidney: To ask the President of the Board of Trade what assessment she has made of the loss of protection afforded by law to copyright holders by computer developments with particular reference to digital copying and Internet Jukebox. [24805]

Mr. Ian McCartney: United Kingdom copyright law, the Copyright, Designs and Patents Act 1988, already gives copyright owners protection for uses of their works based on new technology. In particular, the rights to authorise reproduction conferred by the Act apply to digital copying as to other kinds, and the Act also grants rights enabling control over transmissions of music and sound recordings to members of the public on request, as are involved in "Internet jukebox" services. We do not consider, therefore, that recent developments in technology have led to a loss of protection for copyright owners in the UK. Comparable standards of protection overseas also need to be established, however, especially in view of the global nature of the Internet, and accordingly we support EU and international initiatives aimed at achieving this.

Renewable Energy

Mr. Bill O'Brien: To ask the President of the Board of Trade what sums have been spent on the provision of renewable energy in the last financial year, giving details of each source of renewable energy. [24966]

Mr. Battle: Provision of electricity from renewable sources is primarily supported through the Non-Fossil Fuel Obligation (NFFO), funded by a fossil fuel levy placed on electricity consumers. At 31 December 1997, 221 NFFO renewable energy projects in England and Wales, Scotland and Northern Ireland were operational, comprising 507 MW of electricity generating capacity. My policy proposals for a fifth (NFFO-5) Renewals Order for England and Wales were announced in November last year and I expect to make a NFFO-5 Order towards the end of 1998.

Use of levy receipts for renewables amounted to £109 million in the financial year 1996–97. A breakdown of levy expenditure is as shown.

£ million

Renewable energy source	*Levy receipts*
Landfill gas	20.8
Hydro	2.0
Sewage gas	7.9
Waste incineration	28.2
Wind	35.8
Other (mainly poultry litter and tyre burning)	14.3
Total	109.0

The DTI's new and renewable energy programme supports research, development, demonstration and technology transfer activities. Net expenditure on the programme in 1996–97 was £14.8 million. A breakdown of programme expenditure is as shown.

£ million

New and renewables	*1996–97*
Biofuels	2.7
Fuel cells	1.0
Hydro	0.15
Solar	2.0
Wind	2.5
Technology, transfer, programme management, strategy and evaluation and other technologies	6.5
Total	14.8

In addition, Government support or academic research is provided through the programmes of the Engineering Physical Sciences Research Council (EPSRC) and support has also been provided for the Foresight SCOLAR photovoltaic programme.

Minimum Wage

Mr. Redwood: To ask the President of the Board of Trade what assessment the Government have made of the likely degree of restoration of differentials following the introduction of a minimum wage. [24758]

Mrs. Beckett *[holding answer 22 January 1998]:* Pay differential between groups of workers is a matter for them and their employers to determine in the light of their company's particular circumstances. However, I am sure that, as part of its consideration of the wider economic and social implications of the National Minimum Wage, the Low Pay Commission will consider any effect on pay differentials when formulating its recommendations to Government.

Human Biotechnology

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on Government policy on limits to genetic manipulation in human biotechnology research. [24676]

Mrs. Beckett *[holding answer 22 January 1998]:* Human biotechnology research promises many benefits but can also raise questions of safety and ethics, as can other new technologies. The Government have in place a thorough system of controls to maintain human biotechnology research, including that involving genetic modification, within acceptable boundaries. A framework of expert committees, such as the Gene Therapy Advisory Committee, the UK Xenotransplantation Interim Regulatory Authority, and the Human Genetics Advisory Commission (HGAC), consider implications of new research.

The Human Fertilisation and Embryology Act 1990 places strict limits on research involving human embryos, including the requirement for such research to be licensed by the Human Fertilisation and Embryology Authority (HFEA).

The Government are also interested in wider views on such issues. For example, a consultation paper on the implications of human cloning is to be launched jointly by the HGAC and the HFEA at the end of this month, and the Minister for Science, Energy and Industry announced in November that he would be seeking views from the public on issues arising from developments in the biosciences.

Telephone Call Charges

Mr. Redwood: To ask the President of the Board of Trade on what evidence the statement by the Minister for Small Firms, Trade and Industry that it would soon be as cheap to telephone France or Spain as it currently is to make local calls in London was based. [24759]

Mrs. Beckett *[holding answer 22 January 1998]:* On 1 January this year, legislation came into force which liberalised telecommunicatins services within the European Union. Our experience on international routes where competition is already allowed has shown that prices can fall considerably—for example between the UK and US, consumers are now being offered calls at as little as 5p a minute. On that basis if there is effective competition and regulation throughout Europe, there is every reason to believe that it should be little or no more expensive to call the rest of Europe than to make a local call in the UK today.

Arms Sales (Indonesia)

Mr. Alan Simpson: To ask the President of the Board of Trade what discussion have taken place with the Indonesian Government about payments for arms sold to them with British Government support in relation to the devaluation of their currency; and what assessment he has made of the likely cost to public funds of export credit guarantees needed to cover the agreed purchase price. [25132]

Mrs. Roche: No discussions have currently taken place. The Indonesian Government have not indicated that they will not continue to make payments in respect of defence contracts/loans at due date. Payments are due in Sterling or other hard currencies. Consequently there are no rupiah payments which would result in an exchange loss to ECGD.

Nuclear Waste (Reprocessing)

Mr. Llew Smith: To ask the President of the Board of Trade what technical conditioning and packaging specifications have been established as necessary by foreign energy utilities in respect of the consignments of radioactive reprocessing wastes due to be returned to countries of origin following reprocessing of foreign spent fuel. [25067]

Mr. Battle: Packaging requirements for operational wastes arising from reprocessing will be determined in detail by the specifications of the wastes to be returned. These vary according to the particular fuel reprocessed, although they are broadly similar for each category of waste. Details of individual waste specifications are confidential to the organisations concerned. However, all waste transport packages will comply with the relevant internationally agreed safety requirements.

Mr. Llew Smith: To ask the President of the Board of Trade what terms of acceptance were agreed upon by *(a)* British Nuclear Fuels and *(b)* the United Kingdom Atomic Energy Authority for the return of radioactive waste arising from reprocessing. [25068]

Mr. Battle: Details of the contracts between United Kingdom reprocessing companies and their customers are confidential to those organisations.

However, all reprocessing contracts signed since 1976 contain options for BNFL to return operational wastes to the country of origin. Government policy is that the options should be exercised and that the wastes should be returned.

Trade Mission (Japan)

Ms Walley: To ask the President of the Board of Trade when she intends to announce the decision on the bid by North Staffordshire Chamber of Commerce to organise a trade mission to Japan; and if she will make a statement. [25017]

Mrs. Roche: The President of the Board of Trade announced the first stage of the trade mission programme for 1998–99 on 29 September 1997. This first announcement comprised 159 trade missions.

The announcement for the second stage of trade missions will take place as soon as possible and no later than the end of February.

Gas-fired Power Station (BP)

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement setting out the reasons for granting BP permission to build a 1,200 MW gas-fired power station. [24766]

Mrs. Beckett *[holding answer 22 January 1998]:* The reasons for granting consent to the Saltend project are recorded in the Department's decision letter to the Company of 7 August 1997 and the Department's press notice of the same date.

Poor People

Mr. Pond: To ask the President of the Board of Trade if she will carry out an assessment of the impact of her Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23343]

Mrs. Beckett: My Department's policies aim to support the endeavours of business to become as competitive as possible in order to generate higher levels of income and living standards and good jobs and opportunities for all of our people. My department is also working to ensure that the benefits of growth and prosperity are widely shared by, for example, promoting regional competitiveness and through the introduction of a national minimum wage.

EU Presidency

Mr. Cox: To ask the President of the Board of Trade what are her Department's main objectives during the British presidency of the European Union in 1998.[24075]

Mrs. Beckett: In November I wrote to the Trade and Industry Committee [Supplementary Memorandum to Minutes of Evidence, dated 4 November 1997] with a list

of dossiers on which I hope to make progress during the British Presidency of the Council of the European Union. These are the practical steps which underpin my key priorities for helping business during the UK Presidency.

Improving competitiveness is a key element in our policies at home. In our Presidency we will bring this approach to Europe, working in partnership with the business community.

Enhancing the scope and effectiveness of the Single European Market in line with the Action Plan agreed at Amsterdam will be a key objective. We shall also work with our partners in Europe to maintain progress towards greater liberalisation in trade in goods and services.

Reducing the unacceptably high level of unemployment is one of the Europe's highest priorities. We shall pursue employability as offering better scope for individuals and greater flexibility in the European economy as a whole.

Our Presidency will also cover a critical period in the negotiations for the next EU Framework Programme for RTD (Research and Technological Development). Our overriding objective will be to forge ahead with negotiations so that the timetable for introducing the new framework in 1999 can be achieved.

Although the Presidency gives us the opportunity to highlight priority areas, as chair of the Council of Ministers the overarching objective is to manage the full range of European business constructively and impartially in all formations of the Council for which we are responsible (Industry, Internal Market, Research, Consumer Affairs, Energy and Telecommunications). My Department will also liaise with colleagues in other departments where we share responsibility.

Official Cars

Mr. Bercow: To ask the President of the Board of Trade how many official cars are available for use by Ministers in her Department; and how many cars have been acquired for the use of Ministers in her Department since 1 May. [25166]

Mrs. Beckett *[holding answer 23 January 1998]:* There are seven official cars available for use by Ministers in this Department. All are operated by the Government Car Service. Two new cars have been acquired since 1 May 1997 to replace existing ones, one of which was ordered under the previous Government.

Overseas Visits

Mr. Bercow: To ask the President of the Board of Trade how many times her husband has accompanied her on overseas visits; and what was the cost of his travel and other expenses. [25163]

Mrs. Beckett *[holding answer 23 January 1998]:* I refer the hon. Gentleman to the reply I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 20 January 1998, *Official Report*, column *473*.

Gas-fired Power Stations

Mr. Boswell: To ask the President of the Board of Trade on what basis she will consider applications for combined heat and power stations during the moratorium on construction of conventional gas-fired power stations. [24321]

Mr. Battle *[holding answer 21 January 1998]:* I refer the hon. Member to the reply given by my right hon. Friend, the President of the Board of Trade to my hon. Friend, the Member for Rugby and Kenilworth (Mr. King) on 22 December 1997, *Official Report*, columns *519–20*.

Telecom Deregulation

Mr. Boswell: To ask the President of the Board of Trade what assessment she has made of the recent reported remarks by the Director General of Oftel about Britain's failure to give an international lead on telecom deregulation; and if she will make a statement. [24384]

Mrs. Roche *[holding answer 21 January 1998]:* I am not aware of any such remarks about telecom deregulation.

Export Credits Guarantee Department

Mr. Cohen: To ask the President of the Board of Trade what regular publications are produced by the Export Credits Guarantee Department; what is the purpose of each; how often each is produced; and what is the security classification of each. [24543]

Mrs. Roche: Details of ECGD's regular publications are as follows:

Title	*Purpose*	*Frequency*
Annual Report and Trading Accounts	To report on business supported and ECGD's financial position.	Annual
ECGD Newsletter	To provide customers and potential customers with up to date information on ECGD cover availability and developments.	Quarterly
Global Explorer: The Official ECGD Yearbook[1]	To provide comprehensive coverage of ECGD's products, cover availability and general background information.	Annual
Risk	In-house staff magazine	2–3 times a year

[1] Global Exporter is published by Newsdesk Communications Ltd. on behalf of ECGD, at no cost to ECGD or its customers. Advertising revenue covers the costs.

In addition to the above ECGD produces 16 product information brochures which are updated as and when required. All ECGD's publications are unclassified.

Lackenby Picton Electricity Line

Dr. Kumar: To ask the President of the Board of Trade when she will announce her decision on the planning application for the Lackenby Picton overhead electricity transmission line. [24512]

Mr. Battle: My right hon. Friend will reach her decision as soon as she properly and practically can.

Debt (Late Payment)

Mr. Paice: To ask the President of the Board of Trade what action she is taking to ensure that the Government pay interest on debts outstanding for more than 30 days. [25073]

Mrs. Roche *[holding answer 23 January 1998]:* It is important that Central Government lead by example in creating a better payment culture. Government

Departments and their agencies are obliged to pay all valid invoices within 30 days or other agreed credit terms and are required to publish their payment performance in their annual or departmental reports.

The Late Payment of Commercial Debts (Interest) Bill, which was introduced in the other place on 10 December 1997, will provide suppliers with a statutory right to claim interest on late payments of commercial debts. The Government's commercial debts will be subject to the legislation.

Utility Regulation

Mr. Boswell: To ask the President of the Board of Trade when she will complete the current review of utility regulation; and what plans she has to publish its conclusions. [24323]

Mrs. Beckett *[holding answer 21 January 1998]:* I hope to be in a position to publish the conclusions of the review of utility regulation in the near future. Following publication there will be a period of consultation during which all interested parties will have the opportunity to submit representations on any proposals for change.

National Minimum Wage

Mr. Bercow: To ask the President of the Board of Trade if those young unemployed people who take up the Welfare-to-Work employer option will be paid the full national minimum wage. [23089]

Mr. Ian McCartney: It is expected that New Deal employees will receive the normal rates paid to comparable employees of the company.

We have asked the Low Pay Commission to consider separately the issue of lower rates or exemptions from the National Minimum Wage for all those aged 16 to 25; New Deal participants would be included within this age band.

Coal (Emission Standards)

Mr. Boswell: To ask the President of the Board of Trade what estimate she has made of the likely impact on total coal-burn in the United Kingdom of the new emissions standard which will operate by 2001. [25485]

Mr. Battle: The Environment Agency has issued a consultation document setting out proposals for new sulphur dioxide targets. My Department is considering these.

Correspondence

Sir Brian Mawhinney: To ask the President of the Board of Trade when the right hon. Member for North-West Cambridgeshire can expect an answer to his letter to her of 28 October on behalf of his constituent Mrs. Tomayan. [25285]

Mrs. Beckett: A reply to the right hon. Member's letter was sent on 23 January 1998, after a delay caused primarily by reprinting of brochures.

Unfair Dismissal

Mr. Sutcliffe: To ask the President of the Board of Trade how many reinstatements have been awarded by industrial tribunals in cases of unfair dismissal in the past five years *(a)* nationally and *(b)* on a regional basis. [24504]

Mr. Ian McCartney: I have consulted the Chief Executive of the Employment Tribunals Service who tells me that the number of reinstatements ordered by the Industrial Tribunals in the last four years in unfair dismissal cases are as detailed in table 1. Table 2 shows the figures for England and Wales broken down by the tribunal regional office.

The Agency is able to provide a figure for combined reinstatements and re-engagements only for 1992–93 which is as follows:

England and Wales: 64

Scotland: 9.

Table 1: Reinstatements ordered by the Industrial Tribunals, 1992–97

Year	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Number of reinstatements				
in England and Wales	14.00	24.00	21.00	29.00
in Scotland	5.00	17.00	4.00	2.00

Table 2: Reinstatements ordered tribunal regional office for 1993–97

Office	*Birmingham*	*Bristol and Exeter*	*Bury St. Edmunds and Bedford*	*Cardiff and Shrewsbury*	*Leeds and Sheffield*	*London North*	*London South (including Ashford)*
Number of reinstatements							
1993–94	0.00	3.00	0.00	2.00	1.00	0.00	2.00
1994–95	3.00	0.00	4.00	1.00	0.00	2.00	2.00
1995–96	3.00	0.00	4.00	1.00	5.00	3.00	1.00
1996–97	0.00	3.00	0.00	2.00	7.00	5.00	1.00

Office	*Manchester and Liverpool*	*Newcastle*	*Nottingham and Leicester*	*Southampton and Reading*	*Stratford*
Number of reinstatements and re-engagements					
1993–94	3.00	0.00	0.00	3.00	0.00
1994–95	3.00	3.00	2.00	2.00	2.00
1995–96	1.00	2.00	1.00	0.00	0.00
1996–97	6.00	2.00	0.00	3.00	0.00

Electricity Generating Industry

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on the role of Her Majesty's Treasury in negotiating a recent agreement between a mining company and a generator; and on what previous occasions the Treasury has negotiated similar agreements. [24767]

Mrs. Beckett: Government have worked closely as a team on coal industry matters in recent months and the Paymaster General was able to help in facilitating discussions between the parties concerned. Ministers have acted as facilitators not negotiators.

DUCHY OF LANCASTER

Freedom of Information

Mr. Alan Simpson: To ask the Chancellor of the Duchy of Lancaster if he will include in his proposed Freedom of Information Bill a provision to make available to public scrutiny all public access agreements to land and buildings issued since 1975 under the conditional exemption scheme. [23517]

Dr. David Clark: As explained in the White Paper "Your Right to Know", the proposed Freedom of Information Act will contain provision for access to official information generally. It will not list particular types of information. The information that my hon. Friend refers to will be within the scope of the Act. Its disclosure would depend, as for all information, *(a)* on decisions on the continuation of any relevant statutory prohibitions to disclosure and *(b)* on the substantial harm and public interest tests integral to the Act's access provisions.

2 Marsham Street (Demolition)

Mr. Chope: To ask the Chancellor of the Duchy of Lancaster when demolition of 2 Marsham Street will commence. [24782]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to the hon. Member.

Letter from John C. Locke to Mr. Christopher Chope, dated 26 Janaury 1998:

I have been asked by the Parliamentary Secretary, Office of Public Service, to reply to your Question on the demolition of No. 2 Marsham Street because Property Advisers to the Civil Estate have responsibility for the building.

2 Marsham Street is occupied by the Department of Environment, Transport and the Regions. The Department is due to vacate the building in the Spring of 1998. Property Advisers to the Civil Estate are the owners of the building and advertised the demolition contract on 15 December in the Official Journal of the European Community. They expect to be in a position to let the demolition contract by 1 July 1998, provided that such a course represents best value for money at that time.

PRIME MINISTER

No. 11 Downing Street (Refurbishment)

Mr. Forth: To ask the Prime Minister if he will make a statement on the most recent refurbishments of the living accommodation at No. 11 Downing Street; what was its total cost; when it was carried out; what was the tendering process; if he will list the companies to which contracts were awarded; and what was the country of origin of fixtures and fittings. [22024]

The Prime Minister: The repairs and refurbishment of No. 11 Downing Street are part of a continuing programme of work to Nos. 10 and 11, covering the domestic accommodation, the offices and the public rooms. Both buildings are Grade 1 listed and, given their historic role, have to be kept at standards appropriate to such buildings, as laid down by the Department of the Environment, Transport and the Regions, in consultation with Westminster City Council and English Heritage as appropriate.

Over the past five years, the total expenditure on No. 10 and No. 11 combined has been respectively £118,000 in 1993–94; £108,000 in 1994–95; £381,000 in 1995–96; £190,000 in 1996–97; and £126,000 in 1997–98. Over this period £155,000 has been spent on the flat in No. 10 and £105,000 on the flat in No. 11. This has included the reconstruction of kitchens in No. 10 and No. 11, redecoration of parts of the flats as part of the rolling programme of refurbishment, rewiring, scaffolding costs, the cost of removing debris, and additional security costs. Both work schedules have been designed to refurbish parts of Nos. 10 and 11, some of which had remained untouched for over 30 years, and in the case of No. 11 to accommodate the fact that previously unused rooms are now used as family bedrooms.

In every case proper tendering procedures were followed. For security reasons it has not been the practice to name companies who work in Downing Street, but there has been no recent change to the existing list of approved contractors employed on the accommodation work in Nos. 10 and 11.

No country of origin for materials, fixtures or fittings was specified in the contracts awarded. The only requirement placed on contractors is that all materials, fixtures and fittings should meet current regulations and the performance specifications.

All expenditure is within existing budgets, both No. 10 and Cabinet Office, as inherited from the last Government.

Ministerial Code

Mr. Bercow: To ask the Prime Minister if the term spouse has been replaced or complemented by the word partner in the terms of reference in the *(a)* ministerial code and *(b)* internal guidance connected with the code; and when the change in interpretation was made. [24535]

The Prime Minister: I refer the hon. Member to the answer I gave the hon. Member for Guildford (Mr. St. Aubyn) on 20 January 1998, *Official Report*, column *483*.

Correspondence

Sir Teddy Taylor: To ask the Prime Minister (1) when he intends to answer the letter sent to him by Mr. Graham Horwood of 66 St. Andrews Road, Shoeburyness on the subject of solar thermal projects on 17 August 1997; and if he will make a statement on the procedures which he adopts in dealing with correspondence from the general public; [24502]

(2) when he received a letter from the hon. Member for Rochford and Southend, East about the absence of a reply to his constituent Mr. Graham Horwood's letter of 17 August 1997; and what action was taken in consequence. [24503]

The Prime Minister *[holding answer 22 January 1998]:* The letter was forwarded to my hon. Friend the Minister for Science, Energy and Industry for substantive reply. I understand a response has been sent.

Welfare Reform

Mr. Kirkwood: To ask the Prime Minister what are the terms of reference and the membership of the new Cabinet committee on welfare reform; when the committee will have its first meeting; and if he will make a statement. [23953]

The Prime Minister: I am chairing a group of Ministers considering welfare reform issues. My right hon. Friends the Chancellor of the Exchequer, the Secretary of State for Education and Employment, the Secretary of State for Health, the Secretary of State for Social Security and the Minister for Welfare Reform and my hon. Friend the Minister for Local Government and Housing are members of the group. My right hon. Friend the Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions will also attend as his other commitments allow. The group had its first meeting on 22 January. We had an excellent discussion.

Cabinet Members

Mr. Wilshire: To ask the Prime Minister, pursuant to his answer of 19 January 1998, *Official Report*, column *402*, if he will list the variety of factors he took into account when appointing the current Foreign Secretary. [25494]

The Prime Minister: I refer the hon. Member to the reply I gave him on 19 January 1988, *Official Report*, column *402*.

CABINET OFFICE

Ministerial Visits

Mr. Maude: To ask the Minister without Portfolio what is his Department's policy in respect of the class and type of air fares to be used when *(a)* Ministers and *(b)* officials travel on official business abroad. [24731]

Mr. Mandelson: In accordance with the practice of the previous administration, when travelling on official business Ministers of State normally use the best available class for flights lasting longer than 2½ hours. For shorter flights Ministers normally travel by Club or equivalent class, or economy class when an intermediate class is not available. The detailed rules covering officials' travel are set out in the Department's Management Code, but when travelling with Ministers on official business, officials will generally travel in the same class as the Minister they are accompanying.

MINISTER WITHOUT PORTFOLIO

Millennium Experience

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on the current state of plans to use the centre of the Millennium Experience Dome as a space for theatrical performances. [23231]

Mr. Mandelson: The content of the Dome will provide a unique, once-in-a-lifetime experience for every visitor, on the theme that the millennium represents a "Time to Make a Difference". An integral part of this will be a central attraction which will provide an exciting multi-media event that can be shared by all who visit.

The centre of the Dome will be opened up to create a large, informal piazza with views across the Dome from every vantage point, utilising to the full the natural contours and scale of this impressive space. The New Millennium Experience Company are still developing and improving the design with the aim of ensuring that maximum resources go into the content rather than the internal structure of the Dome.

Earlier schemes involved creating an enclosed auditorium at the centre of the Dome, which would in effect have been a separate internal amphitheatre building. The revised plans will still offer people an uplifting central experience without the need for a large and costly central structure.

Mr. Mitchell: To ask the Minister without Portfolio what kind of outreach participation and by what medium will be available to *(a)* schools, *(b)* museums and galleries and *(c)* the general public from the Millennium Experience. [23709]

Mr. Mandelson: The New Millennium Experience Company is in the process of establishing 12 regional offices whose staff will be responsible for developing and implementing a broad range of events, activities and programmes under the Millennium Experience theme "Time to Make a Difference". They will directly involve schools, museums and galleries and other agencies and groups across the country and will offer opportunities for everyone in the UK to participate in the Millennium celebrations.

Mr. Keith Simpson: To ask the Minister without Portfolio, pursuant to his answer of 15 January 1998, *Official Report*, column *286*, what role he envisages for Norfolk within the Millennium Experience national programme on the theme, time to make a difference. [25281]

Mr. Mandelson: I refer the hon. Member to the reply I gave on 15 January 1998, *Official Report*, column *286*, to his previous question on this subject.

Mr. Maude: To ask the Minister without Portfolio if he will list the shortlisted candidates for the Board of the New Millennium Experience Company. [25554]

Mr. Mandelson: A range of candidates were considered for the Board of the New Millennium Experience Company (NMEC). All appointments have been announced; but to divulge the details of unsuccessful candidates would be a breach of confidentiality in respect of the individuals concerned.

Mr. Keith Simpson: To ask the Minister without Portfolio if he will make a statement on the Millennium Experience national programme theme, Time to Make a Difference. [24823]

Mr. Mandelson *[holding answer 23 January 1998]:* The New Millennium Experience Company is currently finalising the comprehensive range of events, programmes and activities which will comprise the national programme of Millennium celebrations under the theme that the Millennium represents a "Time to Make a Difference". Details will be announced in the spring.

Mr. Mitchell: To ask the Minister without Portfolio what is the theme and purpose of the Millennium Experience. [23714]

Mr. Keith Simpson: To ask the Minister without Portfolio if he will issue a mission statement for the Millennium Experience. [24824]

Mr. Mandelson: The overarching theme of the Millennium Experience and its associated national programme of events and activities will be that the Millennium represents "Time to Make a Difference".

The Millennium Experience will create a focus for Millennium celebrations on a national scale and put the UK at the centre of world celebrations. The Experience will engage, inspire and involve the whole nation in a celebration of which it can be proud, and which will leave a lasting legacy.

HEALTH

Health Spending

Mr. Cox: To ask the Secretary of State for Health what was the health spending per head of the population in the Greater London area in 1996. [24533]

Mr. Milburn: Provisional data for 1996–97 show that health spending per head of population in Greater London was £730.

Private Finance Initiative

Mr. Stringer: To ask the Secretary of State for Health if he will estimate the impact on revenue costs to the NHS over the next *(a)* 10 and *(b)* 20 years of all PFI schemes. [25472]

Mr. Milburn: We have prioritised 15 major Private Finance Initiative (PFI) schemes. The schemes at Dartford and Gravesham National Health Service Trust, Carlisle Hospitals NHS Trust, South Buckinghamshire NHS Trust, and Norfolk and Norwich Health Care NHS Trust have reached financial close. Details of the unitary charge payable to the private sector in the remaining eleven schemes are being negotiated and therefore commercially confidential until financial close is achieved.

Information on the revenue consequences of PFI schemes with a capital value under £10 million is not collected centrally.

The unitary charge payable by the trusts will vary depending upon the level and standard of service provided by the private sector. The estimated unitary payments over the next 20 years are shown in the table.

Estimated annual unitary payment

£ million

	Dartford and Gravesham NHS Trust[1]	*South Buckinghamshire NHS Trust*[2]	*Norfolk and Norwich NHS Trust*[3]	*Carlisle Hospitals NHS Trust*[1]
1998–99	—	3.7	—	—
1999–00	—	5.0	—	—
2000–01	12.5	8.2	—	9.1
2001–02	16.6	8.2	7.9	10.9
2002–03	16.6	8.2	31.7	10.9
2003–04	16.6	8.2	31.7	10.9
2004–05	16.6	8.2	31.7	10.9
2005–06	16.6	8.5	31.7	10.9
2006–07	16.6	8.5	31.7	10.9
2007–08	16.6	8.5	31.7	10.9
2008–09	16.6	8.5	31.7	10.9
2009–10	16.6	8.5	31.7	10.9
2010–11	16.6	8.5	31.7	10.9
2011–12	16.6	8.5	31.7	10.9
2012–13	16.6	8.5	31.7	10.9
2013–14	16.6	8.5	31.7	10.9
2014–15	16.6	8.5	31.7	10.9
2015–16	16.6	8.9	31.7	10.9
2016–17	16.6	8.4	31.7	10.9
2017–18	16.6	8.4	31.7	10.9
2018–19	16.6	8.4	31.7	10.9

[1] Figures in 1996 prices and are subject to indexation.

[2] Figures in 1997 prices and are subject to indexation. Figures assume that the scheme becomes operational during 1999–2000 with the delivery of facilities management service beginning in 1998.

[3] Figures in 1995 prices and are subject to indexation.

Notes:

1. Payment for a PFI contract does not commence until the hospital is operational.

2. The figures assume full availability and performance standards are met throughout.

Care in the Community

Mr. Simon Hughes: To ask the Secretary of State for Health what estimate he has made of the total cost of the Government's care in the community programme for 1998–99; and if he will make a statement. [25345]

Mr. Boateng: It is for health authorities to determine the resources that they allocate to care in the community provision from their overall allocation, in the light of the priority accorded to mental health services in the National Health Service Priorities and Planning Guidance 1998/99 and local circumstances. Similarly, it is for local authorities to determine the level of funding they allocate to services for mentally ill people from their total resources.

In recognition of the importance which the Government place on mental health, we have increased the Mental Illness Specific Grant by 9 per cent. to £73.3 million for 1998–99.

These additional resources will be made available through a new £2 million fund for child and adolescent mental health services and through a £4 million local authority mental health partnership fund. This will be matched by a £4 million NHS mental health partnership fund.

Mr. Simon Hughes: To ask the Secretary of State for Health (1) what plans he has to extend the range of residential care for mental health clients in the community; [25343]

(2) if he will make a statement on the Government's policy on care in the community. [25346]

Mr. Boateng: The policy of care in the community has failed to realise the benefits held out to all at the time of its introduction. The majority of people with mental illness have benefited but for a significant number the necessary level of support has not been delivered. This has threatened both the safety of those vulnerable individuals and, on occasions, the public. We want to ensure that the full range of services are available to provide a balanced range of mental health services. This includes an appropriate mix of both hospital places and community support, including more 24 hour nursed care. Mentally ill people must be cared for in safety and security and we must rebuild public trust and confidence in mental health services.

We have set up an Independent Reference Group to advise us. Its first task is to consider long stay psychiatric hospital closure plans to ensure that no more hospitals are closed without proper and credible alternative services being in place.

A review of mental health services is also underway, monitoring the level of service provision, and identifying importantly, where there are gaps. We will take the findings of this review into account in future policy developments.

Bath Mental Health Care Trust

Mr. Chope: To ask the Secretary of State for Health what factors led to the appointment of Mrs. Christine Reid as Chairman of the Bath Mental Health Care Trust; and what assessment his Department made of the candidature of the previous incumbent. [24781]

Mr. Milburn: All candidates for the chairmanship of Bath Mental Health Care Trust were assessed according to guidance issued by the Commissioner for Public Appointments. All new candidates for the post were seen by an interview panel which included an independent member. An assessment of the candidacy of the previous chairman was made by the South and West Regional Chairman. Following consultation with local Members of Parliament, the Regional Chairman then submitted recommendations to my right hon. Friend the Secretary of state, on the basis of which he decided to appoint Mrs. Reid.

Hospital Bed Provision (Colchester)

Mr. Bob Russell: To ask the Secretary of State for Health how many beds are available for drug addict patients in the Colchester constituency; how many such patients were treated in each of the last three years for which figures are available; and what was the cost in each year to the National Health Service. [24708]

Mr. Milburn: This information is not collected centrally. The hon. Member may wish to contact the Chairman of North Essex Health Authority for local information relating to drug addict patients.

Bed Blocking

Mr. Gill: To ask the Secretary of State for Health what representations he has received regarding the effect of the proposed social services budget for 1998–99 on the incidence of bed blocking in Shropshire hospitals. [24430]

Mr. Milburn: We have received a number of letters from members of the public, local councillors and health and social services professionals on the budget proposals of Shropshire County Council and the possible effects on the delayed discharge of patients.

Contraception

Mr. Ronnie Campbell: To ask the Secretary of State for Health what plans his Department has for research into contraception and contraceptive methods. [24027]

Ms Jowell: As part of the Government's developing national programme to reduce the rate of unintended and unwanted conceptions, a task group has been established to consider the research necessary to underpin effective programmes to reduce the rate of unintended and unwanted conceptions, particularly among teenagers.

We collect regular survey information through the General Household Survey and Omnibus Survey. Both surveys include questions on contraception and contraception methods and are commissioned through the Office for National Statistics.

The National Health Service Research and Development Programme is supporting a number of projects evaluating strategies to change health behaviours in children and adolescents, for example in smoking, drugs and unwanted pregnancies, including contraception. Another project is investigating the efficacy, cost-effectiveness and long-term tolerability of implantable contraceptives.

University Tuition Fees

Mr. Jenkin: To ask the Secretary of State for Health what representations he has received from the BMA concerning the issue of tuition fees for the fourth year of four year degree courses at Scottish universities. [19588]

Mr. Brian Wilson *[holding answer 8 December 1997]:* I have been asked to reply.

In July, The Scottish Office invited the British Medical Association to comment on the Dearing and Garrick reports. On 18 September, The Scottish Office received a response from the British Medical Association in Scotland. It made no specific mention of the issue of tuition fees for the fourth year of four year degree courses at Scottish universities.

On 27 October 1997, I announced that the Government would ensure that the fees contribution from Scottish graduates is equitable with the contribution for comparable qualifications gained elsewhere in the UK. Since then, I have received no representations from the British Medical Association.

SCOTLAND

Cairn Gorm Funicular Railway

Sir Robert Smith: To ask the Secretary of State for Scotland how many representations had been received by the Government by 30 March *(a)* for and *(b)* against the development of the proposed funicular railway on Cairn Gorm. [15655]

Mr. MacDonald *[holding answer 12 November 1997]:* My right hon. Friend had received 179 letters for and 2,689 letters against the proposed funicular railway development on Cairn Gorm by 30 March 1997.

Local Government Finance

Mr. Burstow: To ask the Secretary of State for Scotland what has been the level of spending by Scottish local authorities in each year since 1991–92; and if he will indicate the annual percentage change in real terms. [19823]

Mr. MacDonald *[holding answer 9 December 1997]:* The information requested is set out in the table:

Year	Non-housing net current expenditure (cash terms inclusive of specific grant) £ million	Percentage change on previous year in real terms
1991–92	5,498	
1992–93	5,974	4.27
1993–94	6,038	–1.78
1994–95	6,206	1.25
1995–96	6,593	3.39
1996–97	6,605	–2.51
1997–98	6,524	–3.82

Based on local authority reported final outturns for 1991–92 to 1995–96. Final expenditure figures are not yet available beyond 1995–96. Provisional outturn is given for 1996–97 and local authorities' budget estimates for 1997–98.

No adjustments have been made to take account of transfers of responsibility to and from local government and therefore the real terms percentage changes do not compare expenditure in the relevant years on a like-with-like basis.

Mr. Gorrie: To ask the Secretary of State for Scotland if he will provide figures showing the band D council tax increase in the next financial year for each local authority in Scotland *(a)* in cash terms and *(b)* in percentage terms, based on the assumption that all councils spend at the provisional capping limit. [22273]

Mr. Macdonald: On average, the council tax in Scotland should rise by around 7 per cent. in 1998–99, on the assumption that councils spend at their provisional capping limits. The council tax increase for each council will depend on local circumstances and decisions, and it is not possible to make reliable estimates at the individual council level.

Consultancy Contracts

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what percentage of the budget of *(a)* Scottish Enterprise and *(b)* Highlands and Islands Enterprise was spent on consultancy contracts in 1996–97; and what was the total value of these contracts. [19794]

Mr. Wilson *[holding answer 12 December 1997]:* This is a matter for Scottish Enterprise and Highlands and Islands Enterprise respectively and I have asked the Chairmen to write to the hon. Member.

Services

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what estimate he has made of the annual cost of abolishing ferry charges and fares for all public sector ferry services in Scotland. [19796]

Mr. McLeish *[holding answer 12 December 1997]:* As this matter is not under consideration, no estimate of the cost of abolition has been made. The costs of providing public sector ferry services are met through a combination of fares revenue and public subsidies made available by The Scottish Office and local authorities. If no income was raised from fares then all existing operating costs would have to be met by subsidy. In the longer term, the provision of ferry services free of charge to customers could be expected to lead to a substantial increase in demand, with the consequential problems of capacity constraint and ensuing demand, for more frequent services, more and larger vessels and a higher requirement for operating subsidies.

East Lothian District Council

Mr. Home Robertson: To ask the Secretary of State for Scotland when the Controller of Audit requested the opinion of senior counsel concerning his Special Report 97/2 on East Lothian District Council; when that opinion was received at the Controller's office; and when information about that opinion was sent to the Chief Executive of the East Lothian Council. [20986]

Mr. MacDonald *[holding answer 15 December 1997]:* I understand from the Accounts Commission for Scotland that the Memorandum for the Opinion of Counsel was submitted on 24 September 1996 and the Counsel's Opinion was given on 10 December 1996. Information about the Opinion was given to the Chief Executive of the East Lothian Council on 16 April 1997.

Chief Scientific Officer

Mr. Welsh: To ask the Secretary of State for Scotland when he plans to fill the post of Chief Scientific Officer for Scotland. [21153]

Mr. Wilson *[holding answer 16 December 1997]:* I expect to announce a decision, on the Garrick recommendation that the Government should consider filling the vacant post of Chief Scientific Adviser to the Secretary of State, shortly.

Nursery Vouchers

Mr. Ancram: To ask the Secretary of State for Scotland what estimate he has made of the cost to public funds of abolishing the nursery voucher scheme in Scotland. [22041]

Mr. Wilson: The cost to public funds of abolishing the pre-school education voucher system in Scotland will be part of the termination fee negotiated by Government with Capita Managed Services Ltd., the operators of the Pre-School Administration Agency. The amount is commercial in confidence.

Waste Materials

Mr. Salmond: To ask the Secretary of State for Scotland what research his Department has *(a)* commissioned and *(b)* evaluated into the entry of waste materials into the food chain through seepage. [22943]

Mr. MacDonald *[holding answer 15 January 1998]:* The only project commissioned by The Scottish Office that addresses the entry of waste materials into the food chain through seepage is:

> Concentration of environmental oestrogens (xenoestrogens) in tissues of domestic animals grazing pasture treated with sewage sludge.

This project is due for completion on 31 March 2000.

Arts Sector (Legal Services)

Ms. Roseanna Cunningham: To ask the Secretary of State for Scotland (1) what guidelines have been issued to publicly-funded bodies in Scotland regarding the use of Scottish legal firms. [25201]

(2) what mechanisms exist for the assessment of the Scottish Arts Council's tendering process for legal services; what assessment he has made of the Scottish Arts Council's most recent tendering process for legal services; and if he will make a statement. [25202]

Mr. Galbraith: No such general guidelines have been issued. The Scottish Arts Council is, like other Non-Departmental Public Bodies, required to achieve best value for money in the purchase of goods and services, and is required to place contracts of an estimated value of £1,000 or more on a competitive basis unless there are good reasons to the contrary. The Council's compliance with these requirements is monitored through the audit process: no specific assessment has been made of the particular tendering process referred to.

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) if he will make a statement on the development of sustainable support services for the film industry in Scotland with particular reference to legal services; [25199]

(2) what instructions he has given to publicly-funded bodies in the arts sector in Scotland regarding the use of public funds to develop support services for the film industry, with particular reference to legal services. [25200]

Mr. Galbraith: No such instruction has been issued. Scottish Screen has responsibility for promoting and developing the film industry in Scotland and it is for it to assess how best this can be done and to allocate funds accordingly.

Orthoptics

Mrs. Ewing: To ask the Secretary of State for Scotland for how many staff employed in the Scottish NHS in each of the last five years a degree in orthoptics was part of the requirement for their employment. [24563]

Mr. Galbraith: The information is not available in the form requested. However, the table shows the numbers of qualified orthoptists employed by the NHS in Scotland in each of the last 5 years. Employment as a qualified orthoptist requires that an individual be registered under the Professions Supplementary to Medicine Act 1960.

Qualified orthoptists employed in the NHS in Scotland Headcount and Whole Time Equivalent (WTE): at 30 September

	1992	*1993*	*1994*	*1995*	*1996*
Headcount					
Total	76	80	87	90	89
Head	10	12	13	15	15
Senior	66	67	74	75	74
Basic	—	1	—	—	—

Qualified orthoptists employed in the NHS in Scotland Headcount and Whole Time Equivalent (WTE): at 30 September

	1992	*1993*	*1994*	*1995*	*1996*
WTE					
Total	58.8	63.2	67.2	67	68.2
Head	9.8	11.8	12.8	13.9	13.8
Senior	49	50.4	54.4	53.1	54.4
Basic	—	1	—	—	—

Mrs. Ewing: To ask the Secretary of State for Scotland how many students graduated with a degree in orthoptics from Scottish universities or colleges in each of the last five years. [24564]

Mr. Wilson: The numbers of students graduating in ophthalmics (which includes orthoptics and optometry) is provided in the table.

Number of full-time first degree ophthalmics graduates from Scottish higher education, 1992–96

Year	*Number of graduates*
1992	28
1993	33
1994	42
1995	58
1996	52

Mrs. Ewing: To ask the Secretary of State for Scotland if he will make a statement on the recruitment benefits for Scottish hospitals of the Scottish-based degree course for the training of orthoptists. [24559]

Mr. Galbraith: Scottish Hospitals appreciate that professional education and training, including that of orthoptists, provided by Scottish universities is of the highest standard and so would wish to recruit graduates trained in Scotland. But it is for the Council for the Professions Supplementary to Medicine to ensure that orthoptists working in the United Kingdom are competent to practice whereever they train. Also, while it would seem probable that graduates from Scottish universities are more likely to seek initial employment within rather than outwith Scotland, many students who have studied in Scottish universities but who are not domiciled in Scotland return home on graduation.

Mrs. Ewing: To ask the Secretary of State for Scotland what discussions he has had with the British Orthoptic Society concerning the future of the Scottish-based degree course for training orthoptists. [24560]

Mr. Galbraith: I have been in correspondence with the British Orthoptic Society on this matter and Miss Anne Jarvie, the Chief Nursing Officer, is arranging to meet with the Society in the next few weeks.

Mrs. Ewing: To ask the Secretary of State for Scotland what steps he is taking to ensure the continuation of degree training for orthoptists in Scotland. [24558]

Mr. Galbraith: The Scottish Office is currently engaged in assessing the numbers of orthoptists which Scotland requires.

Once I have ascertained this, I will take steps to ensure sufficient orthoptists undertake degrees in orthoptics to meet the needs of the NHS in Scotland.

Mrs. Ewing: To ask the Secretary of State for Scotland what representations he has made to (i) Caledonian University and (ii) the Council for Professions Supplementary to Medicine regarding the future of the orthoptic degree course at Caledonian University; and if he will make a statement. [24561]

Mr. Galbraith: Glasgow Caledonian University and the Council for Professions Supplementary to Medicine (CPSM) have kept Scottish office officials fully appraised of the situation regarding the orthoptic degree course at Glasgow Caledonian University.

I have called for a review of the education and training of orthoptists in Scotland, the first stage of which is to seek information from Trusts on the current need for orthoptists and the need over the next five years. This information has now been gathered. Further stages in the review process will be decided after these data have been analysed.

Mrs. Ewing: To ask the Secretary of State for Scotland how many Scottish students received funding for an orthoptic degree course (i) at Caledonian, (ii) at Liverpool, (iii) at Sheffield universities and (iv) outside the United Kingdom in the last year for which figures are available. [24562]

Mr. Wilson: The number of Scottish students, funded by the Student Awards Agency for Scotland, on the BSc Orthoptics course, in the current academic session (1997–98) is contained in the table:

University	*Number*
Glasgow Caledonian	49
Liverpool	1
Sheffield	nil
Outwith the UK	nil

Integrated Administration and Control System

Mr. Maclennan: To ask the Secretary of State for Scotland if he will publish the criteria which he applies for the purpose of establishing whether or not agriculture enterprises are separate businesses to determine their eligibility for assistance under IACS. [25420]

Mr. MacDonald: The criteria used by The Scottish Office are as follows.

IACS Separate Businesses: Criteria for Separateness

Background

1. The Scottish Office Agriculture, Environment and Fisheries Department and other UK Departments have to be able to demonstrate to the European Commission and other auditors that all the IACS rules are being followed. This is a matter of complying with Community law and non-compliance can lead to costly expenditure disallowance penalties.

2. The criteria for determining whether businesses are separate for IACS purposes have been developed on the basis of the definitions of "farmer" and "holding" contained in Article 1(4) of Council Regulation (EEC) No. 3508/92. In effect, an applicant under any of the main agricultural schemes, who may be an individual or a legal person, or a group of individuals or legal persons (regardless of the legal status of the group and its members), must submit a single Area Aid Application (AAA) for all the production units managed by *him* and within the UK. In other words, all land managed as one business, whatever the legal structure of the business, should be covered by one AAA. The criteria for establishing whether one business is separate from another have been published in the annual IACS explanatory booklets which have been distributed to farmers each year since 1993.

3. In order to form an assessment the practice is to consider four aspects of the way the business is run, namely—legal status, economic structure/organisation, commercial management and operational management. As indicated by the IACS explanatory booklets, no single aspect is paramount and it is the balance of factors which counts. Each case is therefore examined on its own merits to form a balanced judgement. The EC have subsequently endorsed the criteria.

Legal Status

4. If two or more businesses are to qualify as separate for IACS purposes, it will normally be required that each should have a distinct legal status, e.g. sole trader, partnership company etc. However, satisfying this requirement is not in itself sufficient to establish separateness, since businesses which are legally separate may still be regarded as operating together as a group (see paragraph 2 above). Similarly failing to meet this requirement is not in itself sufficient to be deemed to be one. Whether or not this is so can only be determined on consideration of the other three criteria.

Economic Structure

5. In considering the economic structure of a number of legally separate businesses in which certain individuals (or legal persons) have an interest, it is necessary to take account of:

5.1 the share holding or the partnership interest or voting rights of the directors, shareholders, partners, individuals (or legal persons) involved in the businesses;

5.2 who benefits from the profits/suffers any losses relating to the businesses.;

5.3 who has ultimate responsibility for making the longer term policy decisions that affect the profitability of each business.

Where necessary documentary evidence of the above will be sought e.g. partnership agreements. Where the same individuals (or legal persons)—

(a) have a large majority shareholding or interest in, or

(b) benefit from the profits or suffer the losses of,

the business concerned, this may indicate that the businesses should be considered as economically one business for IACS purposes. However, the commercial and operational structure will still be carefully examined and taken into account.

Where no particular individuals (or legal persons) are dominant in these respects throughout the businesses concerned, then it is likely that the businesses would be considered separate for IACS purposes. Again, however, the commercial and operational structure will be taken into account before a determination is made.

Commercial Structure

6. In considering the commercial structure of the businesses, which, though legally separate, may fall to be treated as one, it is necessary to ascertain:

6.1 whether those with day-to-day management responsibility have complete discretion to buy or sell, whenever they choose;

6.2 who has day-to-day management responsibility for running each business, and, in some cases, the extent of their authority;

6.3 whether there are transactions for goods or services between the business and whether they are carried out at commercial rates (evidence of sales invoices/contracts may be required);

6.4 whether there is any evidence of cross subsidisation between the businesses;

6.5 whether the businesses have separate accounts, sales contracts, tax and VAT status.

Business are unlikely to be commercially separate for IACS purposes where:

there is an overlap in the way in which the businesses are managed;

those who have responsibility for running the businesses on day-to-day basis, lack of commercial independence;

transactions of goods between the businesses are not accounted for in a way which would be expected from independent businesses;

there is a lack of sound financial arrangements, which an independent agricultural business would be expected to have in place—e.g. itemised invoicing, and arrangements for invoicing and payment in good time;

there is a lack of basic structures, which would be expected in running free-standing agricultural businesses—e.g. proper accounts, separate herd marks, separate land etc.

Operational Structure

7. It is necessary to consider the degree of operational separateness of cropping, stocking, machinery, labour, buildings and livestock housing, whether each legally separate enterprise has such things as its own supplies of food, fertiliser and land for grazing, livestock records, farm plans, registration and herd marks.

Where businesses have very closely linked operational arrangements i.e.:

regular movement of stock almost exclusively between the farms comprised in the business, and the dependence of one farm on another for overwintering or grazing, beyond what would be common elsewhere in the locality;

lack of sufficiently separate arrangements for buying, making and storing stockfeed;

reliance by one farm on the other(s) for housing, feeding and supervising livestock, and common arrangements for buying, selling and transporting stock;

reliance by one farm on the other(s) for purchase of seed stocks, harvesting and storage of crops and common arrangements for dressing, sale and transport of crops produced;

extensive use of interchange of the same labour force, beyond what would be expected from independent businesses;

interchange of land, buildings and other fixed equipment;

they are likely to be considered as operationally one for IACS purposes.

A degree of co-operation in the use of some resources would be permissible, but this should normally be of a limited, seasonal nature. For businesses to be considered operationally separate, there should be independent management and organisation of any stock involved.

8. Please note that it is a requirement in particular under Article 2(2) of Commission Regulation (EEC) No 3887/92 to ensure that the conversion of existing holdings or the creation of holdings after 30 June 1992 does not lead to the patently improper avoidance of the provisions relating to individuals' limits on eligibility for premiums or land set-aside requirements imposed under the main agricultural schemes.

University Tuition Fees

Mr. Welsh: To ask the Secretary of State for Scotland if a domiciled English student at a Scottish university who changes course after the first year and re-applies as a Scottish resident to the Scottish Office for funding, will be eligible to have his fourth year tuition fees paid. [25349]

Mr. Wilson: The residence eligibility criteria under the new student support arrangements will remain the same as under the existing schemes. The responsible award making body is determined primarily by a student's place of ordinary residence on 30 June of the year in which he or she starts the course. A period of residence wholly or mainly for the purpose of full-time education is not regarded as ordinary residence. Where a student changes to a different course of higher education during the academic year, or in the immediately following academic year, the responsibility for considering assistance for the new course remains with the original award making body.

EDUCATION AND EMPLOYMENT

Foreign Students

Mr. Vaz: To ask the Secretary of State for Education and Employment if he will make a statement on the Government's policy in respect of the charging of university fees to students from developing countries. [23184]

Dr. Howells: The Education (Fees and Awards) Regulations 1997 allow universities to differentiate between students for the purpose of fee charging. They are permitted to charge higher fees to students who do not fulfil the conditions described in the Schedule to the Regulations than to students who do fulfil the conditions. No special statutory provision is made for students from developing countries to be charged fees at the lower rate.

The British Government and other United Kingdom organisations provide a number of scholarships and awards to help international students to study in the UK. The main schemes are described in a booklet produced in 1997 by the Foreign and Commonwealth Office, UKCOSA (The Council for International Education) and The British Council called, "Studying in the UK, Sources of funding for international students" a copy of which has been placed in the Library. In particular, the Commonwealth Scholarship and Fellowship Plan, funded by the Department for International Development (DfID) and the Foreign and Commonwealth Office (FCO), assists academically able students from Commonwealth countries to study in the UK. DfID also supports students from developing countries attending UK universities under Technical Co-operation Training arrangements. Students from developing countries are also eligible for FCO Chevening Scholarships.

Mr. Vaz: To ask the Secretary of State for Education and Employment if he will take steps to improve the access of students from developing countries to British universities. [23185]

Dr. Howells: Her Majesty's Government will continue to target resources on schemes which enable international students, including those from developing countries, to study in the United Kingdom.

The main schemes are described in a booklet produced in 1997 by the Foreign and Commonwealth Office, UKCOSA (The Council for International Education) and The British Council called, "Studying in the UK, Sources of funding for international students", a copy of which has been placed in the Library. Many of these schemes are open to students from developing countries.

Grant-maintained Schools

Mr. Brady: To ask the Secretary of State for Education and Employment if he will list the percentage of parents voting in the ballot on grant maintained status who voted *(a)* in favour and *(b)* against for each grant maintained school. [24072]

Mr Byers: A list of the percentage of parents voting in the ballot on GM status who voted *(a)* in favour and *(b)* against for each GM school, has been placed in the Library.

Schools (Lighting Standards)

Dr. Cable: To ask the Secretary of State for Education and Employment how many, and what percentage, of schools are not complying with Health and Safety Executive lighting standards; and what additional resources are being made available to ensure compliance. [23962]

Mr. Byers: Lighting standards for maintained schools are those set out in the Education (School Premises) Regulations 1996. The statutory responsibility for ensuring that these standards are met rests with local education authorities for schools maintained by them, and with the governing bodies of grant-maintained schools.

Northumberland TEC

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what the surplus achieved by Northumberland TEC on trading accounts was for the financial years 1995–96 and 1996–97. [23990]

Dr. Howells: Surplus as achieved by Northumberland Training and Enterprise Council (Group) Ltd. are

Year to 31 March 1996: £475,842

Year to 31 March 1997: £1,151,765.

Mr. Robbie Campbell: To ask the Secretary of State for Education and Employment if he will list the amount allocated to Northumberland TEC for *(a)* training fees, *(b)* starts funding and *(c)* outcomes funding in the three most recent available years. [23989]

Dr. Howells: The information requested is shown in the following table:

	1995–96	*1996–97*	*1997–98*
(a) Training fees			
Youth Training	7,008,711.00	6,930,436.00	6,720,457.00
Adult Training	2,516,662.00	2,672,676.00	2,062,880.00
Total	9,525,373.00	9,603,112.00	8,783,337.00
(b) Starts funding			
Youth Training	1,807,531.00	1,729,842.00	1,680,115.00
Adult Training	625,049.00	584,719.00	477,725.00
Total	2,432,580.00	2,314,561.00	2,157,840.00
(c) Outcomes funding			
Youth Training	5,201,180.00	5,200,594.00	5,040,342.00
Adult Training	1,891,613.00	2,087,957.00	1,473,717.00
Total	7,092,793.00	7,288,551.00	6,514,059.00

School Inspectors

Helen Jones: To ask the Secretary of State for Education and Employment what discussions he has had with OFSTED on the recent errors made in selecting schools for inspection in the autumn term; and what steps are being taken to prevent such errors occurring in the future. [25278]

Mr. Byers: HM Chief Inspector of Schools wrote to my right hon. Friend on 19 January to apologise for an error which had resulted in around 500 of the 1,350 schools which had recently been notified of an inspection in the autumn term 1998 being incorrectly chosen, and to inform him of the action which had been taken to correct the error. I have asked HM Chief Inspector to write to my hon. Friend and to place a copy of his letter in the library.

"Partners in Europe" Resource Pack

Sir Michael Spicer: To ask the Secretary of State for Education and Employment what is the cost of producing and circulating, "Partners in Europe: A Resource Pack for Schools." [23685]

Dr. Howells: The estimated cost of producing and circulating "Partners in Europe: A Resource Pack for Schools" is £223,988.

Millennium Compliance

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment what guidelines he has issued to educational establishments on dealing with computer systems which are not millennium compliant; and if he will make a statement. [24703]

Dr. Howells: DfEE have mounted a year 2000 date change awareness raising campaign with representative educational and training organisations which work in partnership with my department. These organisations have been provided with material relating to risk analysis, contract compliance and contingency planning. Further work with the education sector is planned.

British Academy

Mr. Willis: To ask the Secretary of State for Education and Employment how many grants were awarded by the Humanities Research Board of the British Academy to students to undertake a masters and doctoral higher degree from *(a)* higher education colleges and *(b)* universities in the last five years. [23824]

Dr. Howells: The number of awards offered for Masters courses for 1993–97 was as follows:

First degree	*1993*	*1994*	*1995*	*1996*	*1997*
Institution					
University	557	535	553	474	474
HE College	21	12	17	12	10
Total	578	547	570	486	484

The number of awards offered for Doctoral Study for 1993–97 was as follows:

First degree	*1993*	*1994*	*1995*	*1996*	*1997*
Institution					
University	527	493	511	467	522
HE College	23	6	7	11	4
Total	550	499	518	478	526

Mr. Willis: To ask the Secretary of State for Education and Employment what policy the Humanities Research Board of the British Academy operates in respect of funding for students wishing to undertake masters and doctoral higher degrees; what proportion of studentships have been allocated to mature students in the last five

years; and how many of the studentships were allocated to those who have graduated from colleges of higher education in the last five years. [23823]

Dr. Howells: The Humanities Research Board's (HRB's) policy is to allocate postgraduate awards through an annual competition. It does not allocate quotas of awards to specific institutions, courses, age groups or subjects. Rather, all applications are assessed and graded, and awards made down a list of rank order candidates until available funds are exhausted.

Applications are submitted on students' behalf by the institutions at which they intend to study and are assessed by panels of senior academic staff in the relevant subject areas. Panel members are drawn from universities across the country and serve for a term of three years. In assessing applications, they take account of candidates' performance in examinations at first degree level; candidates' statements about their intended programme of study or research and their reasons for undertaking it; referees' reports and, where appropriate, reports on candidates' performance on postgraduate-level courses; and information provided by institutions about supervision arrangements, and the training and support it will provide. The Board's expectation is that applicants should normally have completed an initial year of postgraduate study before embarking on a three-year programme of doctoral research.

With regard to mature students, the HRB monitors only those applicants who are aged 40 or over at the date of application. The percentage of awards offered to such applicants is shown in the table.

	Per cent.
1993	5
1994	3
1995	4
1996	4
1997	5

The number of awards offered for Masters courses to applicants with a first degree from higher education colleges for 1993–97 was:

Year	*Number from HE Colleges*
1993	21
1994	12
1995	17
1996	12
1997	10

The number of awards offered for Doctoral study to applicants with a first degree from higher education colleges for 1993–97 was:

Year	*Number from HE Colleges*
1993	23
1994	6
1995	7
1996	11
1997	4

Examination Results

Mr. Brady: To ask the Secretary of State for Education and Employment if he will make a statement on the LEA area which achieved the best *(a)* A level results and *(b)* GCSE results in 1997, indicating the extent to which each operates a selective education system. [24074]

Dr. Howells: The 1997 Performance Tables show that the Isles of Scilly achieved the highest proportion of maintained school pupils gaining five or more GCSE grades A*-C or GNVQ equivalent, and pupils in Buckinghamshire maintained schools achieved the highest average GCE A/AS point score per examination entry. Forty-seven per cent. of all pupils in maintained secondary schools (excluding special schools) in Buckinghamshire attend schools with a selective admissions policy. The Isles of Scilly has one maintained non-selective secondary school.

Student Placements

Dr. Cable: To ask the Secretary of State for Education and Employment (1) what financial support his Department offers to full-time students on sandwich courses who are unable to find paid placements; [23961]

(2) what proposals the Government have to assist students spending a year in an industrial placement. [23965]

Dr. Howells: Students who hold mandatory awards for a sandwich course are not normally eligible for maintenance support during their placements. They can expect to be paid for their productive work by the employer with which they are placed. Where students have unpaid placements in many parts of the public service they exceptionally continue to be eligible for means-tested maintenance support as part of their award in substitution for payment by the employer. Students in either category who are unable to find placements are not eligible for maintenance support unless their institution is able to make suitable alternative provision for them.

Students on sandwich courses can apply for the appropriate rate of loan in any year in which there is a placement where the student and the course are eligible for loans. Provided that they are attending their course, whether at the institution or on a placement, when an application is made for a loan it can be paid.

Welfare to Work

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment if he will list the *(a)* private sector companies and *(b)* public sector departments which have provided jobs for the employer option of the Welfare to Work scheme, indicating the number of jobs each has provided. [24493]

Mr. Andrew Smith *[holding answer 22 January 1996]:* The information requested is not held centrally. Nine thousand employers have expressed interest in taking part in the New Deal, the overwhelming majority in the private sector.

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment how many people in the employer option of the Welfare to Work scheme are in jobs in the *(a)* private and *(b)* public sector. [24490]

Mr. Andrew Smith *[holding answer 22 January 1998]:* The large majority of jobs on the New Deal Employment option will be in the private sector, reflecting the balance in the workforce as a whole.

An important feature of the New Deal is the provision of advice during the Gateway period, prior to taking up new deal options including the Employment option. The New Deal started in the 12 pathfinder areas on 5 January.

In the first two weeks there have been 107 referrals to the private sector employment option and six to the public sector option.

Mr. Rooney: To ask the Secretary of State for Education and Employment if the New Deal for 18 to 24 year olds will be voluntary in circumstances where a claimant has been unemployed for six months and broken his claim for between one and 28 days. [25559]

Mr. Andrew Smith: Young people who would have reached six months on the Jobseeker's Allowance and would have entered the New Deal Gateway but for short breaks in their claim totalling not more than 28 days will be able to choose to join the New Deal early.

Mr. Rooney: To ask the Secretary of State for Education and Employment what would be the cost of extending the education and training options of the New Deal for 18 to 24 year olds to allow those eligible to take a level 3 course or equivalent as set out in schedule 2 of the Further and Higher Education Act 1992 and section 6 of the Further and Higher Education (Scotland) Act 1992. [25566]

Mr. Andrew Smith: Although primarily designed for young people without N/SVQ 2 or equivalent level qualifications, the Full-Time Education and Training option of the New Deal for 18 to 24 year olds also allows some young people to study towards a Level 3 qualification, where there is a clear link between achievement of the qualification and increased employability. The cost will depend on the bids by education and training providers. Young people may also study part-time for a qualification above Level 2 through the education and training element of the other three options.

Mr. Rooney: To ask the Secretary of State for Education and Employment if an 18 to 24-year-old who has completed a New Deal option and then claimed jobseeker's allowance for a further six months will be re-referred to the Gateway and New Deal. [25558]

Mr. Andrew Smith: We are making a major investment to help young people move off welfare and find sustained employment, and to avoid as far as possible (for example through a follow-through strategy for people who return to JSA shortly after completing an option) the circumstances described. Any young person who found themselves in this position would of course have the right to further help from the New Deal.

Mr. Rooney: To ask the Secretary of State for Education and Employment in what circumstances a lone parent who claims jobseeker's allowance to enter the New Deal programme for 18 to 24-year-olds will be allowed to return to income support if they are issued with a jobseeker's allowance or New Deal sanction. [25557]

Mr. Andrew Smith: Any lone parent claiming Jobseeker's Allowance (JSA) who would be eligible for Income Support would always have the option of terminating the claim to JSA and claiming Income Support instead.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many places will be available in the next five years under the education and training options of the New Deal for the over 25-year-old long-term unemployed. [25555]

Mr. Andrew Smith: We have made provision for at least 10,000 additional opportunities, over the lifetime of this Parliament, for those aged 25 years or over, unemployed for two years or more, to undertake courses of full-time employment-related education and training for up to a year while receiving Jobseeker's Allowance.

Further Eduction Colleges

Dr. Cable: To ask the Secretary of State for Education and Employment what criteria will be employed in approving mergers and acquisitions involving further education colleges; what will be the consultation process for staff and local communities; and if he will make a statement on his policy. [23959]

Dr. Howells: My right hon. Friend the Secretary of State will normally consider further education corporation mergers on the basis of a formal proposal from the Further Education Funding Council for England and following a statutory consultation process. He will consider each case on its merits. The Council assesses proposals against criteria which include educational and financial benefits, the likely success of the proposed reorganisation and the extent of consultation and the consideration given to alternative proposals. There are opportunities for the involvement of staff and local communities during preliminary consultations conducted locally and then following the formal issue of statutory notices by the Council prior to the submission of the proposal to my right hon. Friend for a final decision.

Literacy

Mr. Vaz: To ask the Secretary of State for Education and Employment what plans he has to expand the literacy hour scheme *(a)* nationally and *(b)* in Leicestershire. [23565]

Mr. Byers: We expect the norm for all primary schools to be the implementation of a daily literacy hour from this September, as part of the strategy to meet our national literacy target for 2002.

Mr. Vaz: To ask the Secretary of State for Education and Employment how many literacy schools *(a)* were in operation in summer 1997 and *(b)* are planned to be in operation in summer 1998 (i) nationally, (ii) in the East Midlands and (iii) in Leicestershire. [23563]

Mr. Byers: A pilot of 50 Summer Literacy Schools supporting 1,500 pupils was in operation last year. The scheme will be expanded in 1998 to cover 500 schools and 16,000 pupils nationally. Decisions have not yet been taken on where Summer Literacy Schools will be run this year, but we expect there to be a broad geographical spread.

Mr. Vaz: To ask the Secretary of State for Education and Employment how many schools *(a)* in the East Midlands, *(b)* in Leicestershire and *(c)* nationally currently participate in the literacy hour scheme. [23564]

Mr. Byers: Around 500 schools in 14 LEAs are in the National Literacy Project. Although none of the LEAs in the East Midlands is part of the project, we know some schools in that region are trailing the project's literacy hour.

Project Funding (Northumberland)

Mr. Ronnie Campbell: To ask the Secretary of State for Education and Employment what projects have received funds from *(a)* the EU Social Fund and *(b)* the EU Cohesion Fund in the Northumberland County Council area. [23992]

Mr. Andrew Smith: The following table shows the number of projects that have received funding through the European Social Fund since 1990. Documentation providing details of each individual project which has received funds has been placed in the Library. Northumberland is not eligible for money from the EU Cohesion Fund.

Year	*Number of successful projects*
1990	19
1991	20
1992	31
1993	67
1994	41
1995	52
1996	78
1997	43

New Deal (Environmental Placements)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what funding there is for materials in Home Energy efficiency programmes carried out under environmental placements on the New Deal. [25467]

Mr. Andrew Smith: Organisations which tender to provide placements on home energy efficiency programmes under the Environmental Task Force option of the New Deal for 18–24 year olds, may include in their bid an element to cover the cost of materials.

Workskill Pilots

Mr. Rooney: To ask the Secretary of State for Education and Employment if a participant in the workskill pilots who is aged 18 to 24 years will be automatically referred to the New Deal. [25561]

Mr. Andrew Smith: Every young person who has claimed the Jobseeker's Allowance continuously for six months will be referred to the New Deal. New Deal Advisers will discuss with young people studying under the Workskill pilot regulations how best to accommodate their course of study within the New Deal.

Mr. Rooney: To ask the Secretary of State for Education and Employment how many people have joined the workskill pilots broken down by standard region; and how many of these *(a)* completed the course and *(b)* left early. [25562]

Mr. Andrew Smith: As of 16 January, 1,049 people had started courses of education and training under the Jobseeker's Allowance Workskill pilot regulations.

There are currently pilots in eight areas. Four of the pilots allow people to study full-time, and four provide additional concessions to allow people to study part-time while on JSA. The breakdown of course starts by pilot area is as follows:

	Number of course starts
Full-time pilot areas	
Cardiff and Bridgend	248
Glasgow and Dumbarton	45
Lancashire and Cumbria	175
North Black Country	144
Part-time pilot areas	
Avon, Somerset and Wiltshire	136
Leeds	93
Liverpool South and Wirral	64
South and South East London	144

Information on the number of people completing, or leaving courses early, is not yet available, as many participants are currently in the middle of their course of study. However, the pilots will be fully evaluated.

Veterinary and Architecture Students

Mr. Welsh: To ask the Secretary of State for Education and Employment which Government Department is responsible for the funding of *(a)* veterinary and *(b)* architecture students' additional year tuition fees. [25338]

Dr. Howells: From 1998–99, new students on full-time higher education courses in veterinary and architecture studies will make a contribution to tuition fees of up to £1,000, depending on income, for every year of their course. There is no equivalent to the Department of Health scheme for meeting tuition fee contributions of medical and dental students after the first four years of their course. This is because the Government cannot take responsibility for the supply of professionals such as vets and architects who are employed predominantly in the private sector. The student contribution to fees in any year is a small proportion of the total cost of tuition, the rest being met in England from the Department for Education and Employment grant to the Higher Education Funding Council.

School Budgets

Mr. McLoughlin: To ask the Secretary of State for Education and Employment which local education authority holds back the lowest percentage of its school budget; and what amount per pupil, would be made available to schools if all local authorities held back the same percentage. [25339]

Mr. Stephen Byers: Dudley Metropolitan Borough Council was the local education authority which delegated the largest proportion of its Potential Schools Budget for the financial year 1997–98, the percentage being 96.3. The table gives the information requested as a listing of local education authorities in England for the same year. The figures are derived from the budget statements produced by the local education authorities under section 122 of the 1996 Education Act.

Extract—section 122 budget statements (England) 1997–98)
Amount capable of being delegated per pupil if ASB were 96.3 per cent. of PSB for all authorities

	£
Corporation of London	3,229
Camden	2,780
Greenwich	2,388
Hackney	2,551
Hammersmith and Fulham	2,673
Islington	2,432
Kensington and Chelsea	3,010
Lambeth	2,776
Lewisham	2,485
Southwark	2,455
Tower Hamlets	2,513
Wandsworth	2,558
Westminster	2,583
Barking/Dagenham	2,228
Barnet	2,148
Bexley	1,823
Brent	2,182
Bromley	1,898
Croydon	2,053
Ealing	2,190
Enfield	2,121
Haringey	2,411
Harrow	2,251
Havering	2,030
Hillingdon	2,054
Hounslow	2,283
Kingston	1,979
Merton	2,127
Newham	2,171
Redbridge	2,072
Richmond	2,189
Sutton	2,036
Waltham Forest	2,253
Birmingham	2,142
Coventry	2,076
Dudley	1,840
Sandwell	1,898
Solihull	1,891
Walsall	1,947
Wolverhampton	1,877
Knowsley	1,999
Liverpool	1,897
St. Helens	1,954
Sefton	2,003
Wirral	1,881
Bolton	1,883
Bury	1,760
Manchester	1,956
Oldham	1,924
Rochdale	1,803
Salford	1,899
Stockport	2,722
Tameside	1,721
Trafford	1,737
Wigan	1,988
Barnsley	1,712

Extract—section 122 budget statements (England) 1997–98)
Amount capable of being delegated per pupil if ASB were 96.3 per cent. of PSB for all authorities

	£
Doncaster	1,988
Rotherham	1,856
Sheffield	1,884
Bradford	1,807
Calderdale	1,791
Kirklees	1,862
Leeds	1,942
Wakefield	1,790
Gateshead	2,025
Newcastle	2,025
North Tyneside	1,879
South Tyneside	1,843
Sunderland	1,890
Isles of Scilly	3,486
Bath and North-East Somerset	2,100
Bristol	2,144
North Somerset	2,041
South Gloucestershire	2,458
Hartlepool	1,798
Middlesbrough	1,931
Redcar and Cleveland	1,905
Stockton on Tees	1,906
Hull	1,901
East Riding	2,023
North East Lincolnshire	1,929
North Lincolnshire	1,953
North Yorkshire	1,983
York	1,904
Luton	1,843
Milton Keynes	1,807
Derby City	1,671
Poole	1,640
Bournemouth	1,812
Darlington	1,800
Brighton and Hove	2,016
Portsmouth	2,058
Southampton	2,043
Leicester City	1,954
Rutland	1,820
Stoke on Trent	1,794
Swindon	1,756
Bedfordshire	1,872
Berkshire	1,934
Buckinghamshire	1,853
Cambridgeshire	1,821
Cheshire	1,919
Cornwall	1,924
Cumbria	1,814
Derbyshire	1,721
Devon	1,894
Dorset	1,834
Durham	1,895
East Sussex	2,004
Essex	1,891
Gloucestershire	1,779
Hampshire	1,983
Hereford/Worcester	1,874
Hertfordshire	1,912
Isle of Wight	1,955
Kent	1,885
Lancashire	1,905
Leicestershire	1,941
Lincolnshire	1,998
Norfolk	1,975
Northamptonshire	1,836
Northumberland	1,841
Nottinghamshire	1,782
Oxfordshire	1,917
Shropshire	1,850
Somerset	1,918
Staffordshire	1,767

Extract—section 122 budget statements (England) 1997–98)
Amount capable of being delegated per pupil if ASB were 96.3 per cent. of PSB for all authorities

	£
Suffolk	1,965
Surrey	2,020
Warwickshire	1,888
West Sussex	1,976
Wiltshire	1,829
England	1,958

Apprenticeships

Mr. Cox: To ask the Secretary of State for Education and Employment how many *(a)* men and *(b)* women are at present in apprenticeship schemes in England and Wales. [23805]

Dr. Howells: As at 2 November 1997 there were 111,900 people in training on Modern Apprenticeships, 58 per cent. of these were men and 42 per cent. were women.

University Tuition Fees

Dr. Cable: To ask the Secretary of State for Education and Employment what university tuition fees will apply in respect of students who were offered deferred entry in 1998–99 on the basis of results which have now been re-marked on appeal to levels which could have secured an entry in 1997–98. [23939]

Dr. Howells: Students who were unable to enter higher education in 1997 because their results were inadequate, but who have had those results upgraded on appeal and who will now be able to enter in 1998, will be treated as 1997 entrants for student support purposes. This means that they will have their tuition fees met for the duration of their course, and receive the current 50:50 grants and loans maintenance support.

Dr. Cable: To ask the Secretary of State for Education and Employment how university students' fees will be applied in the case of those students who were required to engage in a year's vocational work after A level, prior to consideration for entry to university, who were for that reason unable to secure admission offers for 1997–98. [23957]

Dr. Howells: Students who agreed a deferred entry place for autumn 1998 with their chosen university before 1 August 1997 prior to undertaking the required vocational work will not have to pay tuition fees for the duration of their course and will be subject to the existing grant and loan arrangements. Those applying after 1 August 1997 for places to start in autumn 1998 or later will be subject to the new tuition fee and maintenance arrangements being introduced in 1998.

Mr. Welsh: To ask the Secretary of State for Education and Employment if local authorities in England will be liable to pay fourth-year tuition fees for EU migrant workers resident within the boundaries of the local authority area, should they apply to a Scottish university; and if he will make a statement. [25335]

Dr. Howells: In 1998–99, new mandatory award holders domiciled in England and Wales, including EU migrant workers, will be eligible for assistance with their fees for all years of their courses.

Mr. Welsh: To ask the Secretary of State for Education and Employment if future increases in the level of tuition fees will be limited to the rate of inflation. [25333]

Dr. Howells: In recognition of the need for safeguards, the Teaching and Higher Education Bill currently before the other place provides that an affirmative resolution of both Houses would be needed before the level of a student's contribution could be increased above the rate of inflation.

AGRICULTURE, FISHERIES AND FOOD

Food Produce

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what recent efforts his Department has made to promote local sourcing of food produce; and if he will make a statement. [24461]

Mr. Rooker: The Government are firmly committed to promoting the local sourcing of food produce, particularly through their grant aid scheme for the establishment of regional groups of speciality producers and the practical assistance provided to these and other groups by Food From Britain.

I myself will shortly be opening the Food and Drink Expo 98 exhibition in Birmingham which will have a dedicated British speciality foods sector which is directly sponsored by FFB and MAFF. We have also ensured that food served in the VIP suite reflects regional foods.

Further, as part of his personal commitment to this sector, my noble Friend Lord Donoughue of Ashton has recently announced that he will refuse to stay at hotels which do not serve locally produced food and drink and has challenged other business travellers to do the same.

Common Agricultural Policy

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his order of priorities for reform of Article 39 of the Treaty of Rome. [24455]

Mr. Rooker: The Government objectives for the Common Agriculture Policy, as established under Articles 38–46 of the Treaty of Rome, are for reforms which provide a market oriented policy with less costly farm support decoupled from agricultural production; and more emphasis placed on targeted environmental and rural development objectives. Achieving these objectives does not require Treaty amendment.

Pesticides

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what plans he has to reduce the use of pesticides; and if he will make a statement. [24453]

Mr. Rooker: It is Government policy to minimise the use of pesticides to that required for effective pest and disease control. This policy is pursued in a number of ways including a rigorous pesticide product approvals

process, a wide ranging R&D programme, and surveillance monitoring of pesticide residues in food. In addition, the Statutory Code of Practice for the Safe Use of Pesticides on Farms and Holdings, laid before this House on 12 January, will be published in March.

The Government are also reviewing the role that economic instruments such as charges or taxes might play in reducing the impact of pesticides and aims to give organic farming a higher priority.

Finally, the Government have given their full support to the recently established Pesticides Forum which, last August, published an Action Plan for encouraging responsible pesticide use, including plans to improve arrangements for technology transfer and promote techniques, such as integrated crop management, designed to minimise pesticide use.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what assessment his Department has made of the presence of traces of DDT in *(a)* milk and *(b)* other dairy products imported from New Zealand. [24451]

Mr. Rooker: Milk is not normally imported into the United Kingdom from New Zealand. However, in 1993 and 1996 the surveillance programme of the Working Party on Pesticide Residues included butter imported from New Zealand. Residues of DDT at very low levels were detected on both occasions, but there was no cause for concern from these findings and no exceedance of maximum residue levels (MRLs).

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what research his Department has evaluated into the long-term effects of pesticide residues in food; and if he will make a statement. [24452]

Mr. Rooker: It is standard practice for the possible effects of each active ingredient used in pesticides and its residues in food to be assessed before products containing that active ingredient are approved for sale. This assessment is undertaken on the basis of extensive testing of the active ingredient in animals, including long-term testing at much higher doses than would occur in the food supply.

The results of assessments by Government scientists are reviewed by the independent Advisory Committee on Pesticides who advise Ministers in six UK Government Departments on the approval of pesticides. The Working Party on Pesticide Residues undertakes an annual surveillance programme to ensure that residues in food remain at acceptable levels.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ensure that those farmers who have been excluded from requiring a certificate of competence before using pesticides now have such certificates; and if he will make a statement. [24454]

Mr. Rooker: I propose to remove the age exemption to ensure that all users of agricultural pesticides are properly trained. This will require amendments to the Control of Pesticide Regulations 1986 (as amended) and the Plant Protection Products (Basic Conditions) Regulations 1997.

We shall be consulting interested parties on this and related matters.

Pet Foods

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a more informative labelling system for pet foods; and if he will make a statement. [24464]

Mr. Rooker: I have no plans to make changes to the labelling system for pet foods. The Feeding Stuffs Regulations 1995 (as amended), which implement EC measures, contain extensive provisions for the statutory labelling of pet foods.

Rabies

Mr. Fabian Hamilton: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the effectiveness of anti-rabies precautions within the Channel Tunnel. [24789]

Mr. Rooker: The controls in place to prevent animals from entering the channel tunnel, which include fencing, video recording, routine surveillance by service personnel, deterrent lighting, and routine baiting for small animals are considered to be very effective anti-rabies precautions. No rabies susceptible animal has ever succeeded in passing through the tunnel. There have however been considerable operational problems with the electrified grids within the tunnel. We are pressing Eurotunnel to get the grids back in operation which is a legal requirement.

Butchers

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what plans he has to give grants to small family butchers to compensate them for the financial losses resulting from the ban on beef on the bone. [24700]

Mr. Rooker: I have no such plans.

EU Fisheries

Mr. Wilkinson: To ask the Minister of Agriculture, Fisheries and Food if he will state the expected duration of MAGP V and the forecast reduction of EU marine resources available in that period, together with the forecast reduction in vessel capacity. [24685]

Mr. Morley: Council Decision 97/413/EC concerning objectives and detailed rules for MAGP IV covers the period from 1 January 1997 to 31 December 2001. Article 9 provides for the European Commission to present a report by 30 March 1999 at the latest on the state and evolution of fish stocks and an assessment of the effects of structural, conservation, control and other policy measures on the state of the resources and on the sector. In the light of this the Council has until 30 December 1999 to decide on any necessary adjustments to the targets for fishing effort in the period from 1 January 2000 to 31 December 2001. Consideration of the position after 31 December 2001 has not yet been provided for.

Mr. Wilkinson: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of fishing already conducted in EU waters by boats of applicant nations for EU membership listed in phases one and two of projected EU enlargement, as based on the 1983

principle of relative stability; and what percentage per species catch is accounted for by each of these potential new EU members. [24684]

Mr. Morley: The only applicant countries which have current fishing quotas in EU waters are Estonia, Latvia, Lithuania and Poland. Under the terms of bilateral fisheries agreements with the EU, access by these countries to EU waters is limited to the Baltic Sea where the UK fleet does not fish.

The fishing opportunities available to each of the applicant countries in EU Baltic waters in 1998 are summarised in the table:

	Quota		*Quota as percentage of EU share of TAC*[1]
Estonia	Cod	1,100 tonnes	1.29
	Herring	4,000 tonnes	1.30
	Sprat	4,000 tonnes	2.00
Latvia	Cod	2,500 tonnes	2.93
	Herring	2,500 tonnes	0.81
	Sprat	6,000 tonnes	3.01
	Salmon	2,000 fish	0.50
Lithuania	Cod	1,350 tonnes	1.58
	Herring	500 tonnes	0.16
	Sprat	4,000 tonnes	2.00
	Salmon	500 fish	0.13
Poland	Cod	400 tonnes	0.47
	Herring	5,000 tonnes	1.62
	Sprat	5,000 tonnes	2.51
	Flounder	400 tonnes	n/a

[1] Total allowable catches are fixed by the International Baltic Sea Fisheries Commission.

Scottish Parliament

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish parliament; and if he will make a statement. [25476]

Mr. Morley: Concordats cannot be finalised until after the Scottish Parliament is elected in 1999. However, our officials and those of the Scottish Office are engaging in preparatory work on some of the possible administrative working arrangements that might apply in the agriculture, fisheries and food areas after devolution. The White Paper, "Scotland's Parliament", makes clear the Government's commitment to the development of mutual understandings covering the exchange of information, advance notification and joint working to facilitate good communication after devolution.

BSE

Mr. Michael J. Foster: To ask the Minister of Agriculture, Fisheries and Food what progress has been made in appointing experts to support Lord Justice Phillips in the inquiry into the emergence of BSE and new variant CJD. [25619]

Dr. John Cunningham: The Government have now appointed Mrs. June Bridgeman CB, a retired senior civil servant and formerly Deputy Chair of the Equal Opportunities Commission to be the member of the Inquiry with experience in public administration and Professor Malcolm Ferguson-Smith, Professor of Pathology at the University of Cambridge, as the scientific member of the Inquiry.

Abattoirs (Foreign Veterinarians)

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food how many non-United Kingdom nationals are currently practising in the United Kingdom as official veterinarians in abattoirs; what assessment he has made of their level of competence in the English language; and what tests are used to ensure that the level of language competence is adequate. [22829]

Mr. Rooker: The Meat Hygiene Service (MHS) is responsible for Official Veterinary Surgeons (OVSs) working in abattoirs in Great Britain. Nine of the OVSs directly employed by the MHS are non-United Kingdom nationals. The Department of Agriculture is responsible for OVSs working in abattoirs in Northern Ireland. Three of its OVSs are non-United Kingdom nationals. In both cases, the selection process includes a formal interview during which communication skills must be demonstrated.

The MHS also contracts out OVS services to veterinary agencies and practices. Seventy-eight (out of 486) are non-United Kingdom nationals.

In liaison with the University of Bristol, the MHS is responsible for the management of the OVS training courses. The MHS has introduced an assessment for non-United Kingdom nationals to assess their ability to understand and communicate in English.

Beef Imports

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to make spot checks on consignments of imported beef to ensure that SRM removal has been carried out to United Kingdom standards; [23598]

(2) how he intends to monitor the removal of SRMs from de-boned imported beef; [23599]

(3) if he will make a statement on the mechanisms by which the Government intend to enforce the restrictions on beef imports. [23597]

Mr. Rooker: The Government's new unilateral controls to ensure that certain food and feed products do not contain and were not derived from specified risk material (SRM) require products to be certified as such in their country of origin by national veterinary services. Products produced before 1 January and products derived from animals born, reared and slaughtered in Australia or New Zealand, provided they are certified as such, are not subject to the SRM-freedom requirements. All consignments imported into the UK from third countries are checked at designated Border Inspection Posts. EU Single Market rules permit random spot-checks only at destination. Consistent with those rules, a daily sample of randomly selected consignments from EU member states are checked for conformity with the new unilateral controls.

Food Standards Agency

Mr. Bayley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the implications of his White Paper, "The Food Standards Agency: A Force for Change", for the location, continued employment prospects and managerial lines of accountability of the staff working for *(a)* the Meat Hygiene Service and *(b)* other divisions and agencies of his Department at his Department's offices at King's Pool, York. [24040]

Mr. Rooker: The White Paper proposes that the Meat Hygiene Service (MHS) should continue to operate as a separate entity but report in future to the Food Standards Agency (FSA) and through it to Department of Health Ministers, rather than to the Minister of Agriculture, Fisheries and Food as at present. The MHS is currently expected to retain its headquarters in York and its network of regional offices. There will be a continuing requirement for its staff to be based at meat plants throughout the country.

The White Paper does not propose any changes to the location of the other divisions and agencies based at the Department's offices in Kings Pool, York.

Livestock Tagging

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is the forecast annual cost to the livestock industry of tagging and identification requirements. [23702]

Mr. Rooker: As regards the costs of the computerised Cattle Tracing System, I refer the hon. Member to the reply my right hon. Friend gave to the right hon. Member for Fylde (Mr. Jack) on 4 December 1997, *Official Report*, column *356*. The additional cost to the industry of the second tag required for cattle born or imported after 1 January 1998 is estimated at approximately £3 million per annum.

Meat Hygiene Service

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food (1) what is the forecast cost to the industry of the Meat Hygiene Service for the calendar year 1998; [23703]

(2) what was the total cost to the industry of the Meat Hygiene Service for the calendar year 1997. [23704]

Mr. Rooker: Information regarding the cost of the Meat Hygiene Service to industry is not available on a calendar year basis. However, the income and expenditure of the Meat Hygiene Service(MHS) is published on a financial year basis in its Annual Report and Accounts.

The total cost of the Meat Hygiene Service to the industry for 1996–1997 was £26 million. Certain MHS enforcement costs, such as for Specified Bovine Material controls, were met by Government.

The latest estimate of the total cost to industry for 1997–98 is £28.7 million. This similarly excludes those MHS costs met by Government.

The MHS budget for 1998–99 is currently being prepared. Figures for 1998–99 are therefore not yet available. However it is proposed that the cost of MHS enforcement of Specified Risk Material controls in licensed premises should also be charged to industry from 1 April 1998. The estimated maximum cost to industry of this proposal is £48 million.

Agricultural Charges

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will provide a schedule of all government levies, charges and other financial impositions upon the agriculture industry and agricultural products together with their estimated cost in the most recent year for which figures are available. [23701]

Mr. Rooker: The details of levies, charges and financial impositions for which my Department or its agencies are responsible are shown in the tables. The figures provided in the tables show the most recent 12 month accounting period for which information is available but the dates of the accounting periods used vary according to the scheme. An estimated annual cost is shown where a charge has been imposed for less than 12 months.

Table A: Charges imposed by MAFF and its agencies

Description of charge	*Total annual cost (£ million)*
Export Certification of Plant Exports	0.323
Plant Health Propagation Scheme	0.049
Seed Potato Classification Scheme	0.204
Plant Passporting	0.097
Brown Rot Testing Imported Potatoes	0.032
Testing and Inspections of seeds under Seed Certification Scheme	1.918
Intellectual Property Register of plant breeders' rights	0.818
National listing of approved seed varieties	1.304
Dairy Products Hygiene Charges	'1.410
Monitoring of Veterinary Medicines Residues	2.261
Meat Hygiene Service charges	26.000
Official supervision of salmonella testing under Poultry Breeding and Hatcheries Order 1993	0.013
Licences and approvals for artificial breeding of livestock	0.186
Cattle Health Scheme	0.470
Deer Health Scheme	0.001
Poultry Health Scheme	0.047
Swill Feeder Licensing	0.059

' Estimate.

Statutory levies, authorised by legislation for which MAFF is responsible, are charged on certain products. The income from these levies is used primarily for marketing and research to benefit the sector concerned. The rate of levy is proposed by the relevant sector. The cost of these levies is shown in the table:

Table B: Producer levies

Description of charge	*Total annual cost (£ million)*
Milk Development Council levy on milk producers	4.858
Apple and Pear Research Council levy	0.300
Horticultural Development Council levy	3.362
British Potato Council levy on potato producers	'6.500
Home Grown Cereals Authority levy	10.777
Meat and Livestock Commission levy	37.001
Levy under The Sugar Beet (Research and Education) Order	2.293

' Estimate.

MAFF is also responsible for the legislation which leads to drainage charges paid by farmers to the

Environment Agency and the Drainage rates paid by farmers to Internal Drainage Boards. Together these lead to charges of some £13.7 million per annum.

The Meat Hygiene Service is also responsible for enforcing Specified Risk Material controls in licensed premises. These enforcement costs are currently met by the Government. However it is proposed that these costs should be charged to the industry from 1 April 1998. The estimated maximum cost to the industry of this proposal would be £48 million per annum.

Finally, the costs of the Cattle Tracing System will be recovered through a charge on cattle passports. The estimated running costs of the system for each of the first three years of operation are likely to be around £15 million per annum.

Offal

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food who instructed renderers to stop treating offal with ether; and when the instruction was issued. [25035]

Mr. Rooker: The rendering industry was not to our knowledge instructed to stop treating offal with ether and other hydrocarbon solvents. The decision was primarily a commercial one.

Mrs. Ballard: To ask the Minister of Agriculture, Fisheries and Food what research he has *(a)* commissioned and *(b)* evaluated into the effect on the BSE prion of treating offal with ether. [25034]

Mr. Rooker: MAFF has funded research into the capacity of the following hydrocarbon solvents to inactivate BSE: hexane, heptane, petroleum ether and perchlorethylene. These were the chemicals used historically in the rendering industry for the extraction of tallow. The experiment is due to be completed in March 1998 and cannot be evaluated until the final results are received.

SOCIAL SECURITY

State Pension

18. **Mr. Wilkinson:** To ask the Secretary of State for Social Security what plans she has to make payment of the state old-age pension subject to a test of the recipient's means. [23069]

Mr. Denham: We stand by our manifesto commitment to maintain the basic State pension as the foundation of income in retirement and we will continue to uprate it at least in line with prices.

30. **Mr. Corbyn:** To ask the Secretary of State for Social Security if she will take steps to link the calculation of the state pension to average earnings. [23081]

Mr. Denham: The future uprating of the basic pension is being considered by the Pensions Review. In the meantime we have met our manifesto commitment to uprate it at least in line with prices.

Mr. Clifton-Brown: To ask the Secretary of State for Social Security what plans she has to apply an affluence test to the basic state pension. [23080]

31. **Mr. Robathan:** To ask the Secretary of State for Social Security what assessment she has made of the merits of subjecting the state pension to a means test. [23082]

Mr. Denham: We stand by our manifesto commitment to maintain the basic State pension as the foundation of income in retirement and we will continue to uprate it at least in line with prices.

We are concerned at widening inequalities between richer and poorer pensioners. That is why the pensions review is examining means of improving access to adequate second pensions.

Mr. Cousins: To ask the Secretary of State for Social Security if she will list the amount and percentage of *(a)* total benefits expenditure and *(b)* total expenditure on the state retirement pension accounted for by women qualifying for state retirement pension on the basis of their own independent contribution record in (i) 1981 and (ii) 1995. [24751]

Mr. Denham: The information is not available in the format requested as there is no source of information that can identify all other Social Security benefits paid to women receiving Category A Retirement Pension (RP) in their own right.

Such information as is available is shown in the table:

	1981	*1995*
Expenditure on RP to category A women	£5.032 billion	£7.491 billion
Proportion of total expenditure on RP going to category A women	21 per cent.	25 per cent.

Sources:

1. Pension Strategy Computer System (PSCS) 10 per cent. sample for November 1981, 5 per cent. sample for September 1995.
2. Social Security Departmental Report 1997 and earlier equivalent.

Notes:

1. RP expenditure figures include total expenditure on contributory basic RP, Graduated Retirement Benefit and Additional Pension for GB.
2. Proportion of total expenditure on RP is calculated using PSCS figures for GB and overseas cases on average amounts of the total amount of RP (including payable Additional Pension, Graduated Pension, increments, age addition, Invalidity Addition, Attendance Allowance, but excluding increase for dependants and non contributory Retirement Pension) payable to women receiving any category A RP, including widows whose own category A entitlement is increased in respect of the late spouse's RP entitlement and those married women whose category A entitlement is topped up to the 60 per cent. married women's pension.
3. The figures are expressed in 1995–96 prices.

Violence Against Women

20. **Ms Beverley Hughes:** To ask the Secretary of State for Social Security what plans the Ministers for Women have to introduce measures to tackle violence against women. [23071]

Ms Ruddock: Action on violence against women is one of the key priorities for us as Ministers for Women. We are working with other Government Departments on drawing up a coherent strategy for tackling all forms of violence against women.

Maternity Benefit

21. **Ms Abbott:** To ask the Secretary of State for Social Security what plans she has to change the current arrangements for maternity benefit; and if she will make a statement. [23072]

Mr. Denham: We want working women to have confidence that the arrangements for maternity pay will help them balance their work and their family responsibilities. The current system is unfair and complicated and fails the lowest paid.

23. **Ms Hewitt:** To ask the Secretary of State for Social Security what estimate she has made of the number of women currently in employment who would not qualify for maternity pay. [23074]

Mr. Denham: 50,000 pregnant working women a year do not qualify for maternity benefits because their earnings are too low. This is out of 360,000 working women who become pregnant each year.

Pensioner Incomes

25. **Mr. Timms:** To ask the Secretary of State for Social Security what action the Government are taking to help the least well-off pensioners. [23076]

Mr. Denham: We are determined to get help to the million pensioners not claiming their entitlement to Income Support. We have commissioned research to investigate why they do not make a claim, and from April we will be running a number of pilot projects to find the best way of getting help to them.

Landlord Benefit Fraud

26. **Mr. Stevenson:** To ask the Secretary of State for Social Security if she will make a statement on the Government's proposals to tackle organised landlord fraud. [23077]

Mr. Field: Fraud and abuse will be rooted out in our drive to modernise the Social Security system and rebuild public confidence in it. We introduced regulations last November to give local authorities additional powers to fight landlord fraud and tighten up the rules on paying benefit direct to landlords. We are carrying out—in conjunction with local authorities—a fresh survey to provide accurate and up to date estimates of the extent of Housing Benefit fraud, including landlord fraud. The survey report is expected by the end of March. Those who commit fraud will be vigorously pursued.

Child Benefit

27. **Mr. Gerald Howarth:** To ask the Secretary of State for Social Security what plans she has to review the working of child benefit. [23078]

Mr. Keith Bradley: Our manifesto commitment makes it quite clear that where Child Benefit is universal, from birth to age 16, we will maintain it and uprate it at least in line with prices.

Child Benefit is payable for 16 to 18 year olds staying on in full-time education. The Government are reviewing educational finance and maintenance for this group, as we promised in our manifesto.

39. **Dr. Julian Lewis:** To ask the Secretary of State for Social Security what plans she has to reform child benefit. [23091]

Mr. Keith Bradley: Our manifesto commitment is to retain Child Benefit where it is universal today—from birth to age 16—and to uprate it at least in line with prices.

An inter-Departmental review of all the arrangements for financial support for young people choosing to stay in education beyond compulsory school age is continuing. Child Benefit for 16 to 18 year olds is part of that review.

Birth Certificates

28. **Mr. Page:** To ask the Secretary of State for Social Security how many women did not name the father of the child on the birth certificate in the last year for which figures are available. [23079]

Mr. Keith Bradley: In 1996, the latest year for which figures are available, there were around 650,000 births in 1996 in England and Wales, 60,000 in Scotland and 25,000 in Northern Ireland. The name of the father was not registered in 8 per cent. of these births in England and Wales, 7 per cent. in Scotland and 10 per cent. in Northern Ireland.

Welfare Reform

32. **Mr. Baker:** To ask the Secretary of State for Social Security when the Minister for Welfare Reform plans to publish his report on welfare reform. [23083]

Mr. Field.: We will be publishing a Green Paper on Welfare Reform shortly.

Lone Parents

33. **Mr. Day:** To ask the Secretary of State for Social Security by how much he estimates lone parents will be better off in work than on benefits following reform of their benefit entitlement. [23084]

Mr. Keith Bradley: The latest independent research by the Policy Studies Institute suggest that the average additional income for lone parents already in work and on Family Credit is over £50 a week above the estimate of their out-of-work income. No estimate is currently available for the likely impact on this figure of the changes to the Family Premium in the income-related benefits; changes to Child Benefit for lone parents; or the increase in the help available through the Childcare Disregard in the in-work benefits.

34. **Mr. Chisholm:** To ask the Secretary of State for Social Security what assessment she has made of the effect of lone-parent benefit reductions on the New Deal for Lone Parents. [23085]

Mr. Keith Bradley: The evaluation of the New Deal for Lone Parents will identify any points which have affected the programme's success. We need to keep these benefit changes in perspective.

Research suggests that lone parents in work and on Family Credit are better off than those on Income Support. To emphasise reductions in lone parent benefits is to underestimate the boost in morale, as well as the financial

gain, which the New Deal for Lone Parents can provide. The Government do not believe that the benefit changes will stop lone parents from moving into work.

The changes will apply only to lone parents making new benefit claims. In order to preserve work incentives for most current claimants, lone parents who are receiving Income Support or Jobseeker's Allowance with the lone parent rate of family premium will be able to claim the lone parent rate of Child Benefit when they move into work.

We are addressing the real barriers to work with the New Deal for Lone Parents and the National Childcare Strategy.

Mr. Rooney: To ask the Secretary of State for Social Security if the lone parent premium of an income support claimant will be protected if the claimant participates in a waged option of the New Deal for 18 to 24-year-olds and then returns to benefit at the end of the option. [25556]

Mr. Keith Bradley: Lone parents can choose whether to claim Income Support or Jobseeker's Allowance. Those claiming Jobseeker's Allowance will have access to the New Deal for 18 to 24-year-olds. No specific protection has been built in to address these particular circumstances.

Mrs. Ballard: To ask the Secretary of State for Social Security if she will list the numbers claiming lone parent benefits by *(a)* constituency and *(b)* benefit agency district office. [23525]

Mr. Keith Bradley: The administration of Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mrs. Jackie Ballard, dated 23 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking for the numbers claiming lone parent benefits for your constituency and Benefit Agency (BA) District Office.

The information requested is not available in the format requested. The BA collates Income Support (IS) statistics by BA District Offices. These Districts do not correspond to constituency boundaries or specific geographical areas.

From April 1997 the IS lone parent premium was replaced by the higher rate of family premium for lone parents. The available information is shown in the table. This information is the latest available, it is provisional and maybe subject to change. It does not include those lone parent customers who are pensioners nor those registered sick who qualify for a higher rate premium such as a pensioner or disability premium.

Information relating to parents in receipt of the lone parent element of Child Benefit, formerly known as One Parent Benefit could be obtained only at disproportionate cost.

I hope you find this reply helpful.

Number of customers in receipt of the lone parent rate of the family premium by Benefit Agency districts

	November 1997
Barking and Havering	7,892
Cambridgeshire	7,789
City East	5,698
Essex South East	6,398
Essex South West	10,335
Hackney and Islington	11,234
Lea Roding	10,613
Leaside	13,439
Newham	9,899
North Essex	5,766
Norwich	7,377
Suffolk	7,784
Barnet	6,140
Bedfordshire	8,545
Buckinghamshire	7,831
Ealing	11,147
Euston	12,130
Harrow and Hillingdon	7,040
Neasden	8,393
North and East Hertfordshire	5,410
Northamptonshire	9,083
Oxfordshire	5564
Thames Valley	15,661
West Hertfordshire	4,667
Bankside	5,680
East Kent	9,385
East Sussex	5,712
Hampshire North	5,981
London Central	1,311
North and West Kent	18,059
Palace	13,123
Solent and New Forest	9,117
South Circular	12,313
Central Sussex	5,400
South-East Hants and Isle of Wight	8,832
South West Thames	9,752
Surrey	21,479
Thameside	10,678
West Sussex	7,746
Bristol Severnside	5,714
Bristol Brunel	8,449
Cornwall	6,107
Dorset	8,176
Devonia	6,892
Gloucestershire	6,450
South Devon	8,948
Somerset	6,909
Wiltshire	7,277
Central Staffordshire	4,811
Chesterfield and Worksop	4,984
North Nottinghamshire	4,848
North Staffordshire	7,091
Nottingham Trentside	12,349
Derwent and Trent	9,536
Leicestershire	11,880
Mercia Operations East	9,337
Mercia Operations West	7,499
Birmingham Chamberlain	12,167
Birmingham Tame Valley	11,786
Birmingham South East	5,393
Coventry	6,566
Hereford and Worcester	6,624
North Worcestershire	5,481
Sandwell	6,473
Shropshire	5,712
Walsall	4,793
Warwickshire	5,033
Wolverhampton	5,815
Cardiff and Vales	8,911
South Wales Valleys	14,807
Gwent Borders	6,243
Gwyneddigion and Maldwyn	4,239
South West Wales	11,501
Wrexham and North West Coast	7,266
Blackpool	4,998
Knowsley	6,677
Lancaster and South Cumbria	4,350
Liverpool Mersey	9,733
Liverpool North	5,697
North Cheshire	6,458

Number of customers in receipt of the lone parent rate of the family premium by Benefit Agency districts

	November 1997
North Cumbria	4,332
Preston	5,292
Sefton	5,612
South West Lancashire	5,565
Wirral	7,933
South Cheshire	6,339
Greater Manchester Lancashire	9,475
Greater Manchester Centre	15,236
Greater Manchester West	15,821
Greater Manchester South East	12,837
Greater Manchester Pennine	13,653
Barnsley	3,659
Bradford	8,303
Doncaster	5,115
East Yorkshire	3,612
Hull	8,809
Kirklees	6,225
Leeds	12,765
North Yorkshire	5,108
Rother and Dearne	6,431
Sheffield East	5,724
Sheffield West	3,228
Wakefield	5,620
Yorkshire Pennine	5,233
Newcastle	6,977
Durham	9,968
Northumberland	6,678
Tees	13,769
South Tyneside	7,685
Wearside	6,777
Glasgow East	5,799
Glasgow South	10,243
Glasgow West, Lomond and Argyle	6,345
Clyde Coast and Renfrew	6,727
South West Scotland	9,363
Highlands and Islands	4,336
Glasgow North	7,100
Clyde Valley	4,733
Coatbridge	3,032
East Edinburgh and Borders	8,503
Fife	5,475
Forth Valley	4,372
Grampian and Shetland	4,697
Lothian West	4,823
Tayside	6,842

A live load figure is a snapshot in time count.

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the percentage of the savings achieved by abolishing lone parent premium and one parent benefit borne by each decile of the income distribution in 1999–2000. [24678]

Mr. Keith Bradley: The information is not available in the form requested as it is not possible to forecast the position in a future income distribution of new claimants to Lone Parent Premium and One Parent Benefit. Such information as is available is set out in the tables:

Proportion of group in sections of income distribution for lone parents recipients of income support

Percentage

	Before housing costs	After housing costs
Bottom 10 per cent.	10	13
Next 10 per cent.	30	47
Next 10 per cent.	28	22
Next 20 per cent.	21	11
Top 50 per cent.	10	7

Proportion of group in sections of income distribution non income support recipients of one parent benefit

Percentage

	Before housing costs	After housing costs

Proportion of group in sections of income distribution non income support recipients of one parent benefit

Percentage

	Before housing costs	After housing costs
Bottom 30 per cent.	26	25
Next 20 per cent.	34	38
Top 50 per cent.	40	38

Notes:

1. The data comes from the Department's Households Below Average Income (HBAI) series, based on the Family Resources Survey (FRS) for the 1995–96 financial year and covering Great Britain. The FRS data was used to achieve a large enough sample size to provide more robust information. All results are subject to sampling error.
2. The income measure used in the answer is weekly net (disposable) equivalised household income. The definition of income used follows that in the published HBAI series for FRS based results; figures are given both before and after housing costs in line with usual HBAI practice.
3. The measure of income used covers household income. A household can include more than one benefit unit, for example, a household containing a pensioner and their grown-up child or two single unrelated people sharing a household. The estimates assume that all of the people within a household have the same standard of living.
4. Percentage figures may not add to 100 per cent. due to rounding.

Disability Benefits

35. **Mr. Matthew Taylor:** To ask the Secretary of State for Social Security what reviews of disability benefit her Department has undertaken since 1 May. [23086]

Mr. Denham: Disability benefits are included in the Department's Comprehensive Spending Review, which was announced on 11 June last year. The review is a first step in our plan to modernise and improve the Social Security system, so that it helps people to work as far as they are able; provides appropriate support to those who cannot work; and makes the most effective use of the resources available.

22. **Mr. Amess:** To ask the Secretary of State for Social Security if she will make a statement on her plans for the reform of disability benefits. [23073]

Mr. Denham: We are committed to modernising the Social Security system so that it helps people to work as far as they are able; provides appropriate support to those who cannot work; and makes the most effective use of resources available. We want to encourage people who are disabled, or who have long-term health problems, to play a full part in society and to help them to help themselves wherever that is possible. This means being positive about people's abilities and their capacity rather than negative about their disabilities and incapacity.

Mr. Cousins: To ask the Secretary of State for Social Security for what reasons no official record of the therapeutic work experience of claimants on disability benefits is made; when guidance to Benefits Agency offices on this matter was last issued; and if this matter is under review. [24352]

Mr. Denham: It is estimated that 1 per cent. of Incapacity Benefit recipients undertake paid work on the grounds that it is therapeutic. Guidance to Benefits Agency offices about therapeutic work was last updated in April 1997. We are currently reviewing the information collected on benefit recipients undertaking therapeutic work and considering how this might be improved to provide a better picture of the effectiveness of current provisions.

Sources:

1. Lonsdale, S., Lessof C. and Ferris, G. (1993) "Invalidity Benefit: a survey of recipients", London: HMSO.
2. 1995/6 Family Resources Survey.

36. **Mr. Woodward:** To ask the Secretary of State for Social Security how participation in the welfare-to-work scheme will affect the status of those claiming disability living allowance. [23087]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age, and have set aside £195 million to fund a programme improving opportunities for people with disabilities or long-term illness who want to work. Disabled people who are entitled to Disability Living Allowance can receive the benefit and participate in a welfare-to-work scheme, or undertake other work, without affecting their entitlement.

Mrs. Ewing: To ask the Secretary of State for Social Security if she will list the total number of recipients of *(a)* disability living allowance, *(b)* disability living allowance with mobility addition, *(c)* disability living allowance with care allowance and *(d)* disability living allowance with both mobility and care elements in the last year for which figures are available. [23649]

Mr. Denham: On the basis of the latest available information, which relates to November 1997, the numbers are *(a)* 1,956,000, *(b)* 1,709,000, *(c)* 1,344,000 and *(d)* 1,098,000.

Source:

Analytical Services Division: 5 per cent. data

Notes:

1. Figures rounded to the nearest thousand.
2. Figures do not sum as people can appear in more than one category.

Mrs. Ewing: To ask the Secretary of State for Social Security what is the average length of time taken for an appeal to be processed where an applicant has been refused disability living allowance. [23652]

Mr. Keith Bradley: The vast majority of Disability Living Allowance appeals are heard by Disability Appeal Tribunals. In July 1997, the average time from date of appeal to date of decision-issue in an appeal heard by a Disability Appeal Tribunal was 30 weeks based on information provided by the Independent Tribunal Service. There are a few cases, however, which are heard by Social Security Appeal Tribunals and the average clearance time for these was 37.3 weeks for the quarter ending 30 September 1997 according to data provided from Departmental statistics. There are some difficulties with the robustness of the base data used for both sets of statistics. This is the best estimate available.

It is not possible to distinguish from available data whether the appeals are from applicants who have been refused Disability Living Allowance or are on other grounds such as the rate of benefit awarded.

37. **Mr. Sanders:** To ask the Secretary of State for Social Security what are the latest estimated costs of the disability benefit integrity projects; and if she will make a statement. [23088]

Mr. Field: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefit Integrity Project.

The latest estimated total cost of the benefit integrity project is nearly £24 million over two years.

Benefit Fraud

38. **Mr. Davidson:** To ask the Secretary of State for Social Security if she will make a statement on the available penalties for fraud in the benefit system. [23090]

Mr. Denham: We are determined to make the benefit system more secure and to penalise those who set out to defraud the taxpayer. As a result we are re-examining the policy and objectives with regard to enforcement. For too long defrauding the benefit system has been seen as a low risk, low punishment option and very often the only punishment suffered by fraudsters was to have to repay the overpayment they had fraudulently obtained.

To ensure that more fraudsters face up to the consequences of their actions we have from 18 December 1997, under provisions in the Social Security Administration (Fraud) Act 1997, introduced administrative penalties. In future persons who fraudulently obtain benefit by deliberately falsifying or omitting information, may be offered the opportunity in addition to repayment of the overpayment, to pay a penalty set at 30 per cent. of the amount overpaid as an alternative to being prosecuted.

We will continue to prosecute cases through the criminal courts where serious or persistent fraud is involved, or where a penalty offer is declined.

Welfare Budget

Mr. Hoyle: To ask the Secretary of State for Social Security what estimate she has made of *(a)* the number of women in the UK on a salary of over £100,000 and *(b)* the annual cost which they impose on the welfare budget. [23075]

Mr. Denham: The information is not available. The New Earnings Survey for April 1997 suggests that fewer than 2,000 women in Great Britain fall into this category.

Maternity Pay

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate *(a)* the total expenditure on earnings-related statutory maternity pay, *(b)* the number of claimants of earnings-related statutory maternity pay in 1996 and *(c)* the number of such claimants in each quartile of the national earnings distribution. [24356]

Mr. Denham: The information is not available in the form requested. Such information as is available is as follows:

The Departmental Report shows Government expenditure on Statutory Maternity Pay (SMP) of £524 million during the tax year 1995–96. The Government Actuary's Department estimate expenditure on the earnings related component of SMP to be £340 million for that year.

The table shows the number of people receiving earnings related SMP during the tax year 1995–96 in each quartile of the National earnings distribution for women:

Weekly earnings	*Number of people receiving earnings related SMP*
Minimum to lower quartile	98,000
Lower quartile to median	71,000
Median to upper quartile	70,000
Upper quartile to maximum	82,000
Total	321,000

Sources:
1. The number of people receiving SMP is from the Lifetime Labour Market Database (LLMDB), a 1 per cent. sample of the National Insurance Recording System taken at February 1997.
2. The national earnings distribution is from the Labour Force Survey Spring 1996, with a lower quartile of £70 per week, a median of £149 per week and an upper quartile of £240 per week. This is the earnings distribution at a point in time, and is not the distribution of earnings at the time of the individual's pregnancy.
3. Figures are for Great Britain and are rounded to the nearest thousand.
4. Weekly earnings are estimated from the amount of SMP during the tax year. This estimate is based on the SMP being paid for six weeks at 90 per cent. of pay and for 12 further weeks at the flat rate of SMP, and the whole period of SMP falling in one tax year.

Means-tested Benefits

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate for each non means tested benefit the age distribution of present claimants; what are the age-related eligibility criteria for new claimants of each benefit; and if she will estimate the distribution of present claimants *(a)* individually and *(b)* by their household within the national income range for all households and individuals. [22974]

Mr. Denham: The information is not available in the form requested. Such information as is available is set out in tables, copies of which can be found in the Library.

Multiple Sclerosis

Audrey Wise: To ask the Secretary of State for Social Security how many recipients of disability living allowance have Multiple Sclerosis. [24067]

Mr. Denham: The total number of people receiving Disability Living Allowance where Multiple Sclerosis is given as the main disabling condition is 45,100. No figures are available for the number of people receiving the benefit who have more than one condition, including Multiple Sclerosis, but where that is not given as the main disabling condition.

Fuel Costs (Pensioners)

Mr. Burns: To ask the Secretary of State for Social Security what estimate she has made of the level of take-up of the money being made available to help pensioners meet their fuel costs this winter; and for what reasons she has decided to launch a national advertising campaign about this money. [25287]

Mr. Denham: The additional help of £400 million over this winter and next, announced by my right hon. Friend the Chancellor of the Exchequer, *Official Report*, 25 November 1997, columns 773–98, demonstrates the Government's commitment to help keep the elderly warm in their homes.

The level of take-up of Winter Fuel Payments is not an issue as they will be made automatically without the need to make a claim. Around one and a half million payments of £50 are currently being made to the poorest pensioners, those receiving Income Support or income-based Jobseeker's Allowance.

Other eligible pensioners will receive a payment of £20 or £10. Where there is only one eligible person in the household, or the eligible person is of no fixed abode, they will receive £20; otherwise, each person will receive £10. Almost 10 million payments will be made to over seven million pensioner households this winter. This programme means that the great majority of payments will be sent buy the end of March.

We see it as important that pensioners should know as soon as possible how much they will receive, as well as how and when it will be paid. This will help them to plan, confident in the knowledge that they will receive extra money towards their fuel bills. The simplest and most cost-effective way to let them know that a payment will be made is through publicity. Therefore, a multi-media campaign was swiftly launched in conjunction with Help the Aged, Age Concern and the National Association of Citizens Advice Bureaux.

Mr. Burns: To ask the Secretary of State for Social Security how much money the Government are spending on the advertising campaign about the money being made available to help pensioners with their winter fuel bills this winter. [25286]

Mr. Denham: The costs of the advertising and other publicity to inform pensioners about Winter Fuel Payments will be £1.7 million.

We see it as important that pensioners should know as soon as possible how much they will receive, as well as how and when it will be paid. This will help them to plan confident in the knowledge that they will receive extra money towards their fuel bills. The simplest and most cost-effective way to let them know that a payment will be made is through publicity. Therefore, a multi-media campaign was swiftly launched in conjunction with Help the Aged, Age Concern and the National Association of Citizens Advice Bureau.

Welfare Reform Focus

Mr. Cousins: To ask the Secretary of State for Social Security if she will recalculate the table on page 6 of Welfare Reform Focus File 1 on the basis of income distribution before housing costs. [24681]

Mr. Field: The information is set out in the table.

The proportion of benefit spending by 20 per cent. bands of the income distribution before housing costs

Percentage

Quintile	*1979*	*1994–95*
Poorest	42	28
2	24	32
3	15	19
4	11	12
Richest	9	8

Note:

1. Figures do not sum exactly due to rounding.

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate on the basis of the information used on page 6 of Welfare Reform Focus File 6 the percentage of employees earning above the lower earnings limit who are contributing to an occupational pension by *(a)* gender, *(b)* region *(c)* broad socio-economic group and *(d)* broad heading of industrial classification. [24682]

Mr. Denham: The information on gender and broad heading of industrial classification for employees earning above the lower earnings limit can be found in tables 2.1 and 2.2 of "Occupational Pensions Schemes 1991—the Ninth Survey by the Government Actuary", a copy of which is in the Library. The information requested on region is not available and could be obtained only at disproportionate cost.

Information on the membership of current employer's pension schemes by sex and socio-economic group can be found in table 8.8 of "Living in Britain—Results from the 1995 General Household Survey", which is also in the Library. However, this table refers to all employees aged 16 and over, and not simply employees earning above the lower earnings limit.

The Government are committed to support and strengthen the existing occupational pensions framework. We wish to raise standards, and encourage the best schemes to be emulated. As part of the Pensions Review, the Government are looking at how we might establish a Quality in Pensions award to mark the highest quality occupational provision.

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate, using the information base shown on page 3 of Welfare Reform Focus File 6, the size of average *(a)* gross and *(b)* net pensioner incomes in each decile of pensioner incomes, the amount and percentage of total income accounted for by (i) retirement and (ii) other state pensions in each decile (1) on a gross and (2) on a net basis; and if she will indicate whether this information is presented on an individual or household basis. [24677]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Deciles of pensioner units	*Mean gross income (£)*	*Mean net income (£)*	*Retirement pension*		*Other State pensions*	
			Mean (£)	*Per cent. mean gross income*	*Mean (£)*	*Per cent. mean gross income*
Bottom decile	69.90	63.10	56.50	81	0.60	1
Decile 2	92.40	84.70	64.00	69	1.40	2
Decile 3	107.40	98.70	63.20	59	2.20	2
Decile 4	118.90	108.40	68.10	57	0.90	1
Decile 5	134.20	121.80	75.20	56	0.60	negligible
Decile 6	154.30	140.60	83.00	54	2.90	2
Decile 7	179.40	163.60	81.90	46	4.30	2
Decile 8	218.40	195.00	87.40	40	6.70	3
Decile 9	290.30	252.30	89.70	31	7.00	2
Top decile	602.50	473.90	94.50	16	2.80	negligible

Notes:

1. The estimates refer to all pension units. A pension unit is defined to be either a single (non-cohabiting) person over State Pension Age, or couples (married or cohabiting) where the man, defined as the head, is over State Pension Age.
2. All figures are in July 1995 prices and rounded to the nearest 10 pence.
3. The deciles are calculated on the basis of unequivalised net income before housing costs.
4. Retirement Pension includes basic Retirement Pension, State Earnings Related Pension, Graduated Retirement Benefit, and any increments thereof.
5. Other State Pensions includes Widow's Benefit and Incapacity Benefit.

Source:

The Pensioners' Incomes Series 1995–96, which is based mainly on Family Expenditure Survey data.

Departmental Report

Mr. Kirkwood: To ask the Secretary of State for Social Security on what date the DSS Departmental Report and spending plans for 1998–99 to 2000–01 will be published. [23954]

Mr. Field: We intend to publish a Departmental Report after the Budget which will include spending plans for 1998–99. Spending plans covering the period to 2000–01 will emerge following the Comprehensive Spending Review.

United Kingdom EU Presidency

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will make a statement on her Department's plans and priorities for the United Kingdom presidency of the European Union. [23956]

Mr. Keith Bradley: The Department's priorities will complement the key themes of the UK Presidency, including promoting employability and tackling unemployment, creating a more effective Single Market and bringing the European Union closer to the needs of its people.

In the Council of Ministers we want to work with our EU partners to reach agreement on Social Security measures which will improve the mobility of the European Union's workers and support the Single Market. The proposed directive on supplementary pensions which is before the Council offers sensible measures to protect pension rights for employed and self-employed people who move within the EU to take up a job in another Member State. We will also be working towards agreement on ways to modernise and improve the long-standing rules that co-ordinate the interaction of member states' statutory Social Security schemes in support of the free movement of workers.

The theme of employability is central to the UK presidency and my right hon. Friend the Secretary of State for Social Security and Minister for Women will therefore be chairing a meeting of EU Ministers for Women to be held in Belfast on 5–6 May to specifically look at issues which affect Women's Employability. This puts women at the heart of the plans for the UK presidency. The theme will be "Employability and Women—the importance of Childcare" and the meeting will also consider the importance of family friendly employment. We look forward to being able to share with Member States the initiatives that we are taking forward here on family-friendly employment as well as the National Childcare Strategy. We also expect to gain new insights and ideas from other participating members. My right hon. Friend the Secretary of State for Social Security and my hon. Friend the Minister for Women will also address the Women's Rights Committee of the European Parliament on 2 February.

Personal Pensions (Rebates)

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the cost to the National Insurance Fund of rebates in respect of personal pensions in each of the years 1995–96 to 1999–2000. [24679]

Mr. Denham: The information requested is set out in the table.

Year	*Cost to National Insurance Fund of rebates in respect of appropriate personal pensions (£ billion)*
1995–96	1.96
1996–97	2.00
1997–98	2.10
1998–99	2.13
1999–2000	2.22

Notes:

1. The figure for 1995–96 is in published accounts.
2. The figure for 1996–97 has been taken from unpublished accounts.
3. Figures for 1997–98 onwards are GAD projections.
4. All figures relate to the amount paid out in that year rather than the year to which the rebates relate.
5. All figures are rounded to the nearest £0.01 billion.

Source:
Government Actuary's Department (GAD).

Executive Agency Business Plans

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will publish the DSS Executive Agency Business Plans for 1998–99 before the end of March. [23955]

Mr. Keith Bradley: The Department's Agencies are currently developing work programmes for 1998–99 which will support the Government's agenda for modernising service delivery by developing a more integrated and simple service across the range of benefits the Social Security system provides. I anticipate that the business plans will be published towards the end of March.

Asylum Seekers

Mr. Rooney: To ask the Secretary of State for Social Security what restrictions on the amount of study or training an asylum seeker may undertake who is in receipt of income support and who is not allowed to sign on as unemployed incurs. [25564]

Mr. Keith Bradley: Asylum seekers in receipt of Income Support are treated in the same way as any other Income Support recipient. They are allowed to undertake study if they fall into one of the exempt groups, for example lone parents and disabled people.

SERPS (Contracting Out)

Mr. Webb: To ask the Secretary of State for Social Security what will be the effect on revenues from national insurance contributions in *(a)* 1998–99, *(b)* 1999–2000 and *(c)* 2000–01 of her decision to adjust the rebates for those who have contracted out of SERPS. [25545]

Mr. Denham: The proposed changes to the rebates for Contracted-out money Purchase (COMP) schemes are designed to protect the National Insurance Fund (NIF) from occupational schemes switching their method of contracting-out solely to take advantage of the higher overall rebate available to COMP schemes. This switching means that more is paid out in rebates from the NIF than was originally intended. The changes will reduce that loss.

The information on the effect of increasing the rebates for Appropriate Personal Pensions (APP) is in the table.

Tax year	*Cost to the NIF of increasing rebates to APP holders*
1998–1999	Nil
1999–2000	Nil
2000–2001	£140 million

Notes:

1. As age-related rebates for APP's are not paid until after the end of the tax year to which they relate, the changes being introduced in April 1999 will not begin to impact on the NIF until 2000–2001.
2. The figure for 2000–2001 has been rounded to the nearest £10 million.

Source:
Government Actuary's Department (GAD).

Incapacity Benefit

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the number of claimants of incapacity benefit in the Newcastle Benefits Agency

district; and if she will estimate the age distribution of such claimants in the age bands *(a)* up to 30 years, *(b)* 31 to 40 years, *(c)* 41 to 50 years *(d)* 51 to 60 years and *(e)* over 60 years of age. [23671]

Mr. Denham: The administration of Incapacity Benefit is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Jim Cousins, dated 23 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking about the number of claimants of Incapacity Benefit (IB) in the Newcastle Benefits Agency District, and if the age distribution of such claimants in the agebands (a) up to 30 years, (b) 31 to 40 years, (c) 41 to 50 years (d) 51 to 60 years and (e) over 60 years of age.

The available information is shown in the table:

Number of claimants of IB in the Newcastle Benefits Agency district at 31 August 1997

All ages	19,160
Up to 30 years	2,080
31 to 40 years	3,140
41 to 50 years	4,380
51 to 60 years	5,580
Over 60 years	3,980

Notes.

1. The number of claimants of Incapacity Benefit include the category types of: Incapacity Benefit Short Term (Lower), Short Term (Higher), Long Term and National Insurance Credits only cases.
2. Data is provisional and subject to change.

Source:

Five per cent. sample of the Incapacity Benefit computer system. This excludes a small number of clerically held cases.

I hope you find this reply helpful.

Industrial Injuries Benefit

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security how many claims for industrial injuries benefit in respect of chronic bronchitis and emphysema were made in Northumberland in the 10 years up to 1997; and how many were successful. [24030]

Mr. Denham: The administration of Industrial Injuries Benefit is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ronnie Campbell, dated 23 January 1988.

The Secretary of State has asked me to reply to recent Parliamentary Question asking how many claims for Industrial Injuries benefit in respect of chronic bronchitis and emphysema were made in Northumberland in the 10 years up to 1997; and how many were successful.

The information is not available in the format requested. Chronic bronchitis and emphysema became prescribed disease D12 with effect from 13 September 1993. Figures are available for Benefits Agency (BA) offices and not for specific geographical areas. The figures provided are for the BA offices at Ashington, Berwick, Blyth and Hexham.

The number of claims for Industrial Injuries Benefit in respect of chronic bronchitis and emphysema from 13 September 1993 to the end of December 1997 was 1,576, of these 109 were successful.

I hope you find this reply helpful.

Benefits (Blyth Valley)

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security what is her estimate of the number of invalidity benefit recipients in Blyth Valley. [24028]

Mr. Denham: The administration of Invalidity Benefit is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ronnie Campbell, dated 23 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the estimate of the number of invalidity Benefit (IVB) recipients in Blyth Valley.

The information is not available in the format requested. IVB was replaced by Incapacity Benefit (IB) on 13 April 1995. The available information is shown in the table below:

Number of IB recipients in Blyth Valley at 31 August 1997

	Number
Short term (Lower)	200
Short term (Higher)	120
Long term	3,280
Total recipients	3,c00

Notes:

1. Source 5 per cent. of the Incapacity Benefit computer system. This excludes a small number of clerically held cases.
2. The number of recipients of Incapacity Benefit include Incapacity Benefit Short Term (Lower) which replaced Sickness Benefit, Short Term (Higher) and Long Term which replaced Invalidity Benefit.
3. Data is provisional and subject to change.

I hope you find this reply helpful.

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security how many people in Blyth Valley are in receipt of disability living allowance. [23986]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Ronnie Campbell, dated 23 January 1998:

The Secretary of State has asked me to reply to recent Parliamentary Question enquiring as to the number of people in Blyth Valley who are in receipt of Disability Living Allowance (DLA).

The number of people in receipt of DLA in Blyth Valley is 3,900, as at 30 November 1997. The figures are rounded to the nearest hundred and are based on a 5 per cent. sample which is subject to a wide margin of error.

I hope you find the reply helpful.

Benefits (Warrington, North)

Helen Jones: To ask the Secretary of State for Social Security how many people in the Warrington, North constituency are *(a)* in receipt of family credit and *(b)* in receipt of income support. [24826]

Mr. Keith Bradley: The administration of Family Credit and Income Support is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Helen Jones, dated 23 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many families in the Warrington North constituency are in receipt of Family Credit (FC), and how many are in receipt of Income Support (IS).

The information is not available in the format requested. The FC Unit produces statistics which show the number of families in receipt of FC within individual Benefits Agency (BA) office areas. IS produces information which relates to the number of families in receipt within a BA District.

Warrington North forms a part of the BA's North Cheshire District this includes the offices at Warrington and Widnes. The available information is shown below:

	Families in receipt
Family Credit, as at September 1997	
Warrington office	3,062
Widnes office	1,913
Income Support, as at November 1997	
North Cheshire District	25,857

Figures are provisional and subject to change. This information serves as a "snap-shot" of the position at the date of the scan and does not provide details of the number of families in receipt annually.

I hope you find this reply useful.

Child Support Agency

Mr. Webb: To ask the Secretary of State for Social Security what has been *(a)* the average number of employees and *(b)* the total caseload of the Child Support Agency in each year since the Agency was established; and what estimates she has made in each case for the next three financial years. [24988]

Mr. Keith Bradley: We are looking for substantial and sustained operational improvements from the Agency, in particular on getting more maintenance paid, reducing the backlog and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Steve Webb, dated 23 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the employees and caseload of the Child Support Agency.

The information on the number of staff since the Agency was established is shown in the table:

	Permanent		*Non-permanent*		
	Headcount	*Whole time equivalent*[1]	*Fixed term contract headcount*	*Casuals headcount*[2]	*Casuals whole time equivalent*
31 March 1993	3,230	n/a	[3]n/a	n/a	n/a
31 March 1994	4,997	4,787.4	138	n/a	n/a
31 March 1995	6,312	5,974.3	79	470	445.5
31 March 1996	6,770	6,660.6	352	281	275.9
31 March 1997	8,068	7,880.4	327	533	503.3
31 December 1997	7,678	8,052.7	948	469	452.2

[1] The permanent whole time equivalent totals include fixed term contract staff.
[2] Statistics for casual staff were not kept prior to 1995.
[3] The fixed term contract staff figure for 1993 is included in the permanent total.

Information on current estimates for staffing in the Agency over the next three financial years are shown in the table below:

Financial year	*Estimated staff*
1998–99	8,344
1999–2000	8,319
2000–01	7,936

These figures are based on whole time equivalents.

All staffing figures exclude staff in the Belfast Centre, as these staff are Northern Ireland Civil Servants.

The Agency's caseload comprises two broad categories, ie work-on-hand, where the case has not been cleared by assessment or by closure for other reasons, and live and assessed cases, where an assessment (either full or interim) has been made.

The details of the Agency's live and assessed cases are provided by the DSS Analytical Services Division, and appear in the Quarterly Summary of Statistics (QSS). Publication of the QSS has not always coincided with the end of the financial year; the figures quoted in the table below are therefore from the nearest year-end:

Date	*Live and assessed*	*Work on hand (less than 52 weeks)*[1]	*Backlog (cases over 52 weeks)*	*Total caseload*
June 1994	203,600	523,968		727,568
March 1995	345,400	212,780	212,780212	770,960
February 1996	460,800	180,263	223,382	864,445
February 1997	579,200	178,024	240,345	997,569
December 1997	706,800	[2]183,440	171,927	1,062,167

[1] Includes cases from week 1 to week 52.
[2] The increased work on hand is due to a higher intake than anticipated.

Current projections suggest a forecast for live and assessed cases as follows:

March 1998: 730,000

March 1999: 855,000

March 2000: 950,000

March 2001: 1,035,000

Between April 1998 and March 2002 the live and assessed caseload is due to rise by around 50 per cent, to reach a figure of 1,115,000. Of the number of cases cleared from the work available each year (current work on hand plus new intake), the proportion which will lead to assessment and join the live and assessed caseload is expected to rise from 35 per cent. in 1997–98 and 1998–99, to 40 per cent. in 1999–2000 and 2000–01. This is due to improved clearance times and 'cleaner' intake as a result of Closer Working with the Benefits Agency.

I hope this is helpful.

Written Answers to Questions

Tuesday 27 January 1998

CHURCH COMMISSIONERS

Remuneration (Deans and Chapters)

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what has been the level of remuneration to the Dean and Chapter of *(a)* St. Paul's, *(b)* Westminster Abbey and *(c)* St. George's Windsor for each year from 1993 to 1997 inclusive. [25612]

Mr. Stuart Bell: The total costs (excluding National Insurance) of the stipend paid to the Dean and Chapter at St. Paul's for the years 1993–94 to 1997–98 are shown in the table:

1993–94: £129,350
1994–95: £135,298
1995–96: £136,778
1996–97: £138,460
1997–98: £143,570.

Westminster Abbey and St. George's Windsor are "Royal Peculiars" and outside the clergy payroll administered by the Commissioners.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Coastguard

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate he has made of the total cost of closing four coastguard stations and merging two stations; [22843]

(2) what is the cost of implementation of new digital technology for Her Majesty's Coastguard throughout the United Kingdom stations; and if he will list each station separately and the total costs involved. [22848]

Ms Glenda Jackson: I have asked the Chief Executive of the Coastguard Agency; Mr. Chris Harris, to write to my hon. Friend.

Letter from C. J. Harris to Mrs. Gwyneth Dunwoody, dated 27 January 1998:

The Secretary of State for Environment, Transport and the Regions has asked me to reply to your recent Questions about the Coastguard service.

The proposed five-year strategy announced by Glenda Jackson on 17 November included a statement proposing the closure of four Coastguard stations, (Oban, Pentland, Tyne Tees and Liverpool) and the co-location of Solent and Portland. The total cost of the proposed closures is estimated to be in the order of £3.5 million subject to the outcome of the consultation exercise and the subsequent Ministerial decisions on the implementation of the strategy. On completion of the strategy in 2002, the year on year running cost savings are likely to be in the region of £2.7million. The total cost of co-locating the Solent and Portland Coastguard stations is difficult to determine at this stage as decisions remain to be taken about the siting of these two centres.

The estimated cost of the Integrated Coastguard Communication System (ICCS) is commercially sensitive. We have yet to invite tenders and to disclose the cost at this time would distort the process of competitive tendering.

Housing

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of empty housing units in the City of Newcastle upon Tyne in *(a)* 1995, *(b)* 1996 and *(c)* 1997 (i) in total and (ii) by housing sector. [24659]

Mr. Raynsford: The numbers of vacant local authority and housing associations dwellings in Newcastle upon Tyne on 1 April are set out in the table, alongside the local authority's estimates of private and other public sector vacant dwellings.

	1995	*1996*	*1997*
Local authority[1]	1,634	1,726	1,674
Housing association[2]	327	569	607
Other public sector[1]	498	369	287
Private sector[1]	4,339	4,191	4,385
Total	6,798	6,855	6,953

[1] Source: Annual Housing Investment Programme (HIP1) returns.
[2] Source: Annual HAR10/1 returns.

Mrs. Organ: To ask the Secretary of State for the Environment, Transport and the Regions what factors underlay his assessment that a possible five million new homes are required for the next century's housing needs. [24867]

Mr. Raynsford: My Department has made no such assessment. The 1992-based household projections, published in March 1995, indicate a 4.4 million increase in the number of households in England in the 25 year period from 1991 to 2016. However, these household projections are not an estimate of the number of additional houses which have to be built. Rather, they represent just one of the factors to be taken into account by local planning authorities when arriving at figures for housing provision to be included in regional guidance and development plans.

These projections remain the latest official estimates of household formation until the 1996-based household projections are compiled around the end of this year.

Manual Handling

Charlotte Atkins: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions the Health and Safety Executive has carried out under the Manual Handling Regulations since they came into force; and of these how many were against *(a)* health care employers, *(b)* local government employers and *(c)* private residential homes. [25006]

Angela Eagle: The Manual Handling Operations Regulations 1992 came into force on 1 January 1993. Between then and 31 March 1997, the Health and Safety Executive has taken eight cases, involving the laying of 15 informations. Ten of the resulting charges produced successful convictions.

One case was taken against a local government employer. This case resulted in two convictions. No cases were taken against health care employers.

Local authorities enforce the Manual Handling Operations Regulations in private residential homes; HSE has therefore taken no prosecutions against private residential homes.

Green Field Site Development, Bradford

Mrs. Ann Cryer: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the allocation of a large green field site at Silsden for housing development in the Bradford Unitary Development Plan. [24969]

Mr. Raynsford: Since Bradford City Council published their proposed modifications to the Unitary Development Plan, and their notice of intention to adopt it, we have received my hon. Friend's representations and others on behalf of the Silsden Town Action Group. Officials have also received telephone calls about the proposals for Silsden.

We have been aware of the public controversy about the Plan and have taken full account of the representations before concluding that intervention by the Secretary of State would not be warranted.

Street Trees

Ms Jenny Jones: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 December 1997, *Official Report*, column *110*, what guidance is given to local authorities to develop strategies for the preservation of mature street trees; and what monitoring takes place as to the effectiveness of the delivery of these strategies. [25018]

Angela Eagle: Various guidance has been given to local authorities, in Circulars, research reports and other documents, on the scope and content of strategies to guide the planting, maintenance, protection and replacement of trees in their area. In particular, the 1994 report 'Urban Tree Strategies' illustrated, through a number of case studies, a range of different approaches to help other local authorities when preparing their own strategies.

Monitoring its effectiveness in achieving objectives should be an important element of any such strategy and should be undertaken at the local level.

Countryside Access

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish his consultation document for the promotion of greater access to the countryside. [24816]

Mr. Meacher: I refer my hon. Friend to the reply I gave to my hon. Friends the Members for Wirral, West (Mr. Hesford) and for Pendle (Mr. Prentice) on 22 January 1998, *Official Report*, column *614*.

Green Belt

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions how many hectares in England are currently zoned as Green Belt. [24981]

Mr. Raynsford: The latest information available centrally relates to September 1993; it is estimated that there were 1,555,700 hectares of Green Belt in England. More up-to-date information will be available later this year.

A419

Mrs. Organ: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has carried out into the impact of the completion of the A419 in Gloucestershire on traffic flows. [24866]

Ms Glenda Jackson: Traffic studies were carried out in accordance with the Department's Traffic Appraisal Manual for the schemes on the A419 in Wiltshire and A417 in Gloucestershire which have recently been completed. The studies covered the effects of the Latton Bypass, the Cirencester and Stratton Bypass, the North of Stratton to Nettleton Improvement and the Brockworth Bypass on traffic flows in that corridor. We are monitoring traffic on the new road but it will be some time before we are able to draw any conclusions as to traffic patterns.

East Midlands Regional Development Agency

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from local authorities about the location of the Regional Development Agency for the East Midlands; what consideration he has given to these; on the basis of what criteria; and when he intends to make a decision. [24946]

Mr. Caborn: On 2 September 1997, the Under-Secretary of State, my hon. Friend the Member for Wallesey (Angela Eagle), met members of Leicester City Council and others wishing to promote the case for the East Midlands Development Agency to be located in Leicester. However, it is not for Government to decide where the Agency will be located. The Agency itself will be best placed to decide where its offices should be.

Regional Railways North East

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions what reports he has received from *(a)* the Office of the Rail Regulator and *(b)* the Franchising Director on the performance of Regional Railways North East since privatisation. [25258]

Ms Glenda Jackson: No reports on the performance of Regional Railways North East have been received from the Rail Regulator or the Franchising Director. The Franchising Director is responsible for monitoring train operators' performance and publishes performance details in quarterly Bulletins. A copy of OPRAF's Bulletin is available in the House Library.

Landfill Tax

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a regional analysis of moneys disbursed through the operation of the landfill tax environmental grant fund. [25257]

Angela Eagle: This information is not available by regions; however the UK figures for funds notified to Entrust at 31 December 1997 are:

	£
England	51,527,135.30
Scotland	4,948,679.58
Northern Ireland	1,415,247.21
Wales	2,157,707.15

HGVs (Spray Suppression)

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what measures he plans to improve spray suppression from HGVs; and if he will make a statement. [25273]

Ms Glenda Jackson: The problem of spray from lorries is one that we would like to reduce. We had commissioned research in the hope of finding a better method of testing spray suppression equipment to ensure it is effective, but this has not led to useful results.

However, there is a meeting of EU Member States experts later this month at which we will be discussing what others are proposing and we hope that this will lead to proposals for improvements in the Directive which sets standards in this area.

BAA

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions (1) what recent discussions the Minister of Transport has had with BAA regarding its policy for London's airports; and if he will make a statement; [25521]

(2) how often the Minister of Transport has had talks with BAA since 2 May. [25522]

Dr. Strang: I have had three meetings with BAA since 2 May 1997. None of the meetings was arranged specifically to discuss London airports. Discussions covered a range of issues.

The Government are carrying out a fundamental review of transport policy leading to the publication of a White Paper later this year. Our aim in the White Paper is to establish the overall framework of an integrated transport policy within which policies relevant to specific modes, including aviation, can be developed. We believe that UK aviation and airports have an essential role to play within a fully integrated transport system.

Derbyshire Report

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish the Second Report on the sinking of the Derbyshire. [25744]

Ms Glenda Jackson: The Assessors have submitted their report to Ministers for consideration. We expect to publish the report in March.

Walton Bridge, Shepperton

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to hold the public inquiry into the plan to replace Walton Bridge at Shepperton. [25469]

Mr. Raynsford *[holding answer 26 January 1998]:* Surrey County Council have advised my right hon. Friend the Secretary of State that they are reviewing the scheme. The arrangements for the inquiry into the called in planning application are being held in abeyance until such time as the Council have decided whether or not they wish to pursue the scheme in its present form.

Allotments

Mr. Donohoe: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Surrey Heath (Mr. Hawkins) of 24 July 1997, *Official Report*, column *699*, if he will update his list of *(a)* consents and *(b)* refusals of consent since 2 May under the Allotments Act 1925 for the disposal of allotment land or its use for other purposes. [25610]

Angela Eagle: The Secretary of State has given his consent, under section 8 of the Allotments Act 1925, for the disposal of the following statutory allotments sites since 2 May 1997;

7 May: Peel Street, Carlisle

9 May: Wolverhampton Metropolitan Borough Council training Centre Wolverhampton

19 May: Firtree Lane, Bristol

19 May: Troopers Hill, Bristol

19 May: 32 Nicholas Lane, Bristol

23 May: Burton Road, Overseal, Derbyshire

28 May: Washbrook Allotments, Leicester

3 June: Roundwood Glen, Greengates, Bradford

9 June: Langham Allotments, Rutland

11 June: Bridge Street, Lodden, South Norfolk

24 June: Lee Lane, Langley, Amber Valley, Derbyshire

24 June: Ridgeway Allotments and Manor Hall Allotments, Southwick, West Sussex

25 June: Broadwater Gardens Allotments, Harefield, Middlesex

25 June: The Bartons, Much Marcle, Ledbury, Herefordshire

26 June: Harewood Allotments, Cornfield Road, Thornaby

26 June: Harewood Allotments, Thornaby Road, Thornaby

26 June: Colston Avenue, Carshalton, Surrey

10 July: Cannock Road, Cannock

11 July: Barnsfield Place Allotments, Uxbridge, Middlesex

14 July: Primrose Hill, Stockton on Thames

15 July: Dodmire Allotments, Darlington

17 July: Britten Road, Redditch

22 July: Scotchman Road, Bradford

4 August: Land adjacent to Merrilea, Dowlands Lane, Copthorne

4 August: Glassworks Fields, Leeds

5 August: London Road Allotments, Newport Pagnell

18 August: Ranmore Road, Dorking

18 August: Albany Road, Chatham

18 August: Florence Road, Chichester

20 August: Southbury Road, Enfield

23 August: School Place, Corby

12 September: Bury Lane Allotments, Codicote, Befordshire

16 October: Pickford Hill and Westfield Road Allotments, Harpenden

20 October: Church Knapp, Wyke Regis, Weymouth

20 October: Lenthay Road, Sherborne, Dorset

30 October: Church Way, Basingstoke

31 October: Bradshaw Close Allotments, Bozeat, Northamptonshire

19 November: Quarry Foot, Levens, Kendal

20 November: Stanley Avenue, Prestwich

21 November: Daws Field, Lipson, Plymouth

4 December: Upper Fant Road Allotments, Maidstone

4 December: Glebew Lane, Maidstone

8 December: Deweys Lane, Ledgershall, Marlborough, Wiltshire

10 December: Littlecoates Allotments, Macaulay Lane, Scunthorpe

12 December: Lapford Crescent, Northwood, Kirby

9 January: Lodsworth Village Hall Allotments, Lodsworth

13 January: Benhill Road, Sutton.

There have been no refusals of consent under section 8 of the 1925 Act since 2 May.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions if he notifies potential purchasers of obsolete information technology equipment sold by his Department that such equipment may not be millennium compliant. [25615]

Angela Eagle: The Department of Environment, Transport and the Regions disposes of its surplus information technology equipment through either departmental contracts or the Ministry of Defence's Disposal Sales Agency. These contractors have not been informed by the Department that such equipment may not be millennium compliant.

Category C Prison, Morecambe

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to announce his decision on the public inquiry into the establishment of a Category C prison at Middleton Sands, Morecambe; and if he will make a statement. [25099]

Mr. Caborn: The Secretary of State will endeavour to issue a decision as soon as possible.

PRIME MINISTER

Civil Contingencies Unit

Mr. Baker: To ask the Prime Minister what is the membership of the Civil Contingencies Unit. [15692]

The Prime Minister *[pursuant to his reply, 17 November 1997, c. 16–17]:* The following Departments should be added to the list of Departments represented on the Civil Contingencies Committee:

Ministry of Agriculture, Fisheries and Food

Scottish Office.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral answer to the hon. Member for South Thanet (Dr. Ladyman) on 21 January 1998, *Official Report,* column 1009, what assessment he has made of the impact of a bomb/missile attack on Iraq in the absence of ground troops; and what support he has received for possible military action against Iraq from *(a)* the other permanent members of the Security Council, *(b)* Arab states and *(c)* Iran. [25299]

The Prime Minister: It would not be sensible to speculate about the possible use of military force against Iraq at this stage. But it cannot be ruled out.

We, and other members of the Security Council, continue to pursue by diplomatic means the objective of total Iraqi compliance with the Council's demands.

Ministerial Code of Conduct

Mr. Baker: To ask the Prime Minister what monitoring he is undertaking to ensure ministers follow the guidance in the Ministerial Code of Conduct; how many instances of non-compliance he has identified; and what steps he intends to take when non-compliance is identified. [24831]

The Prime Minister *[holding answer 26 January 1998]:* The Ministerial Code makes clear that I expect all Ministers to work within the letter and spirit of the Code; that it is for individual Ministers to judge how best to act in order to uphold the highest standards; and that they are accountable to Parliament for their conduct.

Iraq (Weapons Inspections)

Mr. Dalyell: To ask the Prime Minister if he will discuss with the *(a)* Chinese, *(b)* French, and *(c)* Russian governments whether they have available for service in Iraq technical experts with equivalent qualifications to survey chemical and biological weapons to those of Mr. Scott Ritter. [25611]

The Prime Minister: The choice of personnel for the UN Special Commission is a matter for the Executive Chairman of the Special Commission. A large number of nations have provided staff. France and Russia have regularly made personnel available. China is now also contributing.

CULTURE, MEDIA AND SPORT

National Lottery

Liz Blackman: To ask the Secretary of State for Culture, Media and Sport what has been the total value of ticket sales in *(a)* the constituency of Erewash and *(b)* the constituency of Westminster since the establishment of the National Lottery. [24855]

Angela Smith: To ask the Secretary of State for Culture, Media and Sport what the total value of ticket sales has been in the constituency of Basildon since the establishment of the National Lottery. [24538]

Mr. Banks: Figures on ticket sales are not held by the Department and are an operational matter for Camelot Group plc. I have therefore asked the Director General of

the National Lottery, who is responsible for regulating the operation of the Lottery, to write to my hon. Friends, and copies of his responses will be placed in the Libraries of the House.

Lottery Grants

Dr. Tonge: To ask the Secretary of State for Culture, Media and Sport what percentages of lottery grants have been awarded to voluntary and commercial organisations in the Royal Borough of Kingston-upon-Thames. [24722]

Mr. Banks: To date £4,214.085 has been awarded to 33 lottery projects in the Royal Borough of Kingston-upon-Thames. The information available to the Department suggests that the recipients of all of these awards are either charitable or voluntary organisations, or local government. A full list has been placed in the Libraries of the House.

Information on successful Lottery applicants can be found on the Department's website www.lottery.culture.gov.uk.

Helen Jones: To ask the Secretary of State for Culture, Media and Sport how many applications for lottery grants have been made from Warrington, North constituency; how many of these were *(a)* successful and *(b)* unsuccessful; and what is the total value of grants approved so far. [24825]

Mr. Banks *[holding answer 23 January 1998]:* To date, organisations in the Warrington, North constituency have made 82 formal applications to the Lottery distributing bodies, of which 23 have been successful, 47 unsuccessful and 12 are awaiting a final decision. The following table shows the breakdown of applications by distributing body. The 23 successful awards have a total value of £2,587,361.

Information on unsuccessful applications is not kept by the Department. Information on successful Lottery applicants can be found on the Department's website *www.lottery.culture.gov.uk.*

Body	*Successful*	*Unsuccessful*	*Pending*	*Total applications*
Arts Council	5	4	6	15
Sports Council	5	0	0	5
Heritage Lottery Fund	1	1	1	3
Millennium Commission	0	[1]—	[1]—	0
Charities Board	12	42	5	59
Totals	23	47	12	82

[1] It has not been possible for the Millennium Commission to provide the information on unsuccessful applications, due to the way in which its records have been compiled.

Mr. Leslie: To ask the Secretary of State for Culture, Media and Sport if he will list the value of Arts Council administered Lottery Capital Grant awarded to *(a)* the London region and *(b)* the Yorkshire and Humber region (i) in total and (ii) broken down (1) by national award, (2) by regional award, (3) by local project award and (4) by head of population in each region. [23379]

Mr. Fisher: The most recent figures available (1 December 1997) are:

	£
London	
Total	336.521 million
National projects	166.846 million
Regional and local projects[1]	169.675 million
Regional and local projects per capita	12.28
Total per capita	24.35
Yorkshire and Humberside	
Total	46.646 million
National projects	2.879 million
Regional and local projects[1]	43.767 million
Regional and local projects per capita	8.15
Total per capita	8.71

[1] Breakdown not available.

"TV Dinners"

Mr. McNamara: To ask the Secretary of State for Culture, Media and Sport if he will discuss with the Chairman of Channel 4 the contents of the episode of "TV Dinners" relating to the cooking and eating of human placenta puree. [25223]

Mr. Fisher: I understand that this programme is to be shown next month. Programme content on Channel Four is regulated by the Channel itself in the first instance, and by the Independent Television Commission which licenses it. The Commission does not preview programmes, but lays down guidelines for its licensees on the standards to be maintained in respect of taste and decency, which they are bound by the terms of their licences to observe. I know that my hon. Friend has made his concerns known to the ITC and I am confident that it, and the Broadcasting Standards Commission, will give careful consideration to any complaints made by him or other viewers once the programme has been broadcast.

It is a long standing principle that Government do not intervene directly in matters of programme content and my right hon. Friend the Secretary of State does not propose to intervene in this case.

Sporting Events

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport which specific sporting events the Sports Council is campaigning to bring to the United Kingdom. [24788]

Mr. Banks: Like the Government, the UK Sports Council fully supports England's campaign for the 2006 World Cup and all top quality UK bids to host major international sports events. It has been supportive of a number of successful bids for events to be held in the UK later this year, which include:

- the World Disabled Athletics Championships (England, August);
- the European Showjumping Championships (England, August);
- the World Orienteering Championships (Scotland, August); and
- the IAAF World Cross Country Championships (Northern Ireland, March).

The UK Sports Council is also in the final stages of developing a national strategy to ensure that there is a coherent and co-ordinated UK policy in the bidding for and staging of major international events in this country.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will list the events included in the World Class Events Programme. [24787]

Mr. Banks: The Lottery Sports Fund World Class Events Programme has so far awarded grants totalling £4,361,981 to assist with the bidding for, and staging of, nine international events. The events are:

Junior Hockey World Cup (1997);

European Disabled Sailing Championships (1997);

Sports Acrobatics World Championships (1997);

Soccer World Cup (2006);

European Short Course Swimming Championships (1998);

World Disability Athletics Championships (1998);

European Show Jumping Championships (1999);

World Cup in Orienteering—Events 3 and 4 (1998);

Soccer World Cup for Players with Learning Disabilities (1998).

Heritage Lotteries Foundation Awards

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport if he will list the total value of awards made by the Heritage Lotteries Foundation to the borough council areas of Redcar and Cleveland, Stockton-on-Tees, Middlesbrough, Darlington and Hartlepool. [24814]

Mr. Banks: The Heritage Lottery Fund do not hold information on grants awarded on a borough council basis. However, awards totalling £94,100 have so far been made for projects within my hon. Friend's constituency. The total value of awards for projects in the North East is £29.8 million.

RAF Marston Moor

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer of the Secretary of State for Defence of 15 January 1998, *Official Report*, column *408*, what steps he is taking to assess the historic significance of the surviving structures at RAF Marston Moor. [25122]

Mr. Banks: The former RAF airfield at Marston Moor is included in English Heritage's thematic study of military airfields, to which I referred in the answer I gave my hon. Friend on 19 January 1998, *Official Report*, columns *424–25*. Its initial view is that the control tower is likely to be the only building on the site that may merit consideration as being of special architectural or historic interest.

INTERNATIONAL DEVELOPMENT

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for International Development if she notifies potential purchasers of obsolete information technology equipment sold by her Department that such equipment may not be millennium complaint. [25653]

Clare Short: We have not specifically done so. All our redundant IT equipment over the last three years has been bought back by the companies providing the replacement equipment. Such companies are well able to make their own judgment on the question of millennium compliance.

Great Lakes Region

Mr. Hancock: To ask the Secretary of State for International Development what recent representations she has received on the nature of humanitarian relief in the Great Lakes region. [25445]

Clare Short: We expect to receive the UN 1998 Great Lakes humanitarian appeal in February. We have provided over £69 million emergency assistance to the region since October 1993, but 640,00 refugees and 875,00 displaced people remain to be helped. Those in Burundi and north west Rwanda are difficult to reach because of the security situation. We remain ready to respond to new emergency needs as they emerge.

Mr. Hancock: To ask the Secretary of State for International Development what recent representations she has received on the nature of development in the Great Lakes region. [25446]

Clare Short: The development needs of the region are enormous. A major international effort is needed to assist the Governments of the Democratic Republic of the Congo and Rwanda to implement sustainable development policies which benefit the poor. Britain has not traditionally been a major bilateral donor to the region. But we are working with the International Financial Institutions and the European Commission to whom we are major contributors to try to deliver effective assistance. The EC has already committed £149 million (UK share £10 million) to the region in rehabilitation assistance since November 1994. Further funding is available from the European Development Fund.

Cambodia

Dr. Tonge: To ask the Secretary of State for International Development if she will list the amounts of development aid given to Cambodia in the last year for which figures are available. [25303]

Clare Short: The latest published information relates to the financial year 1996–97 and is contained in Table 7.3 (page 58) of the 1997 edition of British Aid Statistics, a copy of which has been placed in the Library of the House. British assistance that year totalled nearly £5.5 million.

LORD CHANCELLOR'S DEPARTMENT

Departmental Publicity

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25142]

Mr. Hoon: I have not given any media presentations or press conferences outside my Department's premises.

Overseas Visits

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25144]

Mr. Hoon: There have been no political advisers in this Department in the period since 1 May.

Political Advisers (Support Staff)

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many secretarial and support staff work full-time in support of his political advisers in his Department. [25190]

Mr. Hoon: There are currently no political advisers in this Department.

Official Cars

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25146]

Mr. Hoon: Two cars are provided for Ministers under the Government Car Scheme: one for the Lord Chancellor and one for the Parliamentary Secretary. No new cars have been acquired.

FOREIGN AND COMMONWEALTH AFFAIRS

Dependent Territories

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what audit of the natural resources of the dependent territories has been undertaken; and if he will make a statement. [24970]

Mr. Tony Lloyd: We have extensive knowledge of the natural resources in the Dependent Territories, although no single comprehensive audit exercise has been undertaken. We place a high priority on working with Dependent Territory Governments to identify, use responsibly and protect their natural resources. We have responsibility in partnership with the Dependent Territories for the further development of the Territories, and for reminding them of their responsibilities under the environmental conventions to which they belong.

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent carbon dioxide targets in respect of Kyoto will be applied to dependent territories; and if he will make a statement. [24971]

Mr. Fatchett: The United Kingdom's ratification of the United Nations Framework Convention on Climate Change has not been extended to the Dependent Territories. It is unlikely that the substantive emissions reductions targets agreed at Kyoto would be appropriate to the small developing economies of the Dependent Territories.

After the United Kingdom has signed the Kyoto Protocol to the Climate Change Convention, we will consider again with the Dependent Territories whether they wish to have the Convention and/or the Kyoto Protocol extended to them.

Algeria

Mr. Dafis: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the Government are taking to bring to the attention of the Algerian Government its responsibility to protect the lives of its civilians. [25255]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has made clear on several occasions our concern for the protection of the Algerian people from terrorist attacks. During the EU Troika mission which I led to Algiers on 19–20 January we made clear the concerns of the British and European people in our talks with the Algerian authorities.

UK Presidency

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs in what ways note-taking procedures used by his Department when chairing European Council meetings differ from those used by the Dutch presidency; and what measures he is taking as a consequence of the letter of the Dutch Permanent Representative of 16 July to ensure clarity of communication between member states and the presidency. [25767]

Mr. Doug Henderson: We expect to use note-taking procedures similar to those used by all recent Presidencies, including the Dutch; but we and other member states keep these procedures under review in the light of experience.

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will establish an investigation during the United Kingdom presidency into the circumstances behind the settlement of the provisions of the Treaty of Amsterdam relating to the voting procedures for the admission of new Schengen members. [25768]

Mr. Doug Henderson: No. We have already addressed the question of voting procedures for participation in the Schengen acquis in response to many previous questions.

Cambodia

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what further measures the Government plan to take to assist Cambodia in the development of its democratic institutions; and if he will make a statement. [25351]

Mr. Fatchett: We strongly support peace and democracy in Cambodia. We are providing financial assistance through the EU to help the Cambodian authorities prepare their forthcoming elections. We are considering an additional bilateral contribution.

To explore further opportunities for bilateral co-operation in strengthening democracy in Cambodia, we invited the Deputy Prime Minister of Cambodia to visit Britain on 18–23 January. I met the Deputy Prime Minister and encouraged him to submit specific proposals to help meet Cambodia's needs.

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs what further assistance the Government plan to provide to assist the Cambodian authorities in their efforts to control illegal immigration, and drug trafficking; and if he will make a statement. [25352]

Mr. Fatchett: We support projects to combat drugs abuse and trafficking in Cambodia, through the UNDCP. We stand ready to consider specific proposals from the Cambodian authorities for further bilateral co-operation

on this, and on illegal immigration, following the Cambodian Deputy Prime Minister's visit to Britain this month.

HOME DEPARTMENT

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for the Home Department, pursuant to his answer of 8 December 1997, *Official Report*, columns *433–34*, if all police forces have appointed a management team to deal with year 2000 compliance; and what arrangements have been made by each police force to monitor the implementation of actions to overcome year 2000 problems with particular reference to test facilities. [24725]

Mr. Michael: It is the responsibility of each police force to ensure that its information technology systems are Year 2000 compliant. Information about the management structures put in place by each force to address the problem and the arrangement for monitoring the implementation of their action plans is not available centrally. However, we are currently reviewing progress as part of the Government's determination to ensure that Year 2000 problems are identified and dealt with right across the public service. Her Majesty's Inspectorate of Constabulary will also monitor progress as part of its regular inspections.

Mrs. Gillan: To ask the Secretary of State for the Home Department what current year 2000 problems have been reported to date by police forces. [24726]

Mr. Michael: The Police Information Technology Organisation is not aware of any incidences within police forces of system failure because of the millennium problem. Forces' own audits and information provided to them by suppliers have indicated potential problems with a number of information technology systems, including Command and Control, Crime Pattern Analysis and HOLMES I. The difficulties with HOLMES I will be overcome with the introduction of a year 2000 compliant HOLMES II, which will be in place before the end of the century. A Ministerial Group is urgently reviewing within Government and outside to ensure that all other systems are also year 2000 compliant.

Mrs. Gillan: To ask the Secretary of State for the Home Department if he notifies potential purchasers of obsolete information technology equipment sold by his Department that such equipment may not be millennium compliant. [25657]

Mr. Straw: Surplus or obsolete information technology equipment is sold to companies, rather than individual consumers. In these instances, the Home Office gives no guarantee or warranty in respect of fitness for use, purpose or merchantable quality.

Crime and Disorder Bill

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the elements of the Crime and Disorder Bill [*Lords*] which will be piloted before wider implementation stating how long each pilot scheme is expected to last and the expected date of wider implementation; and if he will make a statement. [25052]

Mr. Michael: Details of the measures which the Government intend to pilot, including the expected implementation date (assuming the Bill receives Royal Assent in the summer) and the likely duration of each scheme, are given in the table. On completion, the pilot studies will be evaluated and, subject to the outcome of the evaluation and to resource constraints, full implementation will take place as soon as possible thereafter.

Measure	*Clause(s)*	*Start*	*Duration*
Parenting order	8–10	Autumn 1998	18 months
Child safety order	11–13	Autumn 1998	18 months
Local child curfew schemes	14, 15	Autumn 1998	18 months
Local provision of youth justice services/formulation of youth justice plans	29, 31, 33	Autumn 1998	6 months
Youth offending teams	30, 33	Autumn 1998	6 months
Statutory time limits	34–37	Autumn 1999	12 months
Case management: Powers of magistrates' courts exercisable by a single justice	40, 41	Autumn 1998	6 months
Indictable only cases to start in the Crown Court	42, 43	Autumn 1998	12 months
Prison/court television links	45	Spring 1999	6 months minimum
Drug treatment and testing order	48–51	Autumn 1998	12 months minimum
(Scotland) Drug treatment and testing order	72–78	Autumn 1998	12 months minimum
Reprimands and warnings	52, 53	Autumn 1998	18 months
Reparation order	54, 55	Autumn 1998	18 months
Action plan order	56, 57	Autumn 1998	18 months

Mr. Beith: To ask the Secretary of State for the Home Department if he will publish the calculations on which the financial effects of the Crime and Disorder Bill [*Lords*] are based; and if he will make statement. [25053]

Mr. Straw: The calculations used to estimate the financial effects of the Crime and Disorder Bill published in the Financial Memorandum are as set out. Taken as a whole, the Bill is intended to address offending behaviour more effectively and to reduce crime and it is therefore expected that this will produce significant savings to the criminal justice system.

Measures aimed at dealing with youth crime and disorder (child safety orders and parenting orders) will be piloted to enable a detailed assessment of costs. Full year costs are estimated to be £3 million, based on a cost of £180 per order per month and a planning assumption of 5,000 parenting orders per annum typically lasting around three months, and 1,000 child safety orders per annum typically lasting one and a half months.

The introduction of anti-social behaviour orders is expected to lead to additional costs of £3 million to the courts, the Crown Prosecution Service and in legal aid. This is based on an assumption of 5,000 orders annually with the majority of costs falling to magistrates' courts. Additional costs for the police and local authorities are expected to be fully offset by savings arising from the introduction of the new orders.

The proposals relating to new racially aggravated offences and those concerning increased sentences for those offences are expected to result in some additional costs, but the innovative nature of the offences makes it difficult at this stage to estimate their likely financial impact.

Proposals relating to the local provision of youth justice services and youth offending teams will be piloted before full implementation to enable a detailed assessment of costs. The establishment of a Youth Justice Board assumes a Board consisting of 10 members working part-time for standard daily rates of remuneration and travel and subsistence; and a small secretariat of 10 staff with a small budget for commissioning research and for developing good practice in work with young offenders. On this basis, full year costs are estimated to be in the region of £1 million.

Proposals intended to reduce delay in the criminal justice system include the introduction of statutory time limits and increased efficiency, especially in the Youth Court. These are intended to be cost-neutral, since it is expected that any additional costs will be more than outweighed by the benefits of speeding up the progress of cases through the system. The introduction of statutory time limits may have limited resource implications which will be assessed once piloting has determined the level at which limits should be set.

The final warning scheme, action plan orders and reparation orders will all be piloted to enable detailed costs and savings to be assessed before full implementation. Action plan orders are expected to lead to savings of around £2 million based on 6,000 juveniles per year receiving an order in place of current community penalties. The reparation order is estimated to cost around £1 million if applied to 11,500 juveniles per year.

Initial estimates of the cost of introducing reprimands and warnings, including the costs of rehabilitation programmes, are in the region of £14 million. Around half of this sum is attributable to Youth Offending Teams running appropriate intervention programmes; these costs will not be incurred in every area as some areas already operate analogous "caution-plus" schemes. The other half reflects the impact of the scheme on the number of court cases and the change in sentencing patterns likely to arise from restricting the use of conditional discharge following final warnings.

Proposals relating to improvements to supervision orders are expected to result in additional local authority accommodation costs of around £2 million per year. This assumes that, at most, around 160 juveniles a year might be given a residency requirement. The proposals for detention and training orders for young offenders are not expected to have any significant impact on the numbers held in secure facilities. The associated increased levels of supervision are estimated to result in additional costs of around £2 million per year based on an estimated 2,200 young people held under a detention and training order at any one time.

The extended supervision for sex, violent, recalled and returned prisoners will eventually generate net additional probation service and electronic monitoring costs estimated to be about £20 million per year, assuming that this will require around 600 additional probation service staff to supervise 1,100 offenders on extended supervision with 110 recalls to custody (a breach rate of 10 per cent.).

Proposals for drug treatment and testing orders will be the subject of local pilot projects, the cost of which are expected to be in the region of £1 million. The findings of the pilot evaluation will inform consideration of the need for resourcing to extend the Treatment and Testing Orders nationwide. Full implementation based on 6,250 orders per year at a cost of £6,400 per order are estimated to be £40 million.

The cost of introducing powers to release short-term prisoners on licence (home detention curfew) depends upon the extent of take-up and the outcome of a commercial competition but, on the take-up rate assumed for planning purposes, is not expected to exceed £26 million per year. Against this, home detention curfew will avoid the need for expenditure on around 3,000 new prison places at an estimated cost of £90 million per year which would otherwise be necessary to accommodate the rising prison population.

Police

Mr. Allan: To ask the Secretary of State for the Home Department what *(a)* legislation and *(b)* other procedures apply to the disclosure of internal reports commissioned by police authorities into their police forces. [24856]

Mr. Michael: With regard to legislation, I refer the hon. Member to the reply I gave to a question from the hon. Member for Harrogate and Knaresborough (Mr. Willis) on 20 January 1998, *Official Report*, columns *525–26*. There are no other procedures applicable to the disclosure of internal reports commissioned by police authorities into their police forces.

Child Prostitution

Mr. Beith: To ask the Secretary of State for the Home Department how many children under the age of 16 years have been prosecuted for offences related to prostitution, by age, in each of the last five years for which figures are available; and if he will make a statement. [25050]

Mr. Michael: Information for prosecutions and cautions is given in the tables.

Table A: Number of children aged 10 to under 16 prosecuted for offences[1,2] relating to prostitution by age and sex, 1992–96

England and Wales

		Ages											
		10		11		12		13		14		15	
Offence description	*Year*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*
Soliciting by a man	1992	—	—	—	—	—	—	—	—	—	—	—	—
[Sexual Offences Act 1956 S32] 1993	1993	—	—	—	—	—	—	—	—	—	—	1	—
	1994	—	—	—	—	—	—	—	—	—	—	—	—
	1995	—	—	—	—	—	—	—	—	—	—	—	—
	1996	—	—	—	—	—	—	—	—	—	—	—	—

Table A: Number of children aged 10 to under 16 prosecuted for offences[1,2] relating to prostitution by age and sex, 1992–96

England and Wales

		Ages											
		10		11		12		13		14		15	
Offence description	*Year*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*
Kerb-crawling	1992	—	—	—	—	—	—	—	—	—	—	—	—
[Sexual Offences Act 1985 S1]	1993	—	—	—	—	—	—	—	—	—	—	—	1
	1994	—	—	—	—	—	—	—	—	—	—	—	—
	1995	—	—	—	—	—	—	—	—	—	—	—	—
	1996	—	—	—	—	—	—	—	—	—	—	—	—
Common prostitute loitering or soliciting for the purposes of prostitution	1992	—	—	—	—	—	1	—	—	—	1	—	10
[Street Offences Act 1956 S1]	1993	—	—	—	—	—	—	—	—	—	1	—	8
	1994	—	—	—	—	—	1	—	3	—	5	—	14
	1995	—	—	—	—	—	—	—	—	—	1	1	8
	1996	—	—	—	—	—	—	—	—	—	—	—	6

[1] Generally, attempting, conspiring, inciting, aiding, abetting, causing or permitting a crime is classified under the heading of the crime itself, though in certain cases it can be a separate offence.

[2] There were no court proceedings against children aged 10 to under 16 for offences of 'Persistent soliciting of women for the purposes of prostitution' Sexual Offences Act 1985 s2); and 'Common prostitute behaving in a riotous and indecent manner in a public place' (Vagrancy Act 1824 s3 and pt s4).

Table B: Number of children aged 10 to under 16 cautioned for offences relating to prostitution by age and sex, 1992–1996

England and Wales

		Ages											
		10		11		12		13		14		15	
Offence description	*Year*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*	*m*	*f*
Soliciting by a man	1992	—	—	—	—	—	—	—	—	2	—	2	—
[Sexual Offences Act 1956 S32]	1993	—	—	—	—	—	—	—	—	3	—	—	—
	1994	—	—	—	—	—	—	—	—	1	—	1	—
	1995	—	—	—	—	—	—	—	—	—	—	—	—
	1996	—	—	—	—	—	—	—	—	—	—	—	—
Kerb-crawling	1992	—	—	—	—	—	—	—	—	—	—	—	—
[Sexual Offences Act 1985 S1]	1993	—	—	—	—	—	—	—	—	—	—	—	—
	1994	—	—	—	—	—	—	—	—	—	—	—	—
	1996	—	—	—	—	—	—	—	—	—	—	1	—
Persistent soliciting of women for the purpose of prostitution	1992	—	—	—	—	—	—	—	—	—	—	—	—
	1993	—	—	—	—	—	—	—	—	—	—	—	—
[Sexual Offences Act 1985 S2]	1994	—	—	—	—	—	—	—	—	—	—	—	—
	1995	—	—	—	—	—	—	—	—	—	—	—	—
	1996	—	—	—	—	—	—	—	—	—	—	—	2
Common prostitute loitering or soliciting for the purposes of prostitution	1992	—	1	—	—	—	1	—	1	—	6	1	41
	1993	—	—	—	—	—	—	—	5	—	32	—	32
[Street Offences Act 1959 S1]	1994	—	—	—	—	—	1	—	5	—	19	—	25
	1995	—	—	—	—	—	2	—	4	—	11	1	27
	1996	—	—	—	1	—	1	—	5	—	16	—	31

[1] Generally, attempting, conspiring, inciting, aiding, abetting, causing or permitting a crime is classified under the heading of the crime itself, though in certain cases it can be a separate offence.

[2] There were no cautions given to children aged 10 to under 16 for the offence of 'Common prostitute behaving in a riotous and indecent manner in a public place' (Vagrancy Act 1824 S3 and pt S4).

Crime Prevention

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to increase the proportion of his Department's budget spent directly on targeted crime prevention work; and if he will make a statement. [25046]

Mr. Michael: Our manifesto made clear the Government's commitment to be tough on crime and tough on the causes of crime. We also gave an undertaking that, for the first two years, the Government would work within the Departmental spending limits already announced.

Plans and priorities for spending after the 1998–99 financial year are being examined in the Comprehensive Review of all public expenditure, with a view to ensuring that taxpayers' money is being spent effectively in order to meet the Government's manifesto commitments.

Air Rifles

Liz Blackman: To ask the Secretary of State for the Home Department what plans he has to review the controls governing air rifles. [24854]

Mr. Michael: There are already laws in place to control the use and possession of air rifles. It is illegal to carry a loaded air weapon in a public place, to discharge an air

weapon within fifty feet of a road or to use one to shoot birds or other protected animals. We have said that, once the total ban on handguns is in place, we will look at all firearms controls to see whether other measures are needed to safeguard the public. The law relating to air weapons will be included as part of that exercise. We propose to consult widely with all interested parties if further steps are considered necessary.

Asylum Applications

Mr. Burnett: To ask the Secretary of State for the Home Department how many asylum applications were made to and determined by his Department in each month of 1997; and with what result. [25135]

Mr. Mike O'Brien: The information requested is given in the table.

Asylum applications[1] received in the United Kingdom, excluding dependants, and initial decisions[2] on applications, January to December 1997

Principal applicants

Month	*Applications*	*Total decisions*	*Decisions*		
			Grants of asylum	*Grants of exceptional leave*	*Refused asylum and exceptional leave*[3]
January	2,715	3,260	265	415	2,580
February	2,475	3,090	305	375	2,410
March	2,160	2,845	295	140	2,410
April	2,665	3,390	265	185	2,945
May	2,590	2,880	235	155	2,490
June	2,585	2,930	235	175	2,520
July	3,070	3,480	280	330	2,875
August	2,930	2,980	265	355	2,360
September	2,850	2,800	310	265	2,225
October	2,990	3,035	330	260	2,445
November	2,345	2,990	595	305	2,090
December	3,120	2,355	605	155	1,595
Total	32,500	36,045	3,985	3,115	28,945

[1] Figures rounded to nearest 5, with '*' = 1 or 2.
[2] Decision figures do not necessarily relate to applications made in 1997.
[3] Includes those cases refused on the grounds that the applicant had arrived from a safe third country and under Paragraph 340 of Immigration Rules. (For failure to provide evidence to support the asylum claim within a reasonable period, including failure to respond to invitation to interview).

Police (Civilian Staff)

Dr. Cable: To ask the Secretary of State for the Home Department what is the Government's guidance to the Metropolitan Police Service on the use of civilians within police stations; and in what circumstances civilians may be given responsibility for the supervision of detainees within police stations. [25230]

Mr. Michael: The Commissioner tells me that the Metropolitan Police's civil staff are employed in a wide range of roles in support of operational police duties. There are currently 4,835 civil staff employed at divisional police stations within the Metropolitan Police District. Guidance on the use of civilians in the custody area of police stations was issued to all police forces on 6 July 1993. The guidance provided a list of tasks which were considered suitable for trained civilian staff working under the direct supervision of the custody officer.

The Commissioner tells me that civilian gaolers were formally introduced in the Metropolitan Police via a pilot scheme in May 1993. Since then, it has been acknowledged that, despite having no special powers, they can make a useful contribution in assisting the custody officer in the management of detained persons. Their main role is to deal with a wide range of important routine matters on behalf of the custody officer concerning general welfare, housekeeping and detention conditions.

Fires (London)

Dr. Cable: To ask the Secretary of State for the Home Department what is the role of the Metropolitan Police Service in dealing with fires on or close to the Thames. [25229]

Mr. Michael: The Commissioner of Police of the Metropolis tells me that fire fighting is not a primary objective of Thames Division. However, when they come across incidents of fire in the course of their duties, the Division respond and call on other resources as appropriate to preserve life and property.

Cannibalism

Mr. NcNamara: To ask the Secretary of State for the Home Department if he will introduce legislation to make cannibalism a criminal offence. [25221]

Mr. Michael: No. If anyone were to attack or kill a person with the intention of eating any part of the victim's body, it would already involve the commission of a criminal offence.

Lotteries

Mr. Sanders: To ask the Secretary of State for the Home Department on what date he passed ministerial responsibility for matters relating to on-line lotteries to another minister. [24993]

Mr. Straw *[holding answer 26 January 1998]:* 17 November 1997.

Mr. Sanders: To ask the Secretary of State for the Home Department if he will place in the Library copies of his correspondence with the Deputy Prime Minister on the subject of on-line lotteries. [24994]

Mr. Straw *[holding answer 26 January 1998]:* It is not normal practice for correspondence between Cabinet Ministers to be placed in the Library and I see no reason to depart from that practice on this occasion.

Film Classification

Mr. Coaker: To ask the Secretary of State for the Home Department when the British Board of Film Classification's Annual Report for 1996–97 will be published; and if he will make a statement. [26222]

Mr. Straw: I have today laid before the House copies of the Annual Report of the British Board of Film Classification (BBFC) for 1996–97, which gives details of the Board's financial accounts and activities over the past eighteen months. Copies of the report have also been placed in the Library.

Under section 6 of the Video Recordings Act 1984, the designated authority for the classification of video works (in practice, the President and Vice Presidents of the BBFC) is required to produce a report as soon as is reasonably practicable after 31 December. The production of the report for 1996–97 has been greatly delayed and I have expressed my concern about this very strongly to the new President, Mr. Andreas Whittam Smith. Mr. Whittam Smith has made it clear that he shares my concern and has assured me that he will be establishing a timetable for the production of the 1997–98 report to ensure that it is produced as soon as possible after the audited accounts are available.

I have also made clear to Mr. Whittam Smith my serious concern at the unilateral action taken by the BBFC last year to relax the guidelines for the classification of videos in the R18 category (that is, videos which can lawfully be sold only in licensed sex shops). The BBFC's change of policy was brought to my attention by Her Majesty's Customs and Excise which was concerned that material had been classified which might have been liable to forfeiture under section 42 of the Customs Consolidation Act 1959 and the subject of forfeiture proceedings under section 3 of the Obscene Publications Act 1959. It was entirely unacceptable that the Board should have acted in this way. As a consequence of my concern, Mr. Whittam Smith has inquired into the handling of this matter and is putting in place procedures to ensure proper controls on the formulation of policy. He is also taking steps to improve management accountability at the Board.

On taking up his post, Mr. Whittam Smith outlined his proposals for reviewing the Board's classification policy and his intention to consult widely on this issue. I welcome these positive steps towards greater openness and accountability at the Board.

Crime Rate (Chelmsford)

Mr. Burns: To ask the Secretary of State for the Home Department what has been the change in the crime rate in the centre of Chelmsford since January 1996. [25667]

Mr. Michael: Information collected centrally on recorded crime is broken down only as far as police force area. More localised data can be obtained direct from the Force Statistics Officer for Essex Police.

Mr. Burns: To ask the Secretary of State for the Home Department if he will make a statement on the impact of the introduction of CCTV on the crime level in the centre of Chelmsford; and how many arrests have been made as a result of CCTV. [25785]

Mr. Michael: The police in Chelmsford report that there has been a 21 per cent. overall reduction in recorded crime in the Chelmsford town beat area since the closed circuit television system became operational in January 1996; and that 426 arrests were directly attributable to incidents being caught on camera.

Firearms (Compensation)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department, pursuant to his answer of 13 January 1998, *Official Report*, column *165*, for what reasons the average turn round time between receipt of claims from the police and processing of options A and B was 19 weeks. [25926]

Mr. Michael: With over 116,000 handguns and associated equipment surrendered over a short period, an initial build-up of claims was inevitable. Processing rates were initially held up by computer problems, now resolved, and are currently determined by a combination of factors, including: the nature and complexity of the claims that are being examined; the numbers of staff available at any given point; and the time that can be spent on processing claims, as opposed to non-productive work such as dealing with inquiries. We are doing all we can to keep the length of time that claimants must await payment to a minimum. This includes weekend working; the use of casual staff and of data processors on short term contract to input the claimant details; allowing the examiners more time on processing the payments; and increasing the number of trained examiners available. A recorded telephone mailbox message giving current processing times has been introduced to reduce the distractions to staff.

Mr. Steen: To ask the Secretary of State for the Home Department, pursuant to his answer of 13 January 1998, *Official Report*, column *165*, on the Firearms Compensation Scheme, what was the reason for the delay in returning Mr. Fowles's incorrectly completed firearms compensation application; and if he will make a statement. [25350]

Mr. Michael: Errors in the completion of compensation claims are normally identified when the claim is examined prior to payment. Having been lodged on 23 September 1997, towards the end of the hand-in period, Mr. Fowles's claim has not yet reached that stage, and the error in his claim has come to light as a result of the previous Question. The form has been returned to

Mr. Fowles for correction. There has been no delay in notifying him of the error, and the processing time for the case will be unaffected, so long as Mr. Fowles completes the form correctly and returns it promptly.

Immigration

Mr. Wilshire: To ask the Secretary of State for the Home Department if he will publish the conditions that have to be met by the partner of someone seeking permission to live in the United Kingdom before they may be admitted. [25865]

Mr. Mike O'Brien: The term "partner" is not defined in immigration legislation or rules. Different descriptions are used and so it is not possible to give a precise answer to this Question. Someone seeking permission to enter the United Kingdom with a view to settlement as a spouse or fiancé(e) must show that he or she is present and settled in the United Kingdom and that, as a couple, they intend to live together permanently and are able to maintain and accommodate themselves without recourse to public funds. The parties to the marriage, or proposed marriage, must have met. If the overseas partner is seeking permission to enter under the concession for unmarried partners, introduced on 13 October 1997, the couple must additionally show that they have been living together in a relationship akin to marriage which has subsisted for four years or more; that they are legally unable to marry (other than by reason of consanguineous relationships or age); and that any previous marriage, or similar relationship, has permanently broken down. In all cases, the overseas partner must be in possession of a valid entry clearance for entry in the appropriate capacity.

TREASURY

Unemployment

Mr. Robert McCartney: To ask the Chancellor of the Exchequer what are the rates of unemployment of *(a)* (i) Catholics and (ii) Protestants in Northern Ireland and *(b)* (1) Afro-Caribbeans and (2) Asians in England and Wales; and if he will make a statement. [23020]

Mrs. Liddell: The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Robert McCartney, dated 27 January 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question asking about the unemployment rates of Catholics and Protestants in Northern Ireland and Afro-Caribbeans and Asians in England and Wales.

The ONS measure of unemployment, derived from the Labour Force Survey (LFS), is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: a) without a paid job; b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained. The ILO unemployment rate is defined as the number ILO employed as a proportion of all those either in employment or ILO unemployed.

The requested figures based on the average of the four latest quarterly LFS estimates are shown below:

ILO unemployment rates

	Average of four quarters autumn 1996 to summer 1997
Northern Ireland	
Catholics	12.0
Protestants	6.6
England and Wales	
Black[1]	20.4
Asian[2]	14.5

[1] Black-African, Black-Caribbean and Black-other (excluding Black-mixed).
[2] Indian and Pakistani/Bangladeshi.

Pension Contributions

Mr. Webb: To ask the Chancellor of the Exchequer what would be the revenue from restricting the rate of tax relief on *(a)* employee pension contributions and *(b)* employer pension contributions to (i) the standard rate of income tax and (ii) to 20 per cent. [23109]

Dawn Primarolo: Estimates of the full year yield for 1998–99 of restricting income tax relief for employees' and employers' contributions to occupational and personal pensions are given in the table. They do not take account of any behavioural effects which might result from such changes.

£ million

Relief for	*Yield from restricting income tax relief to*	
	23 per cent.	*20 per cent.*
Employees' pension contributions[1]	700	1,100
Employers' pension contributions[2]	950	1,600

[1] Based on a projection of the 1995–96 survey of personal incomes and other survey and administrative data.
[2] Based on a projection of figures compiled by the Office for National Statistics from a variety of sources.

Pensioners (Tax Self-assessment)

Mr. Mitchell: To ask the Chancellor of the Exchequer what steps the Inland Revenue has taken to ensure that pensioners are made aware of the need to return their self-assessment forms in time; and what proposals he has to allow an extension of time for such people. [23458]

Dawn Primarolo: Only a small minority of pensioners are required to complete self assessment tax returns. The Inland Revenue has produced written guidance about people who receive pensions, explaining the time limit for completing their returns, and the Inland Revenue's publicity campaign has included a significant amount of advertisement on national television and radio, designed to raise awareness of the filing date amongst all sections of the population affected by self assessment. As I explained to the hon. Member for Torbay (Mr. Sanders) on 14 January, there are no plans to extend the filing date of 31 January 1998.

Income Tax

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list for each benefit paid by *(a)* central and *(b)* local government (i) whether it is taxable and for what reasons and (ii) his estimate of the amount of income tax raised in the last year for which figures are available. [23456]

Dawn Primarolo: A list of the most readily identifiable non-taxable benefits is as follows:

Central Government

Attendance Allowance

Constant Attendance Allowance

Disability Living Allowance

Disability Working Allowance

Exceptionally Severe Disablement Allowance

Short-term Incapacity Benefit payable for first 28 weeks of incapacity

Incapacity Benefit paid to existing claimants at April 1995

Back to work Bonus

Earnings Top-up

Jobfinder's Grant

Jobmatch

Jobseeker's Grant

Parent Plus

Project Work

Independent Living (1993) Fund

Industrial Injuries Disablement Benefit

Reduced Earnings Allowance

Retirement Allowance

Severe Disablement Allowance

Vaccine Damage Payments

War Disablement Pension

Training for Work

Travel to Interview

Income Support

Social Fund payments—Community Care Grants, Budgeting Loans, Crisis Loans, Cold Weather Payments, Maternity Payments, Funeral Payments

Free NHS Dental Treatment and Check-Ups

Child Benefit

Child Benefit (Lone Parent)

Family Credit

Guardians Allowance

Maternity Allowance

Maternity Payment from the Social Fund

Child Maintenance Bonus

Refunds on NHS Sight Tests and Spectacle Vouchers

Wigs and Fabric Supports

Hospital Travel Costs

Assisted Prison Visits

Milk Tokens and Vitamins

Widows Payment and War Widows Pension

Christmas Bonus

Local Government

Housing Benefit

Council Tax Benefit

Residential Care Homes and Nursing Homes.

A list of the taxable benefits paid by central government is given in the following table, along with the forecast tax yield from each benefit in 1998–99.

Benefit	*Yield in a full year from taxing benefit (£ million)*
Retirement Pension (including SERPS and over 80s additions)	2,200
Widow's Pension and Widowed Mother's Allowance	150
Invalid Care Allowance	20
Contributory Jobseekers Allowance	60
Income Based Jobseekers Allowance	100
Statutory Maternity Pay	90
Incapacity Benefit received for more than 28 weeks of incapacity	130
Industrial Death Benefit	5

Statutory Sick Pay is a taxable benefit which is mainly paid by employers. It is not possible to provide a reliable estimate of the tax yield from the benefit.

A complete list of benefits could be provided only at disproportionate cost.

Debts

Miss Widdecombe: To ask the Chancellor of the Exchequer how many and what percentage of outstanding debts to the Inland Revenue and Customs and Excise were recovered by his Department over the most recent period for which figures are available; what methods were employed; and in what percentage of cases litigation was pursued. [23504]

Dawn Primarolo: Customs and Excise's debt management objective in 1996–97 was to ensure that month end arrears did not exceed 2.3 per cent. of 12 months payment trader liability. This was achieved with a figure of 2.21 per cent. Approximately 5 million separate debts were referred to Inland Revenue local offices in the year ending 31 October 1996, of which approximately 50 per cent. (2.5 million) were paid in that period.

In the first instance, both Departments will issue a letter to the taxpayer. Inland Revenue may also telephone or visit the taxpayer's home or business premises before recovery action is taken.

The method of recovery adopted will depend on the circumstances and nature of any particular case. Inland Revenue local offices will consider granting a period of time in which to pay, taking distraint action, commencing summary proceedings or instigating county court proceedings or similar actions in Scotland and Northern Ireland. If necessary, cases will be referred to the Inland Revenue's special enforcement offices for further action, including winding up or bankruptcy proceedings. Customs, in addition to granting a period of time in which to pay, would levy distress by certificated bailiffs (or sheriff officers in Scotland), or the use of court process which may lead to bankruptcy or winding up. In addition, Customs may, in appropriate cases, support voluntary arrangement proposals received from debtors.

Miss Widdecombe: To ask the Chancellor of the Exchequer what is his estimate of the expenditure incurred by the Inland Revenue and by Customs and

Excise in the recovery of debts for the most recent period for which figures are available; and what was the total amount recovered as a result. [23503]

Dawn Primarolo: In the financial year 1996–97, the expenditure incurred by Customs and Excise and Inland Revenue in the recovery of debt was £37 million and £165 million respectively.

It is not possible to quantify the amount recovered as a direct result of that expenditure. In the financial year 1996–97, Customs discharged £2.5 billion of debt, which included tax collected, tax written off as irrecoverable at the time and accounting adjustments. The Inland Revenue does not separately measure the total amount of overdue tax that is collected as a direct result of action taken to pursue it during the year.

Miss Widdecombe: To ask the Chancellor of the Exchequer what is his estimate of the total value of debts outstanding to the Inland Revenue and Customs and Excise; what resources are being devoted by his Department to their recovery; and what is the average age of such debts. [23502]

Dawn Primarolo: Customs and Excise estimates that, on average, some £1,400 million of unpaid liability is in the system at any one time. The total value of debts outstanding to the Inland Revenue at 31 October 1996—the latest date for which figures are available—was approximately £4.4 billion.

During the financial year 1996–97, Customs and Excise allocated £37 million to debt recovery, and the cost involved in Inland Revenue recovering debt was £165 million.

At the end of the financial year 1996–97, Customs and Excise estimates that approximately 68 per cent. of unpaid liability was less than six months old. The Inland Revenue estimates that £2.5 billion had been outstanding for more than three months at 31 October 1996.

EMU Preparation Unit

Mrs. May: To ask the Chancellor of the Exchequer if he will make a statement on the establishment of the EMU preparation unit in his Department, with particular reference to the terms of reference for the unit, and its membership. [24118]

Mrs. Liddell: The euro preparations unit in HM Treasury has been established to help preparations for EMU. Its aims are to ensure UK business and public authorities are ready for the introduction of the euro in other EU countries on 1 January 1999 and to complete the necessary planning and preparation to enable UK entry early in the next Parliament, if this is what the Government, Parliament and people decide. The Government are committed to ensuring that businesses in the United Kingdom are ready for the introduction of the euro in other countries in 1999. The Unit will comprise around 15 members of staff drawn from the Treasury, DTI, other Government Departments, and business. As part of its work, it will support the Standing Committee on preparations for EMU and other similar bodies.

MIRAS

Mr. Moore: To ask the Chancellor of the Exchequer what was the cost of mortgage interest relief at source in Scotland for (i) 1995–96 and (ii) 1996–97; and what is his provisional estimate for MIRAS in Scotland for 1997–98. [24393]

Dawn Primarolo: The cost of mortgage interest relief in Scotland was estimated to be £200 million in 1995–96 and £180 million in 1996–97. The amount of relief given through MIRAS—mortgage interest relief at source scheme—was estimated to be £190 million in 1995–96 and £170 million in 1996–97.

These estimates are based on the regional distribution of the cost of mortgage interest relief from analyses of family expenditure surveys up to 1995–96. The estimates for 1996–97 are projections based on applying the same regional distribution as in 1995–96 to the total figure for 1996–97. It is not possible to provide reliable estimates below United Kingdom level for 1997–98.

VAT (School Uniforms)

Mr. Loughton: To ask the Chancellor of the Exchequer what estimate he has made of the impact on revenue of zero rating for VAT purposes if applied to items of clothing and footwear for use only as part of an approved school uniform, for schoolchildren under the age of 16 years. [24435]

Dawn Primarolo: None. This information is not available and could be provided only at disproportionate cost.

Child Benefit

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the tax revenue derived in *(a)* the current year and *(b)* the two previous financial years from the taxation of child benefit (i) on the present individual tax base and (ii) on the basis of a household tax assessment system. [24009]

Dawn Primarolo *[holding answer 20 January 1998]:* Child benefit is not liable to income tax. If it had been taxed over the past three financial years (including the current year), the estimates of the tax yield are given in following table.

Yield in a full year (£ million)

	1995–96	*1996–97*	*1997–98*
Child Benefit taxed as:			
Father's or lone mother's income	1,300	1,300	1,400
Mother's or lone father's income	700	700	700

These estimates are given on the basis of the system of independent taxation.

Fuel Poverty

Dr. Iddon: To ask the Chancellor of the Exchequer if he will extend the reduced rate of VAT on energy efficient products used in Government-sponsored schemes for people in fuel poverty, proposed in his pre-budget paper, to all products manufactured for the purposes of energy efficiency. [24505]

Dawn Primarolo: EC VAT law does not at present permit an unrestricted reduced rate for energy efficient products. As the Chancellor of the Exchequer announced in his pre-Budget statement on 25 November 1997, *Official Report*, colums 773-98, we shall be raising the matter with our European partners to explore the possibility of change.

Exchange Rate

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list the changes in the real and nominal exchange rate of sterling against deutschmark *(a)* for each quarter of the last three years and *(b)* in total; and what assessment he has made of the impact of these changes on (i) German exports to the United Kingdom and (ii) the balance of payments between the United Kingdom and Germany. [24732]

Mrs. Liddell: The real and nominal exchange rate movements of sterling against the deutschmark from 1994Q4 until 1997Q4 are given in the table. The effects of exchange rate movements on the balance of payments are difficult to isolate. However, recently the UK's deficit on trade in goods with Germany has been similar to its level three years earlier.

Period	*Nominal exchange rate change percentage, DM/£*[1]	*Real exchange rate change percentage, DM/£*[2]
1994Q4–1995Q1	–4.4	–3.3
1995Q1–1995Q2	–4.7	–3
1995Q2–1995Q3	0.9	2.7
1995Q3–1995Q4	–1.3	0
1995Q4–1996Q1	1.3	2.7
1996Q1–1996Q2	3.1	4
1996Q2–1996Q3	0.4	0.9
1996Q3–1996Q4	7.2	8.7
1996Q4–1997Q1	8	9.3
1997Q1–1997Q2	3.7	4.9
1997Q2–1997Q3	4.6	5.8
1997Q3–1997Q4	–0.7	1
Total exchange rate change	18.8	24.3

[1] A minus sign denotes depreciation of sterling.
[2] Nominal exchange rate changes adjusted for changes in relative consumer prices.

Mr. Mitchell: To ask the Chancellor of the Exchequer what representations he has made to his counterparts in Germany and France about *(a)* their monetary and exchange rate policies and *(b)* the impact of those policies on the exchange rate of the deutschmark and franc against sterling. [24734]

Mrs. Liddell: The Chancellor meets his German and French counterparts on a regular basis, including at ECOFIN, where monetary policy and exchange rate issues are regularly discussed.

Unemployment Figures

Dr. Cable: To ask the Chancellor of the Exchange if he will calculate the current level of unemployment on *(a)* a claimant basis and *(b)* labour force survey basis rebased to the methodology used for calculating unemployment in (i) 1980, (ii) methodology used for calculating unemployment in (i) 1980, (ii) 1985 and (iii) 1990. [25233]

Mrs. Liddell: The information requested falls within the responsibility of the chief executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Dr. Vincent Cable, dated 27 January 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on calculating the current level of unemployment on (a) claimant basis and (b) labour force survey basis rebased to the methodology used for calculating unemployment in (i) 1980, (ii) 1985 and (iii) 1990.

The ONS measure of unemployment, derived from the Labour Force Survey (LFS), is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO) and counts as unemployed people who are: a) without a paid job; b) available to start work within the next two weeks and c) have either looked for work in the last four weeks or are waiting to start a job already obtained.

ONS also published figures on the number of people who are claiming Jobseeker's Allowance or National Insurance Credits. This is published monthly and is known as the Claimant Count.

Labour Force Survey

The ILO definition of unemployment has been used for the LFS since 1984. Prior to this a slightly different definition was used. Data on both definitions is published for 1984. The ILO definition produced slightly higher estimates. The ILO definition was adopted in order to be consistent with international practice. The information required to calculate unemployment according to the old definition is no longer collected and any estimation would be speculative.

Claimant Count

It is not possible to calculate the current claimant count under any previous coverage as it is impossible to know how many people would be registered unemployed now, on the basis of old procedures which no longer exist. The effect of changes in the coverage of the monthly count vary over time. Attempting to calculate their effects today would involve speculative estimates about economic, demographic and other factors.

Sterling (Trade-weighted Value)

Dr. Cable: To ask the Chancellor of the Exchequer what estimate he has made of the impact of a 10 per cent. rise in the trade-weighted value of sterling on *(a)* real GDP, *(b)* manufacturing output, *(c)* manufacturing employment, *(d)* export volumes and *(e)* import volumes. [25232]

Mrs. Liddell: The effects of a rise in the exchange rate are difficult to isolate and estimate with confidence. Generally, a sterling appreciation in the short term will tend to lead to lower GDP, manufacturing output, employment, and exports, and to higher imports, all compared to what they otherwise would have been. But such effects may be masked by other factors such as the relative strength of demand in the UK compared with the rest of the world and policy responses.

Economic Crisis (East and South-East Asia)

Dr. Cable: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the East and South-East Asian financial and economic crisis on British GDP growth in 1997–98, 1998–99 and 1999–2000 and on the volumes of United Kingdom exports and imports in those years. [25225]

Mrs. Liddell: Financial difficulties to date in Asia are not expected to have a major direct impact on the UK economy, but the situation is still evolving and is being kept under close scrutiny.

Self-assessment

Mr. Webb: To ask the Chancellor of the Exchequer what he expects to be the effect in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 on Inland Revenue manpower of the move to self-assessment; and if he will estimate the effect of the change on the running costs of the Inland Revenue. [24714]

Dawn Primarolo *[holding answer 22 January 1998]:* The move to self-assessment will reduce Inland Revenue manpower by nil in 1997–98, by 1,400 man years in 1998–99 and by a further 1,600 man years in 1999–2000. Once the transitional costs of introducing the system have disappeared, self-assessment is expected to reduce Inland Revenue running costs by around £70 million per annum.

Mr. Webb: To ask the Chancellor of the Exchequer what revenue he expects the Government to receive from £100 fines on taxpayers who file their return after the 31 January deadline. [24715]

Dawn Primarolo *[holding answer 22 January 1998]:* The Government have not included any specific amount for these penalties in their forecast receipts. These penalties exist solely to deter late filing, and the Government would much prefer that taxpayers file their returns on time than incur penalties for late filing. The normal penalty charge will be £100, but where the tax payable is less than this, the penalty will be reduced to an amount equal to the tax liability.

House Repairs (VAT)

Mr. Chope: To ask the Chancellor of the Exchequer what is the Government's policy towards the proposal of the EU Commission that there should be a three-year trial period during which member states of the EU can impose a 5 per cent. rate of VAT on repairs to domestic housing; and if he will make a statement. [24770]

Dawn Primarolo *[holding answer 22 January 1998]:* The Commission's suggestion that member states should be able to opt to apply a reduced rate experimentally to certain labour-intensive services has yet to be discussed by the ECOFIN Council, or indeed to be presented as a formal legislative proposal. The Government are carefully considering this proposal. There is, though, little evidence yet to convince us of the usefulness of reduced rates of VAT as a means of increasing employment or assisting small businesses.

The UK has a £49,000 registration threshold for VAT, which already allows a small labour-intensive business, such as a builder doing house repairs, to trade legitimately without charging VAT.

Personal Pension Plans

Mr. Webb: To ask the Chancellor of the Exchequer how many personal pension plans were terminated in 1994–95 by individuals below the minimum pension age of the scheme; and how much had been paid into those schemes by the Exchequer in the form of income tax relief on contributions. [25523]

Mrs. Liddell: We do not collect this information.

Economic Indicators

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the percentage increase in the *(a)* GDP deflator and *(b)* headline retail prices index in each year from 1986–87 to 1997–98; and if he will make a statement. [24742]

Mrs. Liddell *[holding reply 23 January 1998]:* Annual average inflation rates for the GDP deflator and the headline retail price index (RPI) are shown in the table. The table also shows figures for the RPI excluding mortgage interest payments (RPI ex MIPs), which is the Government's target measure.

Annual average inflation rates for financial years

Percentage change on previous financial year

Financial year	*GDP deflator*	*Headline RPI*	*RPI ex MIPs*
1986–87	3.0	3.2	3.4
1987–88	5.3	4.0	3.7
1988–89	6.7	6.0	5.1
1989–90	7.0	7.8	6.0
1990–91	8.0	9.7	8.7
1991–92	6.4	4.8	6.1
1992–93	4.2	3.1	4.1
1993–94	2.9	1.7	28.8
1994–95	1.5	2.7	2.4
1995–96	2.7	3.3	2.8
1996–97	2.8	2.4	3.0
Forecast 1997–98	[1]2.75	[2]3.6	2.75

[1] Pre-Budget Report forecast.
[2] Calendar year 1997. The Government do not publish forecast for the headline RPI.

For the Pre-Budget Report, the National Audit Office audited the consistency of the assumptions for a range of price indices, including the GDP deflator and the headline RPI, with the projected path for RPI ex MIPs. The Auditory General and Comptroller concluded:

> "There is a reasonable consistency between the assumed trends in the indices, subject to the inevitable uncertainty of projecting relative price movements."

Tax (Advance Clearance Procedures)

Mr. Gibb: To ask the Chancellor of the Exchequer (1) what assessment he has made of the level of staff required to run an advance clearance department at the Inland Revenue in the event of a general tax anti-avoidance provision being implemented; and what estimate he has made of the annual operating costs of such a department; [24848]

(2) how many applications there were under each of the advance clearance procedures in tax legislation for each year since 1990; [24876]

(3) what representations his Department has received *(a)* in favour and *(b)* against a general tax anti-avoidance provision; [24849]

(4) if he will list those provisions in tax legislation which currently provide for an advance clearance procedure; [24847]

(5) how many staff at the Inland Revenue work on advance clearance procedures; and what was the cost of employing such staff in each of the last three years. [24877]

Dawn Primarolo *[holding answers 23 January 1998]:* The statutory advance clearance procedures for which details are available of the number of applications, are as follows:

	s. 138 Taxation of Chargeable Gains Act 1992	*s. 215 Income and Corporation Taxes Act 1988*	*s. 225 Income and Corporation Taxes Act 1988*	*s. 707 Income and Corporation Taxes Act 1988*[1]
1990	2,686	209	1,206	4,164
1991	2,285	190	1,224	3,700
1992	2,054	160	1,348	3,470
1993	2,077	185	1,216	3,567
1994	2,254	191	1,399	3,903
1995	2,458	227	1,565	4,232
1996	2,744	227	1,756	4,642
1997	3,036	273	1,958	5,500

[1] These figures include repeat applications and letters supplying information in support of previous applications.

It is not possible to give precise staff and cost figures for these clearances, as some of the staff involved have other duties, but approximately 15 staff units are presently employed on this clearance work at an approximate pay-bill cost of £500,000 per annum.

In response to the hon. Gentlemen's questions about representations received concerning a general anti-avoidance rule, I would refer him to the answer given by the Chancellor of the Exchequer to the hon. Member for Surrey Heath (Mr. Hawkins) on 15 January 1998, *Official Report*, column *305*.

It is too early for an assessment to be made of the staffing needs and operating costs of any unit dealing with advance clearances.

VAT

Mr. Baker: To ask the Chancellor of the Exchequer what was the total value added tax income generated from value added tax registered *(a)* artists, *(b)* sculptors, *(c)* designers, *(d)* authors, *(e)* journalists and *(f)* composers for each year since 1993. [24744]

Dawn Primarolo *[holding answer 26 January 1998]:* The information requested is not available.

IT Equipment

Mrs. May: To ask the Chancellor of the Exchequer if he will make a statement on the Government's policy on the use of framework contracts for the purchase of IT equipment and services by the public sector. [25457]

Mr. Geoffrey Robinson *[holding answer 26 January 1998]:* Departments and other public bodies are individually responsible for the procurement of goods and services. The Government's policy is that they should achieve value for money, normally through competition. One of the options open to them in the field of IT equipment and services is to make use of framework contracts entered into by CCTA following competitive procurement.

Maastricht Treaty

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what assessment Her Majesty's Government have made of the argument advanced by the Bank of England in the papers circulated at the symposium on 20 January 1998 on the application of regulations stemming from article 109I of the Maastricht treaty to the United Kingdom and their treatment by English courts; and if he will make a statement. [25036]

Mrs. Liddell *[holding answer 26 January 1998]:* The Bank of England advanced no such amendment.

Sir Teddy Taylor: To ask the Chancellor of the Exchequer if he has come to a decision on the issue, relating to article 109L of the Maastricht treaty raised in paragraph 4, page 86 of the paper circulated by the Bank of England at the symposium on 20 January 1998, and if he will make a statement. [25037]

Mrs. Liddell *[holding answer 26 January 1998]:* Given the views of the financial sector, the Government do not believe that there is a need to introduce any additional national legislation in this area.

Inheritance Tax

Mr. Swinney: To ask the Chancellor of the Exchequer what were the receipts from inheritance tax; and what were the costs of collection in each year since 1990. [25040]

Dawn Primarolo: I refer the hon. Member to the answer I gave to the hon. Member for East Worthing and Shoreham (Mr. Loughton) on 19 December 1997, *Official Report*, column *337*.

Export Licences (Turkey)

Mr. Corbyn: To ask the Chancellor of the Exchequer under which military list headings of an export licence the export by a UK company of ammunition production equipment to Turkey would fall. [25237]

Mrs. Barbara Roche *[holding answer 23 January 1998]:* I have been asked to reply.

The export to any destination of specially designed or modified production equipment for the production of ammunition is controlled under entry ML18 in Part III of Schedule 1 to the Export of Goods (Control) Order 1994 (S.I. 1994/1991). The text of Part III of Schedule 1 is now set out in Schedule 1 to the Export of Goods (Control) (Amendment No. 2) Order 1996 (S.I. 1996–2663).

HOUSE OF COMMONS

Disabled Staff

Mr. Cawsey: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what proportion of Palace of Westminster staff are registered disabled. [25662]

Mr. Kirkwood: Following the introduction of the Disability Discrimination Act 1995 (which came into effect in December 1996) the concept of registered disabled was discontinued. The House, therefore, no longer records the information requested.

However, the House of Commons Disabled Persons' Officer has recently conducted a review and her recommendations include inviting jobholders to say on revised annual appraisal forms whether they consider themselves to have a disability and if so to discuss either with their line manager or with their Departmental Disabled Persons Officer any adjustments which might be needed to help them. The recommendations of the review are currently being considered.

The House of Commons Commission does not have responsibility for other staff in the Palace (e.g. Members' staff, the Metropolitan Police or House of Lords staff).

TRADE AND INDUSTRY

Exports (Kenya)

Mr. Stinchcombe: To ask the President of the Board of Trade if any private companies have been licensed to provide training in riot control to the Kenyan police, military or security units. [24333]

Mrs. Roche: The provision of such training would not require a licence.

Channel Islands (Exports)

Ms Kingham: To ask the President of the Board of Trade what military list and police and paramilitary list items designated ML and PL on the Export of Goods Control Order (1994) have been licensed to the Channel Islands for the periods *(a)* between June 1996 and April 1997 and *(b)* since 1 May 1997; what records her Department holds of subsequent exports from the Channel Islands of these items; and whether they are included in her Department's export licensing statistics under the ECLIPS System. [23585]

Mrs. Roche: The Export Control Organisation's computer databases have been interrogated and the results are as follows.

Between 1 June 1996 and 1 May 1997, 72 standard individual licences and 10 Open Individual Licences were issued for the export to the Channel Islands of goods controlled by Part III of Schedule 1 to the Export of Goods (Control) Order (the so-called "Military List"). Between 2 May and 24 December 1997, 44 standard individual licences and 1 Open Individual Licence were issued for such exports.

This answer should be read in the context of my answer to a question from my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

The Department of Trade and Industry is not the licensing authority for exports from the Channel Islands, although it is generally consulted on individual cases by their officials. A paper record of such consultations is retained by the Department, but details are not entered on the ECLIPS computer database.

Official Engagements

Mrs. Gillan: To ask the President of the Board of Trade if she will list *(a)* the official engagements by the Minister with responsibility for Science and Technology between 1 December 1997 and 15 January 1998, and *(b)* the number of days he has been in the Department between 1 December 1997 and 12 January 1998. [24373]

Mr. Battle *[holding answer 20 January 1998]:* During the period in question, I undertook an extensive programme of official engagements.

Export Licences

Ann Clwyd: To ask the President of the Board of Trade, pursuant to her answer of 11 December 1998, *Official Report*, column *671*, what equipment *(a)* the one arms export licence to Turkey refused and *(b)* the 71 licences granted, covered. [23047]

Mrs. Roche: The Export Control Organisation's computer databases have been interrogated, and the following results were obtained.

Between 2 May and 5 November inclusive, decisions were taken on 73 applications for standard or open individual licences to export to Turkey goods controlled under entries in Part III of Schedule 1 to the Export of Goods (Control) Order 1994 (the so-called "Military List"): 71 standard individual export licences were granted, and one application for such a licence refused; and one open individual export licence was issued. At 5 November, 105 applications were awaiting a decision.

Decisions on applications for standard individual export licences during the period

Rating	*Number of licences granted covering goods with this rating*	*Number of applications refused covering goods with this rating*
ML1	11	1
ML2	9	0
ML3	5	0
ML4	2	0
ML5	3	0
ML6	2	0
ML7	1	0
ML9	4	0
ML10	7	0
ML11	26	0
ML14	2	0
ML16	1	0
ML18	1	0

Decisions on applications for open individual export licences (OIELs) during the period

Rating	*Number of licences granted covering goods with this rating*	*Number of applications refused covering goods with this rating*
ML5	1	0

However, this information should be considered in the light of my answer to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *256–58*.

As regards the additional information requested, it would entail disproportionate cost to make the inquiries necessary under the Code of Practice on Access to Government Information.

Armoured Vehicles (Indonesia)

Ann Clwyd: To ask the President of the Board of Trade what the value was of the export credits extended to support the supply of Alvis armoured vehicles to Indonesia in *(a)* 1995, *(b)* 1996 and *(c)* 1997. [24581]

Mrs. Roche: The values were as follows:

1995: US$108.2 million

1996: £65 million

1997: Zero.

Bankruptcy

Mr. Gordon Prentice: To ask the President of the Board of Trade if she will review the law of bankruptcy with particular reference to the implications of the Landau case on the sequestration of the pensions of bankrupt people; and if she will make a statement. [25059]

Mr. Nigel Griffiths: My right hon. Friend the Secretary of State for Social Security is currently undertaking a wide ranging review of pensions. The review will encompass all relevant legislative provisions and bankruptcy case law impacting on the rights to a bankrupt's pension. It would not be appropriate to make a statement until the outcome of that review is known.

Industrial Tribunals

Mr. Sayeed: To ask the President of the Board of Trade what plans she has to permit employers to submit written testimony to industrial tribunals. [25304]

Mr. Ian McCartney: Parties already submit written representations for consideration by an industrial tribunal at a hearing. However the Government recognise that there may be occasions when parties may wish not to attend a hearing and would prefer that their case is dealt with on written evidence alone.

The Government are, therefore, supporting the Employment Rights (Dispute Resolution) Bill, a Private Peer's Bill, which was introduced in the House of Lords by the right hon. Lord Archer of Sandwell QC on 9 July 1997. This Bill will permit regulations to be made to allow a tribunal to determine cases on written evidence alone—that is, without a hearing—where both parties have given their consent.

Research and Development (North-West)

Mr. Hoyle: To ask the President of the Board of Trade what assistance her Department is giving to research and development in the north-west. [25411]

Mrs. Roche: The DTI is assisting research and development in the north-west primarily through the new SMART initiative, aimed at helping small and medium sized enterprises (SME) to improve their competitiveness by developing new products and processes to the benefit of the national economy. £3.98 million has been offered since 1 April 1997 in the north-west alone (excluding Merseyside). Nationally, DTI provides assistance under the LINK scheme. Since 1988 the Government have spent over £13 million supporting LINK projects in the north-west out of their total commitment of over £18 million.

Other indirect assistance includes joint working with the North West Partnership to produce a Regional Innovation and Technology Action Plan; funding for the North West Regional Industrialist; support for Faraday/Foresight NW; the Teaching Company Scheme; the Post Graduate Training Partnership and College Business Partnerships.

Export Licences (Firearms)

Ann Clwyd: To ask the President of the Board of Trade what was the amount of small arms included in each of the ML1 category export licences granted by her Department in 1995 for the export of small arms to the Channel Islands. [25329]

Mrs. Roche: I will write to my hon. Friend as soon as possible and place a copy of the letter in the Library.

G. S. W. Stewart Ltd.

Mr. Cousins: To ask the President of the Board of Trade if the winding up of the affairs of G. S. W. Stewart Ltd. entered into liquidation in 1991 is now complete. [25038]

Mr. Nigel Griffiths: The conclusion of the winding up of G. S. W. Stewart Ltd., is a matter for the liquidator, but my officials understand that, subject to the agreement of the creditors which will be sought at a meeting to be held in February, the liquidator proposes to conclude his administration as soon as possible by payment of a substantial dividend to unsecured creditors.

SOCIAL SECURITY

Disability Benefits

Dr. Kumar: To ask the Secretary of State for Social Security how many people resident within the boroughs of Redcar and Cleveland and Middlesbrough are currently in receipt of *(a)* disability living allowance, *(b)* mobility allowance, *(c)* attendance allowance and *(d)* incapacity benefit. [24513]

Mr. Denham: The administration of Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Dr. Ashok Kumar, dated 26 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many people resident within the boroughs of Redcar and Cleveland and Middlesbrough are currently in receipt of (a) Disability Living Allowance (DLA), (b) Mobility Allowance (MobA), (c) Attendance Allowance (AA) and (d) Incapacity Benefit (IB).

The information is not available in the format requested. MobA and AA for customers aged under 65 were replaced by Disability Living Allowance in April 1992.

The available information is shown in the attached table.

I hope you find the reply helpful.

Number of people in receipt of benefit at the date shown, by Parliamentary Constituency

Parliamentary Constituency	*Disability Living Allowance (i)*	*Attendance Allowance (ii)*	*Incapacity Benefit (iii)*
Redcar	4,836	1,685	5,280
Middlesbrough	5,992	2,063	4,300
Middlesbrough South and Cleveland East	4,850	1,822	4,280
Hartlepool	5,156	1,863	5,560
Stockton North	4,502	1,653	4,360
Stockton South	3,161	1,253	2,740

1. The boroughs of Redcar and Middlesbrough and the former borough of Cleveland encompass the residents of the Parliamentary constituencies of Redcar; Middlesbrough; Middlesbrough, South and Cleveland, East; Hartlepool; Stockton, North; and Stockton, South.

2. Disability Living Allowance consists of two components, these include a mobility and a care component, which replaced and extended the former Mobility and Attendance Allowance for customers aged under 65.

3. Figures current at (i) 30 November 1997, (ii) 31 August 1997, (iii) 31 August 1997.

4. The figures are based on a 5 per cent. sample of the benefit computer system. The Incapacity Benefit figures exclude a small number of clerically processed cases.

5. Data are provisional and subject to change.

Claimant Statistics

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate the numbers of claimants of each of the disability-related non means-tested benefits in each of the regions of the United Kingdom; indicating the percentage of total claimants in each region and the percentage of the population in each region who receive each benefit. [23665]

Mr. Denham: The information requested is set out in tables, copies of which have been placed in the library. Figures for people currently overseas are not listed separately, but are included in the figures for the United Kingdom.

Compensation Payments (CSA)

Mr. Stringer: To ask the Secretary of State for Social Security if she will list the number of compensation payments made by the CSA in each £50 band in the last year for which figures are available. [25463]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. Graham Stringer, dated 26 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about Child Support Agency compensation payments. These are referred to as special payments.

Information is collected in broader bands than requested. The table below shows the number of payments made to customers during the 1996/97 year, compared with the Agency's live and assessed caseload of over half a million in February 1997.

Number of Special Payments made in 1996–97

Band	*Number of payments*
Under £100	257
Between £100 and £499	334
Between £500 and £999	180
Over £1,000	212

Child Support Agency Live and assessed caseload at 28 February 1997—579,200.

I hope this is helpful.

Disability Living Allowance

Mrs. Ewing: To ask the Secretary of State for Social Security (1) how many people in receipt of disability living allowance have, in the last year for which figures are available, been re-assessed under the provisions of the Disability Integrity Project; and what percentage this represents of the total number to be re-assessed; [23650]

(2) how many Benefits Agency staff have received additional training for the re-assessment of those in receipt of disability living allowance; and how many of these staff have medical qualifications. [23651]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent.

Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mrs. Margaret Ewing, dated 26 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

The number of people in receipt of Disability Living Allowance (DLA) that have been re-assessed as part of the BIP is 33,490. This figure covers the period from 6 May 1997, when the first questionnaires were sent out, to 30 November 1997. It represents 8.12% of the total number due to be looked at as part of this project and refers to cases where the process has been completed.

The training of Benefits Agency Staff for the BIP consists of two strands, procedural and visiting. All staff, approx 240, engaged with the operational processing of BIP cases received procedural training. Those staff undertaking visiting officer duties, approx 130, attended a specially designed training course covering all aspect of visiting techniques, including a session prepared and delivered by members of the Disablement Income Group. Training courses are ongoing for replacement staff.

The determination of awards of DLA is undertaken by an independent Adjudication Officer (AO) who will consider the effects of a disability on a person's every day life rather than the nature of the disability itself. Whilst all AOs receive extensive training on the effects of illness, there is no requirement for officers to have any formal medical qualifications.

I hope you find this reply helpful.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Social Security if she notifies potential purchasers of obsolete information technology equipment sold by her Department that such equipment may not be millennium compliant. [25616]

Mr. Keith Bradley: The Department has a contract with a third party for the disposal of information technology equipment. The third party is made aware of any equipment that is not Year 2000 compliant.

SERPS

Mr. Duncan Smith: To ask the Secretary of State for Social Security what estimate she has made of the cost of the uprating of the National Insurance rebate for Serps in each of the next five years. [25924]

Mr. Denham: The existing rebates are not specified beyond the 2000–01 tax year, so it is not possible to make precise estimates of the cost to the National Insurance Fund beyond that year. For information on the three years up to and including 2000–01 I refer the hon. Member to the written answer I gave the hon. Member for Northavon (Mr. Webb) on 26 January 1998, *Official Report*, column *116*.

Welfare Reform

Mr. Duncan Smith: To ask the Secretary of State for Social Security what is the planned date of publication for the Minister for Welfare Reform's Green Paper on welfare reform. [25921]

Mr. Field: I refer the hon. Member to the written answer given to the hon. Member for Lewes (Mr. Baker) on 26 January 1998, *Official Report*, column *104*.

Benefit Fraud Inspectorate

Mr. Duncan Smith: To ask the Secretary of State for Social Security what the running costs of the Benefit Fraud Inspectorate were in the last year for which figures are available. [25922]

Mr. Denham: The running costs for the initial set up of the Benefit Fraud Inspectorate, which commenced in October 1996 were £404,458.

Child Benefit

Mr. Willetts: To ask the Secretary of State for Social Security what plans the Government have to change the entitlement to child benefit for 16 to 18 year olds. [25108]

Mr. Keith Bradley: I refer the hon. Member to the written answer given to the hon. Members for Aldershot (Mr. Howarth) and for New Forest, East (Dr. Lewis) on Monday 26 January 1998, *Official Report*, columns *103-04*.

Mr. Willetts: To ask the Secretary of State for Social Security how many individuals receiving child benefit are estimated to be paying income tax at the higher rate; and how many live in families where their partner is estimated to be paying tax at the higher rate. [25104]

Mr. Keith Bradley: An estimate for 1997–98 from the 1995–96 Family Resources Survey based Policy Simulation Model (PSM) suggests there are around 120,000 individuals receiving child benefit and paying income tax at the higher rate. The PSM also estimates that there are around 855,000 individuals receiving child benefit where their partner is paying tax at the higher rate. The estimates should be treated with some caution as they are based on survey data which use current weekly income which may not accurately represent current annual tax liabilities. Estimates may also be influenced by sampling error and response rates.

Note:

1. All figures are rounded to the nearest 5,000.

Cold Weather Payments

Mr. Corbyn: To ask the Secretary of State for Social Security what assessment her Department has made of the costs of introducing a winter payment system for fuel instead of the cold weather payment; and if she will make a statement. [17366]

Mr. Denham *[holding answer 25 November 1997]:* Average expenditure on the Cold Weather Payment scheme over the last three winters was £35 million per year. If the scheme were replaced and everyone eligible for a Cold Weather Payment (around three million people) was given an automatic payment without the recorded or forecast temperature provision needing to be satisfied, the cost would depend on the level of the payment made. For example, for every £10 paid to each eligible person, the cost would be in the region of £30 million.

On 25 November 1997, *Official Report*, column 780, the Chancellor announced additional help of £400 million over this winter and next to provide extra help to almost

10 million pensioners towards their winter fuel bills (further details were announced on 5 January). This help is in addition to the existing help with fuel bills to pensioners, such as Cold Weather Payments and action the Government have already taken to cut fuel costs and make homes easier to heat.

WALES

Agriculture Council

Mr. Denzil Davies: To ask the Secretary of State for Wales how many meetings of the Council of Agriculture Ministers of the European Union he has attended. [23604]

Mr. Win Griffiths: None to date. In line with long established practice, my right hon. Friend the Minister of Agriculture, Fisheries and Food takes the lead in European Community discussions and negotiations with a Senior Welsh Office Agriculture Department Official normally attending Agriculture Council meetings. My right hon. Friend the Secretary of State for Wales met Commissioner Fischler, the European Commissioner for Agriculture and Rural Development, on 11 July 1997 and 8 January 1998 and he proposes to attend a Council meeting when the items on the agenda are particularly relevant to Welsh agriculture.

Referendum

Mr. Ancram: To ask the Secretary of State for Wales what was the source of his information that the 6,000 majority in favour of the yes campaign at the Caerphilly count came from the Caerphilly constituency; and if he will make a statement. [23606]

Mr. Ron Davies: Like all other local counts in Wales, the 6,000 majority is ascribable only to the whole borough. I have no information, beyond the opinion of local party workers, that could substantiate the right hon. Member's claim.

Health Inequalities

Mr. Barry Jones: To ask the Secretary of State for Wales what mechanisms he proposes to tackle inequalities in health in Wales. [25309]

Mr. Win Griffiths: We will shortly be publishing a consultation document which will provide the basis for a new public health strategy for Wales. This will be followed by an Action Plan in the Autumn. The strategy is intended to tackle the inequalities in health status in Wales. Collaboration between the NHS, local government, commerce, voluntary agencies and individuals will be essential, with partners sharing the responsibility for promoting better health.

NORTHERN IRELAND

Health Service Reorganisation

Mr. Godman: To ask the Secretary of State for Northern Ireland when she expects to announce changes to the structure of the Health Service; when she intends to reorganise the health and social services boards and trusts; and if she will make a statement. [22739]

Mr. Worthington: My Department expects to publish a major consultation paper on new arrangements to replace the internal market for health and social services in Northern Ireland in February. The paper will set out broad policy aims and objectives which parallel those in the White Paper "The New NHS, Modern and Dependable", and will seek views on how the policy should be taken forward in Northern Ireland. Following the consultation process, the Government will announce specific proposals for changes to the health and social services later in the year. We have recently produced a policy paper "well into 2000" which sets out our vision of the health service which a new structure must serve.

Castle Buildings Talks (Costs)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what have been the total costs of the talks at Castle Buildings to date; how much *(a)* has been paid by and *(b)* is outstanding from the Irish Government; and how much has been paid to or on behalf of the three independent chairmen, broken down between expenses and taxable remuneration. [22805]

Mr. Paul Murphy: The information requested, up to 30 November 1997, is as follows:

	£
Payments to Elected Delegates	675,057.40
Payments to Party Support Staff	108,341.85
Party Allowance and Research Grants	621,249.80
Independent Chairmen and Aides—Expenses	26,506.88
Remuneration	319,711.20
Accommodation	254,630.54
Travel	418,091.92
Subsistence	36,878.32
Block B, Castle Buildings:	
(a) Initial set-up costs	266,000.00
(b) Operational costs	955,553.03
Additional NIO staff costs:	589,311.43

The Irish Government are bearing an equal share of the running costs of the multi party negotiations, excluding any in respect of Strand One.

During the period 10 June 1996 to 30 November 1997, under this agreement, the Irish Government have been invoiced for, and have paid, a total of £1,359.701.52 sterling.

Chiropody and Podiatry

Angela Smith: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 17 November 1997, *Official Report*, column 27, when it became her policy to have priority groups for the provision of NHS chiropody services; how this policy was communicated to boards and trusts; and what notification she has received regarding *(a)* increases and *(b)* reductions in services for the priority groups in the present year or next year. [22563]

Mr. Worthington: This policy originated prior to the reorganisation of the health and personal social services in Northern Ireland in 1973, when chiropody services were limited mainly due to a shortage of professional staff. It was in this context that Boards were advised of the priority groups in a Departmental Circular issued in 1974, but these continue to apply where services have to be

targeted on those in greatest need within available resources. As I indicated in response to a question from my hon. Friend on 17 November 1997, *Official Report*, column *26*, Health and Social Services Boards and Trusts are not required to notify the Department of reductions or increases in particular services and, for the present or next year, none has.

Tree, Catherine Street, Limarady

Mr. William Ross: To ask the Secretary of State for Northern Ireland what steps she intends to take to replace the tree removed by the Department of the Environment for Northern Ireland in Catherine Street, Limarady on 13 January. [23496]

Mr. Paul Murphy: As part of the ongoing Environment Scheme a semi-mature tree will be planted as close as possible to the site of the original tree. This tree will be replaced in about two years' time by a lime tree with grafting from the original tree.

Mr. William Ross: To ask the Secretary of State for Northern Ireland for what reasons her Department removed the mature tree on Catherine Street, Limarady on 13 January which was a gift from the Right hon. Wm. F. Massey P. C., former Prime Minister of New Zealand. [23495]

Mr. Paul Murphy: The position of the tree has long been a problem regarding access to the fire station and businesses located off an adjoining entry. The basalt surround to the tree was damaged by vehicles on numerous occasions and each time it had to be rebuilt.

Road Traffic Law

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will make a statement on the differences between Northern Ireland Road Traffic law and that in Great Britain; and what steps are being taken to ensure uniformity. [23695]

Mr. Paul Murphy: Northern Ireland's road traffic law is broadly similar to that in Great Britain. Notable differences include:

1. Provisions requiring drivers after passing their driving test to display "R" (restricted) plates on any vehicle they are driving and not to exceed 45 mph have been in Northern Ireland's road traffic law since 1968. Learner drivers are also restricted to 45 mph. These provisions have not been replicated in Great Britain;
2. Northern Ireland's driving licences have a maximum duration of 10 years, whereas driving licences in Great Britain can remain valid up to age 70 before renewal. This difference exists because Northern Ireland licences also have photographic counterparts which have to be renewed at 10-year intervals to update the currency of the photographs as true likenesses;
3. provisions have not yet been enacted to enable drivers with certain disabilities to be authorised, in certain circumstances, to give paid driving instruction;
4. in Northern Ireland taxis are licensed under road traffic law rather than local government legislation as in Great Britain. It is envisaged that in future the taxi licensing provisions will be incorporated in a new Public Passenger Vehicles Order which apart from the taxi provisions, will largely replicate the Public Passenger Vehicles Act 1981;
5. there is no power in Northern Ireland to wheelclamp illegally parked vehicles;
6. enforcement of parking restrictions in Northern Ireland is carried out by police and traffic wardens, whereas in Great Britain they may be enforced by local authorities;
7. Northern Ireland does not have the same degree of provision in relation to the regulation of heavy commercial traffic.

Steps taken to introduce (where relevant) closer harmony with the law in Great Britain have resulted in three Orders in Council since 1995.

(a) The Road Traffic (NI) Order 1995 reviewed the road safety and construction and use of vehicles provisions and generally brought them into line with their GB counterparts.

(b) The Road Traffic Offenders (NI) Order 1996 amended the prosecution and punishment provisions of road traffic law and introduced a penalty points scheme and extended driving tests for the most serious driving offences.

(c) The Road Traffic Regulations (NI) Order 1997 dealt with regulating the movement on roads and the parking of vehicles and took account of current road traffic law in Great Britain.

A draft Road Traffic (New Drivers) (NI) Order was laid before Parliament on 11 December 1997. That Order proposes to introduce new road safety measures relating to new inexperienced drivers similar to those in place in Great Britain.

GB provisions on road traffic matters are not usually extended directly to Northern Ireland because of the difference in the responsibilities of local government in the two areas and certain differences in local conditions, such as the nature and extent of traffic problems encountered.

Civil Service

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 1 December 1997, *Official Report*, columns *8–9*, if she will make a statement on the rates of growth in Catholic and Protestant representation in the Northern Ireland Civil Service; and what steps she is taking in regard to future trends in representation. [23692]

Mr. Paul Murphy: The Northern Ireland Civil Service (NICS) aims to create a position where Protestants and Roman Catholics are fairly represented at all levels in the organisation. There is a strong evidence of compositional change in the NICS-workforce since monitoring was introduced in 1985. At a macro level Protestants now represent 59.2 per cent. of the Non-Industrial Service and Roman Catholics 40.8 per cent. compared with 64.3 per cent. and 35.7 per cent. in 1985. Protestants and Roman Catholics are now fairly represented among a significant proportion of the Services' occupational groups and at most grade levels up to around Staff Officer and equivalent levels, which account for some 87 per cent. of the total workforce. Roman Catholic under-representation remains evident among the senior levels of the various occupational groups and is most apparent at Grade 5 level and above (i.e. the Senior Civil Service).

The Service has taken a number of steps within the law designed to achieve a more balanced workforce at the more senior levels, whilst adhering strictly to the merit principle in both its recruitment and internal promotion practices. These include the use of positive action advertising in appropriate circumstances and the removal of various internal barriers to promotion to encourage a better flow of staff from lower to higher grades within and between Departments.

Further detailed information on significant equal opportunity developments, trends in composition, affirmative action measures and goals and timetables can be found in the Department of Finance and Personnel's "Sixth Report of the Equal Opportunities Unit" which was published on 31 October 1997, copies of which are available in the Library.

Departmental Staff

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many staff are employed in each Northern Ireland Civil Service Department on *(a)* writing legislation and *(b)* writing procedural guidance consequent upon legislation; and what are the total and average staff costs for each department. [24169]

Mr. Paul Murphy: Information in the form requested is not readily available and could be obtained only at disproportionate cost.

Nuclear Reactors

Mr. Baker: To ask the Secretary of State for Northern Ireland if she will list the occasions since 1980 when nuclear reactors have been shut down for safety reasons, indicating in each case the date of shut down, the reason for the shut down and the date on which power generation recommenced. [24753]

Mr. Ingram: Nuclear reactors have never been used for power generation purposes in Northern Ireland.

Fluoridation

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland (1) which Government buildings in Northern Ireland have had their water supplies artificially fluoridated; [25115]

(2) in what quantities the fluoride used to artificially fluoridate Tandragee contains *(a)* arsenic, *(b)* lead, *(c)* aluminium and *(d)* radioactive particles. [25113]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to the Water Service under its chief executive, Mr. Plester. I have asked him to arrange for a reply to be given.

Letter from G. K. Sutton to Rev. Ian Paisley, dated 27 January 1998:

The Secretary of State has asked the Chief Executive, Mr Plester, to reply to your recent parliamentary questions asking if any Government buildings in Northern Ireland such as prisons, military camps, schools, etc, have been artificially fluoridated and in what quantities the fluoride used to artificially fluoridate Tandragee contains arsenic, lead, aluminium and radioactive particles. Mr Pester is out of the office on business and has asked me to respond.

The fluoride content of the public water supply is increased only in water supplied to Tandragee and Holywood (although fluoride of the water supplied to Holywood has ceased temporarily pending replacement of the fluoridation plant).

All schools, libraries, police stations, a military base and other public buildings in Tandragee and Holywood normally receive fluoridated water.

The hexafluorosilicic acid used for fluoridation is an approved water treatment chemical, specified in regulations, for use by the United Kingdom water industry. It is listed by the national 'Committee on Chemicals and Materials of Construction for use in Public Water Supply'. This treatment compound does not contain radioactive particles. Neither is aluminium a recognised constituent of it. Arsenic and lead are present at very low levels in hexafluorosilic acid which is used in the treatment process at the rate of approximately 1 part per million in accordance with regulatory controls. Because of the very high dilution factor these 2 substances pass into supply at concentrations of less than 1 part in billions, which have no impact on Water Service's compliance with EC and national drinking water compliance.

Tuition Fees

Mr. Welsh: To ask the Secretary of State for Northern Ireland what plans he has to pay the fourth year of tuition fees for eligible Northern Irish students beginning degrees at Scottish universities from 1998 onwards; and if he will make a statement. [25417]

Mr. Worthington *[holding answer 26 January 1998]:* The issue remains the subject of ministerial discussion.

Tourism Promotion

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if the recent commission to Lord Lichfield by the British Tourist Authority to take promotional photographs around Britain includes Northern Ireland. [25762]

Mr. Ingram: The British Tourist Authority is responsible for the promotion of England, Scotland and Wales but not Northern Ireland, therefore, its commission to Lord Lichfield did not include Northern Ireland. The Northern Ireland Tourist Board works closely with the BTA in a number of overseas markets and BTA distributes Northern Ireland literature on a commercial basis in certain markets.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland to what extend the Northern Ireland Tourist Board's marketing links with Bord Failte in the Irish Republic restrict it from participation in British Tourist Authority promotions. [25761]

Mr Ingram: Joint marketing to promote the island of Ireland between the Northern Ireland Tourist Board and Bord Failte does not restrict additional joint activity with the British Tourist Authority. The NTB will continue to promote with both organisations to optimise tourism to Northern Ireland.

SCOTLAND

Social Housing

Mr. Sarwar: To ask the Secretary of State for Scotland how much the Government spent in each of the last 10 years on *(a)* new social housing stock and *(b)* maintenance of social housing stock, in (i) Glasgow and (ii) Scotland. [22750]

Mr. Macdonald: Social housing for rent during the period specified has been provided by local authorities, the New Town Development Corporations, Scottish Homes and Housing Associations. The available information on expenditure by these bodies is set out in the tables. For local authorities and New Towns, the Government granted consent to incur expenditure through borrowing and use of receipts. The expenditure contained in the tables for Scottish Homes' own stock and Housing

Associations came from Government grant-in-aid and receipts. In addition, Housing Associations attracted private finance, which is not included in the tables.

Table 1: Public expenditure on construction of new social housing stock

£ million

	Scotland	Glasgow
1991–92	165.521	20.074
1992–93	184.936	26.615
1993–94	192.678	30.774
1994–95	214.695	33.306
1995–96	209.535	38.918
1996–97	189.939	43.997

Table 2: Public expenditure on maintenance of social housing stock

£ million

	Scotland	Glasgow
1991–92	498.158	140.910
1992–93	471.855	131.776
1993–94	471.786	136.364
1994–95	456.140	131.636
1995–96	421.163	117.625
1996–97	329.183	85.818

1. Amounts shown are at cash prices.
2. The local authority figures for 1996–97 are provisional and may be subject to change. The local authority figures for Glasgow are for Glasgow District Council up to 1995–96 and Glasgow City Council for 1996–97.

Private Finance Initiative

Mr. Gorrie: To ask the Secretary of State for Scotland, pursuant to his answer of 12 January 1998, *Official Report*, column *109*, on PFI schemes, what is the capital cost of each scheme; and what agreements for payment have been entered into by each procuring agency. [23493]

Mr. Dewar: The capital value of each project is set out in the table. Payment arrangements vary from project to project. The service payment made in each of the Health PFI deals is a unitary payment based on the availability of the facility (or the acceptance of the IT modules) and the performance of the service. Payments would therefore be reduced if part of the facility (e.g. a ward or an operating theatre) were unavailable for any reason, or if the level of service were to fall below the minimum level stated in the contract.

For the Stirling Further Education Centre, Falkirk College will pay a monthly charge for occupying a fully serviced and maintained facility, the charge being subject to adjustment based on performance by the operator. The College has an option to reduce the space that they occupy with a consequent adjustment in their payments.

Payment arrangements for the M6 DBFO are based on a shadow toll structure under which payments to the operator will be related to the volume of traffic using the road over the project period. Provisions are in place to reduce payments in relation to the economic cost of delays and disruption associated with the operation and maintenance of the road.

For HM Prison Kilmarnock, the prison operator will be paid on the basis of the number of available prisoner places. Payments are subject to deductions for failure to meet agreed levels of performance.

The tariff payment arrangements for the Inverness main drainage and Fort William sewage treatment scheme are based on a banded payment structure which relates payment to the quantity of effluent passed into the sewage works for treatment. The PFI concessionaire will also receive payment for the treatment of additional sewage sludge imported by the water authority.

Revenue to the joint venture consortium for the Baldovie waste to energy plant project will be based on volume based payments for the waste treated and the value of electricity sales. Further details can be obtained from Dundee City Council.

PFI projects in Scotland

Procuring agency	*Project description*	*Capital value £ million*
(a) construction/work underway		
Law Hospital NHS Trust	Provision and operation of a hospital information system	2.5
Grampian Health Board	Provision and operation of a community hospital in Kincardineshire (Stonehaven)	3.8
Perth and Kinross Healthcare NHS Trust	Provision and operation of an integrated healthcare information system	2.3
Victoria Infirmary NHS Trust	Provision of elderly care beds, Mearnskirk Hospital	2.4
Falkirk College	Stirling Further Education Centre	3.6
M6 DBFO	Upgrading and maintenance of A74(M) (M6) between Millbank and Border	160.0
Scottish Prison Service	Bowhouse Prison, Kilmarnock	32.0
(b) legal and financial work completed but construction yet to commence		
North of Scotland Water Authority	Inverness main drainage and Fort William sewage treatment	45.0
Dundee City Council	Baldovie waste to energy plant	43.0

Scottish Parliament

Mr. Gorrie: To ask the Secretary of State for Scotland on what grounds the option to house the Scottish Parliament in a separate new building in the Calton Hill, Regent Road area of Edinburgh was rejected. [24947]

Mr. McLeish: Housing the entire Parliament in a separate new building in the Regent Road area was not considered to be a realistic option. A proposal was put forward which would have involved the construction of a new debating chamber on Regent Road, but it was considered to be less suitable in terms of operational efficiency and less acceptable in terms of visual impact than housing the entire Parliament complex within the curtilage of St. Andrews House.

Mr. Gorrie: To ask the Secretary of State for Scotland what consideration was given to the area around New Street, Edinburgh, as a possible site for the Scottish Parliament. [24949]

Mr. McLeish: The area around New Street, in particular the former bus garage, was considered but rejected as being less suitable than the sites which were subsequently shortlisted.

Mr. Gorrie: To ask the Secretary of State for Scotland on what date the Scottish Office was informed by Scottish and Newcastle that the Holyrood site would be available for the Scottish Parliament. [24950]

Mr. McLeish: Agents acting for Scottish and Newcastle PLC first approached The Scottish Office in October 1997 about the possibility of the Holyrood site being considered. Following detailed discussions with the agents and the company to establish, in particular, when the site was likely to become available my right hon. Friend announced in December that Holyrood had been added to the shortlist of sites under consideration.

Mr. Gorrie: To ask the Secretary of State for Scotland if the plans for the Scottish Parliament at Holyrood involve the closure to vehicular traffic of *(a)* Holyrood Road and *(b)* Horse Wynd. [24948]

Mr. McLeish: The Scottish Office and The City of Edinburgh Council are committed to developing arrangements for improving traffic management around the Holyrood site to create a pedestrian-friendly environment. Proposals will be developed and implemented in time for the completion of the Parliament building.

Land Law Reform

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland if he will make a statement on the progress made so far by his Land Reform Unit; what meetings this unit has held; from which bodies or individuals it has (i) sought and (ii) received evidence on land reform; and when he expects to publish the unit's interim findings. [24568]

Mr. Dewar *[holding answer 26 January 1998]:* The Land Reform Policy Group is making excellent progress and has held three meetings so far. It will be consulting widely: next month about what the most significant problems and issues are; and then in the summer on the best solutions.

The group is also drawing on the large body of literature produced on land matters, including the Scottish Land Commission report which has been sent to me.

I expect the group's final report by the end of this year.

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what representations he has received concerning the establishment of a Scottish land convention to prepare legislation for the Scottish Parliament for the reform of Scotland's land laws; what is his policy on the creation of a Scottish land convention; and if he will make a statement. [24566]

Mr. Dewar *[holding answer 26 January 1998]:* None.

In fulfilment of our Manifesto commitment, the Land Reform Policy Group, chaired by my noble Friend, the Minster of Agriculture, the Environment and Fisheries, has been established to identify and assess proposals for land reform in rural Scotland taking account of their cost, legislative and administrative implications and their likely impact on the social and economic development of rural communities and on the natural heritage.

Land Registration Data Base

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what estimate he has made of the additional resources that would be required to allow the completion of the Scottish land registration data base by 2000; if it is his policy to provide additional resources for the Scottish land registration data base; what plans he has for extending the range of material and information contained in the land data base; and if he will make a statement. [24567]

Mr. Dewar *[holding answer 26 January 1998]:* Information on land in Scotland has been available from the deed-base Register of Sasines since the 17th century. The computerised and map-based Land Register has been gradually replacing it since 1981 and currently covers 14 counties accounting for 60 per cent. of the housing stock in Scotland. It will extend to the whole of Scotland by 1 April 2003. If the extension programme were to be brought forward to 1 April 2000, additional costs of at least £25 million would be required. This sum would cover the costs of registering properties transferring for value in terms of the Land Registration (Scotland) Act 1979. The Registers of Scotland Executive Agency which operates the Land Register is currently involved in piloting the Scottish Land Information System which will provide integrated information services with easy and affordable access to all sources of land and property information in Scotland.

The Land Reform Policy Group is currently considering these issues.

University Tuition Fees

Mr. Welsh: To ask the Secretary of State for Scotland if an applicant to a Scottish university, who is eligible to pay tuition fees, will be liable to pay fourth-year tuition fees if he/she moves their permanent address *(a)* from England to Scotland and *(b)* from Scotland to England on 29 June of the year in which he/she applies. [25334]

Mr. Wilson *[holding answer 26 January 1998]:* The residence eligibility criteria under the new student support arrangements will remain the same as under the existing schemes. The responsible award making body is determined primarily by a student's place of ordinary residence on 30 June of the year in which he or she starts the course. A period of residence wholly or mainly for the purpose of full-time education is not regarded as ordinary residence.

Beef

Mr. Kirkwood: To ask the Secretary of State for Scotland if he will estimate the loss of income sustained by the Scottish beef sector as a result of *(a)* the continuation of the BSE export ban, *(b)* increased cost relating to public health measures in response to the BSE outbreak and *(c)* fluctuations in market prices for livestock in (i) 1995–96, (ii) 1996–97 and (iii) 1997–98. [25238]

Mr. Macdonald *[holding answer 26 January 1998]:* It is difficult to isolate the impact of BSE from other factors affecting the beef sector. However, the results of

the Annual Survey of Farm Accounts show that sales revenue of a specialist beef farm in Scotland's Less-Favoured Area in 1996–97 was down by an average of £4,000 on the previous year. Projections for 1997–98 will be published on January 30.

Mr. Swinney: To ask the Secretary of State for Scotland what plans he has to discuss mechanisms for the early return of Scottish beef to world export markets with European agriculture ministers. [25206]

Mr. Macdonald: My right hon. Friend the Secretary of State maintains a keen interest in BSE matters and the European Commission have been made well aware of the interests of the Scottish beef industry. My noble Friend, Lord Sewel, discusses the lifting of the beef export ban with other European agriculture ministers when he attends EU Agriculture Councils. He discussed the Scottish position with Commissioners Fischler and Bonino when they visited London on 8 January and takes every available opportunity to press Scotland's case.

Mr. Swinney: To ask the Secretary of State for Scotland if he will invite European Union agriculture ministers to meet representatives of the Scottish farming industry to discuss the Scottish beef industry; and if he will make a statement. [25207]

Mr. Macdonald: My right hon. Friend has no current plans to invite European Union Agriculture Ministers to meet representatives of the Scottish farming industry to discuss the Scottish beef industry.

Road Bridges

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland if he will list the *(a)* operating costs, *(b)* maintenance costs and *(c)* revenue from tolls in respect of (i) Erskine, (ii) Skye, (iii) Forth and (iv) Tay road bridges in the last year for which figures are available. [25280]

Mr. McLeish *[holding answer 26 January 1998]:* Information on operating costs, maintenance costs and toll revenue for Erskine, Forth and Tay bridges is set out in the table. The Skye Bridge is operated by Skye Bridge Limited, a private company, and the information requested is not available in this format. I will arrange for a copy of Skye Bridge Limited's published accounts for the year ending 31 December 1996 to be sent to the hon. Member.

£

	Operating costs	*Maintenance costs*[3]	*Toll Revenue*
Erskine Bridge[1]	1,395,344	266,022	3,753,777
Forth Bridge[1]	2,231,903	1,131,870	8,807,024
Tay Bridge[2]	944,000	289,000	3,070,000

[1] Figures for the Erskine and Forth bridges are from the 1996–97 accounts.
[2] Figures for the Tay Bridge are from the 1995–96 accounts.
[3] Maintenance figures cover routine maintenance only.

Duty Free

Mrs. Ewing: To ask the Secretary of State for Scotland what representations he has made to the Treasury concerning the impact on Scottish airports of the loss of intra-European Union duty free. [25213]

Mr. McLeish: The Government are aware of the concerns of Scottish industry about the impact of the abolition of duty and tax free sales within the European Union.

Mrs. Ewing: To ask the Secretary of State for Scotland what representations he has received concerning the economic impact of the loss of intra-European Union duty free on Scottish airports. [25211]

Mr. McLeish: A representation has been received from one company.

Mrs. Ewing: To ask the Secretary of State for Scotland what discussions he has had with BAA concerning the impact on Scottish airports of the loss of intra-European Union duty free; and if he will make a statement. [25212]

Mr. McLeish: Ministers meet BAA Scottish Airports from time to time. At the most recent meeting a number of topics were discussed including the proposals to abolish duty and tax free sales within the European Union.

Airports (Passengers and Flights)

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the number of *(a)* passengers and *(b)* flights to (i) United Kingdom, (ii) other European Union and (iii) other international destinations from (1) Glasgow, (2) Prestwick, (3) Edinburgh and (4) Aberdeen airports in the last year for which figures are available. [25214]

Mr. McLeish: The information for the 12 months ended October 1997 is set out in the table.

Departing airport	*Destination of the flight*	*Terminal passengers*	*Passenger flights*
Glasgow	United Kingdom	1,592,317	28,300
Glasgow	European Union	989,779	8,604
Glasgow	Other International	391,131	2,549
Prestwick	United Kingdom	155,077	2,981
Prestwick	European Union	111,828	1,127
Prestwick	Other International	10,458	66
Edinburgh	United Kingdom	1,597,547	24,086
Edinburgh	European Union	412,360	6,859
Edinburgh	Other International	35,771	504
Aberdeen	United Kingdom	855,179	19,780
Aberdeen	European Union	121,757	1,948
Aberdeen	Other International	295,027	19,612

1. Source CAA Airport Statistics.
2. Includes scheduled and non-scheduled flights.
3. Terminal passengers only.
4. Includes non-revenue passengers.
5. Includes air taxi operations.
6. Does not include cargo only services.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Scotland if he notifies potential purchasers of obsolete information technology equipment sold by his Department that such equipment may not be millennium compliant. [25617]

Mr. Dewar: Obsolete information technology equipment sold by my Department is sold as seen, without any form of guarantee about millennium compliance. The standard terms and conditions of contract employed by my Department make it clear that the equipment comes without warranty.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland when his Department was informed of the acquisition of the Skye Bridge Company by the Bank of America; from what date such acquisition became effective; what plans he has, arising therefrom, to reconsider the basis upon which his Department supplies information in response to enquiries from the National Audit Office; and if he will make a statement. [24835]

Mr. Dewar: Skye Bridge Ltd. has not been acquired by the Bank of America. The publicly available records at Companies House, Edinburgh, show that, since 23 January 1992, 997 £1 ordinary shares of Skye Bridge Ltd. (formerly known as Skye Bridge Tolls Ltd.) have been registered in the name of Bank of America International Ltd. and a further three in the name of BankAmerica Nominees Ltd. These transfers were in accordance with the funding arrangements agreed at the outset by the companies involved in procuring the Skye Bridge.

The arrangements require Miller Civil Engineering Ltd., which held 405 £1 ordinary shares in Skye Bridge Ltd., Dywidag Systems International Ltd. (formerly known as Dywidag Systems (UK) Ltd.), which held 405 £1 ordinary shares, and BankAmerica International Financial Corporation, which held 190 £1 ordinary shares, to transfer their shares in security to a Trustee (or its designated nominee) acting on behalf of the secured creditors of Skye Bridge Ltd. The Trustee is the Bank of America International Ltd. and its designated nominee is BankAmerica Nominees Ltd., to whom 997 and three ordinary shares were transferred respectively. Such a grant of security required, as a matter of Scots law, that the title to the shares be transferred to the Trustee, subject to the terms of the security arrangement.

During the currency of the arrangement, the companies granting the security retain the power in respect of their shares to direct the Trustee regarding the exercise of certain important rights under the shares, including voting rights. Once Skye Bridge Ltd. has fulfilled its obligations to the secured creditors, the Trustee is obliged to transfer back the shareholdings.

The then Secretary of State was aware of, but not party to, all aspects of the funding arrangements when the Concession Agreement was signed on 16 December 1991. Under the terms of the Concession Agreement, the agreed funding arrangements may not subsequently be amended without the approval of the Secretary of State. The granting of the security did not constitute an amendment and, therefore, did not require the Secretary of State's approval.

Under the National Audit Act 1983, the Comptroller and Auditor General has a right of access to documents he may reasonably require for carrying out any examination into the economy, efficiency and effectiveness with which any department has used its resources in discharging its functions, and is entitled to require such information and explanation as are reasonably necessary. The information on the shareholding arrangement described above was available to the National Audit Office in the course of the Skye Bridge examination. The Department will continue to provide access in accordance with the requirements of the 1983 Act.

Agriculture

Mr. Swinney: To ask the Secretary of State for Scotland what assessment he has made of the impact on agriculture support and service industries in rural areas of current problems in the agricultural sector; what plans he has to provide additional economic assistance to small businesses in rural Scotland; and if he will make a statement. [25205]

Mr. Macdonald: The Scottish Office monitors business performance on a regular basis through its links with representative bodies, by monitoring trends in employment, production and income, and commissioning research. No specific support measures are planned for small businesses in rural Scotland but many of them are likely to benefit from the steps the Government have taken to support the farming industry.

DEFENCE

Nuclear Waste

Mr. Norman Baker: To ask the Secretary of State for Defence what has been the annual production of nuclear waste at *(a)* Rosyth dockyard, *(b)* Devonport dockyard and *(c)* the Atomic Weapons Establishment, Aldermaston, for each year from 1986 to date, broken down by category of waste; and how much of each category of waste is presently held at each site. [19783]

Dr. Reid *[pursuant to his reply, 16 December 1997, c. 161–63]:* I regret that it is necessary to correct the information given and to amplify answers given by the Parliamentary Under-Secretary of State for Defence at defence questions on 12 January 1998, *Official Report*, column 14.

Three nuclear submarines await defuelling, Renown and Repulse at Rosyth and Valiant at Devonport. The nuclear reactors in these submarines have been completely shut down and are in a benign condition. Specific Royal Navy personnel will remain on board until the process is complete. Once the spent fuel has been removed, these submarines will be stored afloat with appropriate maintenance pending final disposal. The spent fuel will be consigned to long term storage at BNFL Sellafield.

In accordance with IAEA and Euratom definitions, spent fuel is not categorised as waste while the option of reprocessing remains open and a possible future use for the fuel can be foreseen. A decision has yet to be made on whether this and other spent fuel held by the Department is to be reprocessed. If it is reprocessed, some High Level Waste will be generated. If the decision is not to reprocess the spent fuel, it will be recategorised as High Level Waste. Accordingly my Department holds no material categorised as high level waste at this time.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Secretary of State for Defence what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997, and for what purpose. [23519]

Mr. Spellar: The Ministry of Defence purchases some Brazilian Mahogany for use in Royal Navy ships, primarily for refurbishment or repair work to match

timber already installed in those vessels. No Brazilian Mahogany was acquired or specified by the MOD Ships Support Agency in 1996. An order was placed in 1997 for approximately 204 cubic metres and delivery is expected to be complete in 1998. This together with current stocks is expected to meet requirements for the next two years. It is the Ministry's policy that purchases of tropical timber, including mahogany, are made from reputable suppliers who are required to confirm that supplies are from sustainable sources.

NATO Joint Sub-regional Command

Sir Teddy Taylor: To ask the Secretary of State for Defence if he will make a statement on the role of NATO Joint Sub-regional Command (Madrid) in the control of the *(a)* waters and *(b)* airspace around Gibraltar currently under the operational command of the United Kingdom. [24474]

Mr. George Robertson: NATO's Joint Sub-regional Commands, once implemented, will have no permanently established boundaries or areas of responsibility. Regional Commanders will be able to propose the establishment of areas of responsibility for particular Joint Sub-regional Commands in specific contingencies or missions. Such proposals will require the approval of all NATO nations. The defence and security of Gibraltar, its associated territorial waters and airspace are, and will remain, the direct responsibility of the United Kingdom.

Sir Teddy Taylor: To ask the Secretary of State for Defence if he will break down by nationality the staff assigned to NATO Joint Sub-regional Command (Madrid). [24476]

Mr. George Robertson: Work is currently under way to determine the number and type of posts to be established in each HQ in NATO's future command structure; this will lead to agreement to the allocation of posts to nations. In common with all headquarters, the Joint Sub-regional Command at Madrid will be multinationally manned.

Sir Teddy Taylor: To ask the Secretary of State for Defence what provisions in respect of (i) air access to Gibraltar by *(a)* civilian and *(b)* military aviation and (ii) access to Spanish naval bases by Royal Navy vessels visiting Gibraltar have been included in the agreement for Spanish accession to full membership of NATO. [24472]

Mr. George Robertson: The UK, together with other Allies, has welcomed Spain's announcement of its intention to join the Alliance's integrated military structure. The detailed arrangements have still to be established. We are addressing military air access to Gibraltar and naval movements bilaterally and in the context of Spain's entry into NATO's future Command Structure. We will deal separately with the question of civilian air access to Gibraltar.

Sir Teddy Taylor: To ask the Secretary of State for Defence if decisions on the future role of the NATO Joint Sub-regional Command (Madrid) undertaken by the Military Committee have to be reached by unanimity; and what is the time scale for a final resolution. [24473]

Mr. George Robertson: Military Committee decisions are taken by consensus. A detailed implementation plan for the new NATO command structure will be developed for consideration and endorsement by the Military Committee and North Atlantic Council at the end of this year.

Sir Teddy Taylor: To ask the Secretary of State for Defence if he will make a statement on the role of the NATO Joint Sub-regional Command (Madrid) in stability operations in North Africa involving Gibraltar. [24475]

Mr. George Robertson: For specific operations, Regional Commanders may propose particular roles and responsibilities for their subordinate commands. These subordinate commands will include Joint Sub-regional Command South West, to be based at Madrid, once it has been implemented as part of NATO's future command structure. Such proposals will require the approval of all NATO nations.

Nautical Almanac Office

Mr. Paice: To ask the Secretary of State for Defence what discussions he has had with Ministers in the Department of Trade and Industry with regard to the future of Her Majesty's Nautical Almanac office. [24310]

Mr. Spellar *[holding answer 20 January 1998]:* My right hon. Friend the Secretary of State for Defence has had no discussions with Ministers in the Department of Trade and Industry with regard to the future of Her Majesty's Nautical Almanac Office. I understand, however, that officials of the Particle Physics and Astronomy Research Council are exploring options for the continuation of the work of the Nautical Almanac Office.

Nuclear Weapons

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the *(a)* reports and *(b)* other publications issued by the DERA Radiation Protection Services since 28 February 1997. [24539]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Matthew Taylor, dated 27 January 1998:

I have been asked to reply to your question asking for a list of reports and other publications issued by Radiation Protection Services as this matter falls within my area of responsibility as Chief Executive of the Defence Evaluation and Research Agency (DERA).

A list of unclassified reports and publications which have been issued by the RPS since 28 February 1997 is attached.

I hope this is helpful.

Report number	*Title*	*Classification*
37/96	RAF Carlisle—No. 4 Site Land Quality Assessment Radioactive Contamination Surveys	Unclassified
1/97	Radiological Survey of Base Vehicle Depot Ludgershall	Unclassified
2/97	RAF Carlisle—No. 8 Site Land Quality Assessment Radioactive Contamination issues	Unclassified
3/97	RAF Carlisle—DRPS Lab Support	Unclassified
4/97	HMS Collingwood—RF Survey	Unclassified

Report number	Title	Classification
5/97	DTEO Eskmeals—1996 Environmental Depleted Uranium Baseline Survey Report	Unclassified
6/97	DTEO Kirkcudbright—1996 Environmental Depleted Uranium Baseline Survey Report	Unclassified
7/97	RAF Collyweston—Land Quality Assessment	Unclassified
8/97	RAF Wyton—Land Quality Assessment	Unclassified
9/97	DTEO Eskmeals—1996 Marine Environment Survey Report	Unclassified
10/97	DTEO Kirkcudbright—1996 Marine Environment Survey Report	Unclassified
11/97	RAF Hendon—Land Quality Assessment	Unclassified
12/97	ABRO Warminster—Land Quality Assessment Radiological Survey	Unclassified
13/97	HMNB Portsmouth—DS(S) 79 Radioactive Storehouse	Unclassified
14/97	DTEO Eskmeals—High Volume Air Results 1995–96	Unclassified
15/97	Classification of Laser Projection System 1	Unclassified
16/97	Classification of Laser Projection System 2	Unclassified
17/97	DTEO Kirkcudbright—Study of Passive Air Shades used during 1996	Unclassified
18/97	RAF Stornoway—Land Quality Assessment	Unclassified
19/97	RAF Machrihanish—Land Quality Assessment	Unclassified
20/97	RAF Noctoon Hall—Land Quality Assessment	Unclassified
21/97	RAF Norton Disney (Spalford Site)—Land Quality Assessment	Unclassified
22/97	RAF Norton Disney (Swinderby)—Land Quality Assessment	Unclassified
23/97	RAF Burtonwood—Land Quality Assessment	Unclassified
24/97	RAF Riseley—Land Quality Assessment Radiological Survey	Unclassified
25/97	RF Survey Met office, Clee Hill Site	Unclassified
26/97	Generic Hazard Assessment for the Release of Radio Nuclides during a Fire	Unclassified
27/97	RAF Bawdsey—Land Quality Assessment Radiological Contamination Issues	Unclassified
28/97	RAF Martlesham Heath—Land Quality Assessment	Unclassified
29/97	ABRO Colchester—Radiological Survey	Unclassified
30/97	ABRO Catterick—Radiological Survey	Unclassified
31/97	RAF Finningley—Land Quality Assessment, Radiation Contamination Issues	Unclassified
32/97	RAF Alconbury—Land Quality Assessment, Radiation Contamination Issues	Unclassified
33/97	RAF Shotley Gate—Land Quality Assessment	Unclassified
34/97	Ordnance Road, Aldershot—Radiological Survey	Unclassified
35/97	RAF Carlisle—DRPS Laboratory Support	Unclassified
36/97	Not Issued	Unclassified
37/97	Forthside Depot, Stirling—Land Quality Survey	Unclassified
38/97	RAF Kemble—Land Quality Assessment, Radiation Contamination Issues	Unclassified
39/97	Golden 300—Radiation Safety Assessment	Unclassified
40/97	RAF Upper Heyford—Land Quality Assessment, Radiation Contamination Issues	Unclassified
41/97	RAF Caerwent—Land Quality Assessment, Radiation Contamination Issues	Unclassified
42/97	RAF Predannack—Land Quality Assessment, Radiation Contamination Issues	Unclassified
43/97	Dosimetry Statistics 1996	Unclassified
44/97	RAF Ash—Land Quality Assessment, Radiation Contamination Issues	Unclassified
45/97	OSU Burscough—Radiological Investigation	Unclassified
46/97	RAF Carlisle No. 5 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
47/97	RAF Carlisle No. 7 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
48/97	RAF Carlisle No. 2 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
49/97	RAF Carlisle No. 1 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
50/97	RAF Carlisle No. 3 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
51/97	RAF Carlisle No. 6 Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
53/97	RAF Brawdy—Land Quality Assessment, Radiation Contamination Issues	Unclassified
54/97	RAF Carlisle No. 8E Site—Land Quality Assessment, Radiation Contamination Surveys	Unclassified
55/97	RAF Burtonwood—Land Quality Assessment	Unclassified
56/97	RNSD Eaglescliffe—Land Quality Assessment	Unclassified
57/97	RAF North Luffenham, Officers Mess—Land Quality Assessment	Unclassified
58/97	RAF North Luffenham, Technical Site—Land Quality Assessment	Unclassified
59/97	RAF North Luffenham, AEOD Enclave—Land Quality Assessment	Unclassified
60/97	RAF Woodvale—Land Quality Assessment, Radiation Contamination Issues	Unclassified
61/97	RAF Marham—Radiological Survey	Unclassified
62/97	RAF Tain, Former Admin. Site—Land Quality Assessment, Radiation Contamination Issues	Unclassified
63/97	RAF Kelvin House (CME)—Land Quality Assessment, Radiation Contamination Issues	Unclassified
64/97	RAF Kenley—Land Quality Assessment, Radiation Contamination Issues	Unclassified

Ministry of Defence Police

Mr. Kidney: To ask the Secretary of State for Defence for what reasons the Chief Constable of the Ministry of Defence Police published a force order on 29 March 1995 to withhold the transfer of terms applicable to officers' postings; and if he intends to review this practice. [24517]

Mr. Spellar: This is a matter for the Chief Constable of the Ministry of Defence Police (MDP). I have asked the Chief Constable to write to my hon. Friend.

Letter from Walter Boreham to Mr. David Kidney, dated 27 January 1998:

I am replying to your Question to the Secretary of State for Defence about the publication of the transfer terms of Ministry of Defence Police (MDP) officers, as this falls into my area of responsibility, as Chief Constable/Chief Executive of the Ministry of Defence Police Agency.

In March 1995 my Personnel Department concluded that the transfer terms of individual officers were a private matter between the officer and the Personnel Department. Accordingly, with effect from 29 March 1995, details of such transfer terms ceased to be published in my weekly Force Orders. In resource terms the practice of no longer publishing individual officers' transfer terms resulted in reduced staff effort and a minor reduction in the cost of publishing Force Orders.

I have no plans to review the current arrangements concerning the publication of the transfer terms of MDP officers' postings.

Land Command

Mr. Bayley: To ask the Secretary of State for Defence what plans he has to restructure the Army's United Kingdom Land Command ahead of the Strategic Defence Review. [24793]

Dr. Reid: The possible restructuring of Land Command, to which I referred in my reply of 16 January 1998, *Official Report*, column *349*, is one of many issues being considered as part of the Strategic Defence Review; and there are no plans, therefore, to restructure the Command ahead of the Review.

Mr. Bayley: To ask the Secretary of State for Defence what are the estimated values of the sites of United Kingdom Land Command's *(a)* brigade headquarters at Perth and *(b)* divisional headquarters at Edinburgh. [24794]

Dr. Reid: There are no up-to-date disposal values available for the brigade headquarters site at Perth. On present known factors, the value of the divisional headquarters site at Craigiehall, near Edinburgh is estimated to be up to £750,000 were it to be sold.

Atomic Weapons Establishment, Aldermaston

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 17 November 1997, *Official Report*, column *66*, how many technical papers and reports were produced by the Project Director Facilities Division between 1986 and 1991; and how many of them are currently unclassified. [24655]

Mr. Spellar: The purpose of the Project Director Facilities Division was to oversee the major programme of building and refurbishment projects then under way at the Atomic Weapons Research Establishment, Aldermaston. As such it did not produce technical papers. Details of reports and internal documents produced by the division are not held centrally and a census would require unreasonable diversion of resources. I am, therefore, withholding this information in accordance with exemption 9 of the Code of Practice for Open Government.

Defence Export Services Organisation

Mr. Hesford: To ask the Secretary of State for Defence where the overseas offices of the Defence Export Services Organisation are situated; if he will list for each office *(a)* the date it was established, *(b)* the number of staff currently employed there and *(c)* the running cost in the last year for which figures are available. [24837]

Mr. Spellar: DESO offices are located overseas are as follows:

	Date established	*Number of staff*	*Budget 1997–98 (£000)*
Australia	1989	2	106
Brunei	1995	2	104
Germany	1991	16	340
India	1984	5	49.5
Indonesia	1991	3	190
Kuwait[1]	1988	9	149
Malaysia	1986	4.5	172
Philippines	1997	3	213
Saudi Arabia[2]	1985	99.5	104
South Korea	1988	2	108.8
Thailand	1992	2.5	110
Turkey	1988	1	74

[1] Six staff are employed in the Kuwait Programme Office and are funded by the Customer.

[2] 97 staff are employed on the Al Yamamah programme and are funded by the customer.

Mr. Hesford: To ask the Secretary of State for Defence if he will make a statement on the total administrative cost of the Defence Export Services Organisation in *(a)* 1994–95 and *(b)* 1996–97. [24839]

Mr. Spellar: The net running cost of operating the Defence Export Services Organisation in my Department was £10.94 million in Financial Year 1994–95 and £16.61 million in Financial Year 1996–97.

During this latter year, the organisation generated some £84.4 million from sales of surplus military equipment. Additionally, as a result of overseas orders, the Department annually secures around £50 million in Commercial Exploitation Levies and saves around £344 million on its own procurement costs by spreading overheads over higher levels of production. DESO therefore earns benefits for the taxpayer that far outweigh these costs.

Pilot Training (Indonesia)

Ann Clwyd: To ask the Secretary of State for Defence what training programmes for Indonesian pilots have been established in the United Kingdom; what United Kingdom military personnel are in Indonesia training pilots; how many Indonesians are currently being trained by how many United Kingdom armed forces personnel; and where this training is taking place. [25254]

Dr. Reid: It has been the practice in the past not to release details of military assistance provided to other countries on the grounds that this information is confidential between governments and disclosure would risk damaging our international relations. This practice is now being reviewed against the background of the Government's commitment to openness. I will write to my hon. Friend once the review has been completed.

Food Procurement

Mr. Kidney: To ask the Secretary of State for Defence if he will make a statement on his Department's policy on the procurement of *(a)* food in general and *(b)* beef. [25009]

Mr. Spellar: I refer my hon. Friend to the answer given to the hon. Member for Salisbury (Mr. Key) on 19 January 1998, *Official Report*, column *415*. This policy applies to beef.

Overseas Students (Shrivenham)

Mr. Caton: To ask the Secretary of State for Defence if he will list for each of the past five years the number of overseas students attending the Royal Military College of Science, Shrivenham, indicating the name of the country and the number of students concerned. [25449]

Dr. Reid: The total numbers of overseas students who have attended the Royal Military College of Science (RMCS), Shrivenham for each of the past five years are as follows:

1993–94: 93

1994–95: 73

1995–96: 58

1996–97: 82

1997–98: 94.

It has been the practice of successive Administrations not to release specific details of military assistance provided to other countries on the grounds that this information has been considered confidential between governments, and that disclosure would risk damaging our international relations. However, this practice is being reviewed against the background of the Government's commitment to openness, and I will write to my hon. Friend once the review is complete.

Porton Down

Mr. Baker: To ask the Secretary of State for Defence how many animals bred at Porton Down were sold for scientific use at other establishments for each year from 1990 to date, giving the species of animals and the establishments concerned. [24829]

Mr. Spellar *[holding answer 26 January 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 27 January 1998:

As Chief Executive of the Defence Evaluation and Research Agency (DERA) I have been asked to reply to your question about the number of animals bred at Porton Down and sold for scientific use at other establishments in each year since 1990.

The number of animals bred at DERA's Chemical and Biological Defence Sector (CBD) at Porton Down which were sold for scientific use at other establishments since 1990 are listed by species in the table below.

Financial year	*Porton mice*	*Porton rats*	*Common marmosets*	*Rhesus*
1990–91	620	230	156	17
1991–92	403	0	52	33
1992–93	450	0	18	28
1993–94	235	0	198	56
1994–95	200	0	0	60
1995–96	40	2	148	15
1996–97	0	0	95	21
1997–98	0	0	0	42

Animals are only supplied to UK establishments designated for scientific procedures under section 6 of the Animals (Scientific Procedures) Act 1986 or to non-UK users who can provide evidence that they meet welfare standards that match or exceed those of the UK, and for approved purposes.

Under exemptions 4e and 4f of the Open Government Code of Practice on Access to Government Information, I am not prepared to reveal the names of scientific establishments to which DERA has sold animals.

I hope this is helpful.

EDUCATION AND EMPLOYMENT

Welfare to Work

Mr. Willetts: To ask the Secretary of State for Education and Employment (1) what is the total number of young people unemployed for more than six months whom the Government expect to participate in their welfare-to-work scheme in 1998–99, broken down between those who will be eligible in April 1998 and those expected to become eligible in each successive month; [25102]

(2) what are the Government's estimates for the number of young people unemployed for over six months participating in their New Deal scheme in each of the next four years, separately identifying those who do not go beyond the Gateway. [25110]

Mr. Andrew Smith: It is not possible to provide precise estimates of the numbers of young people aged 18–24 who will take part in the New Deal. In 1998–99, the programme will benefit all young people who have been unemployed for more than six months and who remain unemployed, and all those who reach six months' unemployment. In addition, some young people will choose to join the New Deal early.

By convention, the Government do not publish forecasts of unemployment. In October 1997, some 120,000 18–24 year olds were recorded as having claimed Jobseeker's Allowance for six months or more. Each month, about 15–20,000 18–24 year olds reach six months' claimant unemployment.

Mr. Willetts: To ask the Secretary of State for Education and Employment what is the legal status of the agreement to which employers must subscribe when they participate in the welfare-to-work scheme; and what penalties will be imposed on employers who breach it. [25107]

Mr. Andrew Smith: The Employer Agreement enshrines legally binding terms and conditions designed to secure the quality of those jobs to which the subsidy may be applied. It also includes a pledge, signed by the Employer, by which they commit to working with the Employment Service and its partners to make a success of the New Deal. Where the employer is in breach of these terms and conditions, the Employment Service can take any or all of the following actions, depending on the circumstances:

- rescind the agreement
- stop future payments
- cease further client referrals
- make recovery, if possible against other or future payments
- take the employer to court.

Mr. Willetts: To ask the Secretary of State for Education and Employment if the Government will give a break-down by *(a)* ethnic origin and *(b)* gender of the young people unemployed for more than six months expected to participate in their welfare-to-work scheme in 1998–99. [25103]

Mr. Andrew Smith: It is not possible to provide precise estimates of the numbers of young people who will require help from the New Deal. The programme will help young people who are, or who become, unemployed for six months or more, irrespective of ethnic origin or gender. The latest published data show that, in October 1997, around three quarters of those aged 18–24 who had been claiming Jobseeker's Allowance (JSA) for six months or more were men. The claimant count does not provide information on the ethnic origin of JSA claimants. The summer 1997 Labour Force Survey suggests that around 10 per cent. of all 18–24 year olds who had been unemployed according to the ILO definition for six months or more were members of ethnic minorities.

Mr. Willetts: To ask the Secretary of State for Education and Employment, following the Chancellor's announcement of 12 January 1998 of the extension of the Government's New Deal programme to those aged 25 to 34, if benefit claimants in that age group will be obliged to join the scheme with no fifth option of claiming benefits. [25111]

Mr. Andrew Smith: We are currently finalising the details of the extension and will announce them as soon as possible.

Mr. Willetts: To ask the Secretary of State for Education and Employment how many small and medium businesses, broken down by size of workforce, the Government expect to participate in their welfare-to-work programme. [25101]

Mr. Andrew Smith: It is too early to make an estimate; but we are seeking extensive participation by small and medium businesses, and are encouraged by preliminary indicating such as the support expressed by the Federation of Small Businesses.

Mr. Willetts: To ask the Secretary of State of State for Education and Employment if the Government will publish the agreement to which employers must subscribe when they participate in the welfare-to-work scheme. [25106]

Mr. Andrew Smith: The Employer Agreement is already in the public domain. It has been circulated throughout the pathfinder districts as part of the New Deal literature, and I have placed a copy in the Library.

Mr. Duncan Smith: To ask the Secretary of State for Education and Employment how many ex-offenders are taking part in the *(a)* employment, *(b)* education, *(c)* environment and *(d)* voluntary option of the Welfare-to-Work Scheme. [25923]

Mr. Andrew Smith: This information will not be available until later in the year.

Unemployment

Mr. Willetts: To ask the Secretary of State for Education and Employment what the Government estimate to be the trend rate of fall in total unemployment over the past five years; and what are the trend rates specifically for young people unemployed over six months and the long-term unemployed participating in the New Deal. [25109]

Mr. Andrew Smith: The trend in unemployment has not been constant over the last five years. However, the average change over this period is as follows:

	Claimant unemployment[1]			*ILO unemployment*[2]		
	October 1992	*October 1997*	*Average change per year (per cent.)*	*Autumn 1992*	*Autumn 1997*	*Average change per year (per cent.)*
All ages						
Number	2,814,400	1,432,900	9.8	2,847,000	1,852,000	7
Rate (per cent.)	9.9	5.1	1	10.2	6.6	0.7
18–24s						
Number	819,700	371,400	10.9	739,000	423,000	8.6
Rate (per cent.)	17.5	9.3	1.6	16.8	11.8	1
6 month+	355,200	122,100	13.1	393,000	200,000[3]	9.8
25 and over						
Number	1,980,500	1,045,900	9.4	1,970,000	1,259,000	7.2
Rate (per cent.)	8.5	4.5	0.8	8.6	5.3	0.7
2 year+	348,800	243,700	6	416,000	[3]365,000	2.5

[1] All figures are seasonally unadjusted.

[2] ILO figures for the two New Deal groups cover the period summer 1992 to summer 1997, as summer 1997 is the latest period for which data are currently available.

Foreign Students

Mr. Willetts: To ask the Secretary of State for Education and Employment what are the start-up and continuing costs of the new central unit being established to administer means tests for foreign students applying for places in British universities; and how many staff will be employed. [25105]

Dr. Howells: The central unit recently announced will handle applications from nationals of the other EU member states who are new entrants to higher education courses in England and Wales in the academic year 1999–2000 and who are seeking means tested support with their contribution to fees.

We are consulting the local education authorities on our proposal to undertake on their behalf the means testing of EU applicants in 1998–99. The costs of doing so will be determined in the light of the outcome of those consultations.

Long-term Unemployed

Mr. Willetts: To ask the Secretary of State for Education and Employment if work trials will be continued as part of the new deal for the long-term unemployed. [25100]

Mr. Andrew Smith: Yes.

Training and Enterprise Councils

Mr. Keetch: To ask the Secretary of State for Education and Employment what is the total level of reserves held by each training and enterprise council; and what was the post-tax surplus or deficit for each TEC in (i) 1995–96 and (ii) 1996–97. [24834]

Dr. Howells: A list of Training and Enterprise Councils (TECs)/Chambers of Commerce, Training and Enterprise (CCTEs) and their accumulated reserves is shown in the following table. This information is drawn from each TEC's annual statutory accounts at the end of the financial years 1995–96 and 1996–97. Where TECs/CCTEs have subsidiary companies, the consolidated group position is shown.

TECs/CCTEs are allowed to generate surpluses and create reserves by subcontracting training at a lower unit price than that negotiated with the Department. Surpluses are used by TECs/CCTEs to provide working capital and on activities in support of their corporate and business plan objectives which are agreed with the Government. Examples of the use of these funds include the provision of additional opportunities within existing DfEE programmes; matching funding for European-funded projects; and other training, enterprise or economic development initiatives designed to meet identified local needs. Staff in Government Offices are currently discussing with each TEC how they can best use their reserves to support the Government's priorities.

TECs/CCTEs by region

£

	Post tax surplus/deficit 1995–96	*Reserves 1995–96*	*Post tax surplus/deficit 1996–97*	*Reserves 1996–97*
Northern				
County Durham and Darlington	(646,364)	6,413,585	1,650,636	8,064,221
Northumberland	475,842	6,511,028	1,151,765	7,662,793
Teesside	437,000	7,234,000	1,096,000	8,330,000
Tyneside	2,101,000	4,407,000	581,000	4,988,000
Sunderland	1,590,984	4,725,925	799,054	5,524,979
	3,958,462	29,291,538	5,278,455	34,569,993
Merseyside				
CEWTEC	897,592	3,424,783	(396,435)	3,028,348
Merseyside	(2,867,096)	4,455,012	2,697,054	6,871,012
QUALITEC	(293,520)	839,294	109,383	941,677
	(2,263,024)	8,712,089	2,410,002	10,841,037
North West				
Bolton/Bury	(238,453)	3,867,289	519,857	4,387,146
Manchester	560,301	5,155,404	4,634,130	9,789,534
METRO	213,325	971,827	231,793	1,203,619
Oldham	102,240	1,240,279	648,248	1,888,527
Rochdale	138,448	1,932,813	1,225	1,934,038
South and East Cheshire	1,322,376	3,808,389	1,332,678	5,141,067
Stockport and High Peak	(48,248)	2,715,158	150,661	2,865,819
Cumbria	422,291	3,121,591	353,458	3,475,049
ELTEC	(74,614)	3,259,567	(1,123,059)	2,136,508
LAWTEC	(337,754)	5,626,129	591,040	6,217,169
NORMID	539,256	2,996,717	1,403,563	4,400,280
	2,599,168	34,695,163	8,743,594	43,438,756
Yorkshire and the Humber				
Barnsley/Doncaster	2,552,000	5,948,000	1,258,000	7,234,000
Bradford	(436,245)	2,311,416	914,263	3,225,679
Calderdale and Kirklees	97,846	1,986,121	197,675	2,183,796
Humberside	419,280	6,229,229	(1,525,646)	4,703,583

TECs/CCTEs by region

£

	Post tax surplus/deficit 1995–96	*Reserves 1995–96*	*Post tax surplus/deficit 1996–97*	*Reserves 1996–97*
Leeds	207,287	4,228,110	1,999,915	5,768,719
North Yorks	(132,000)	5,535,000	404,000	5,939,000
Rotherham	1,074,660	4,419,256	(969,557)	3,449,699
Sheffield	788,000	5,717,000	167,000	3,683,000
Wakefield	500,611	4,107,933	501,765	4,011,189
	5,071,439	40,482,065	2,947,415	40,198,665
Eastern				
Bedfordshire	392,006	1,347,628	726,422	2,074,050
Cambridgeshire	378,209	1,286,849	496,072	1,782,921
Essex	2,459,798	7,066,397	(964,000)	6,102,000
Greater Peterborough	(75,628)	1,408,067	134,743	1,542,810
Hertfordshire	520,000	3,770,000	516,000	4,286,000
Norfolk and Waveney	1,372,000	4,260,000	(1,373,000)	2,887,000
Suffolk	1,158,123	2,290,854	(468,509)	1,822,345
	6,204,508	21,429,795	(932,272)	20,497,126
East Midlands				
Greater Nottingham	817,000	2,394,000	830,000	3,224,000
Leicestershire	1,252,154	6,472,807	(1,623,7050	4,849,102
Lincolnshire	652,071	2,295,863	898,959	3,194,822
Northamptonshire	443,441	1,991,332	1,511,680	3,503,012
North Derbyshire	138,008	1,238,306	135,247	1,373,553
North Nottinghamshire	280,867	3,111,550	134,456	3,246,006
South Derbyshire	642,000	3,961,000	1,236,000	5,197,000
	4,225,541	21,464,858	3,122,637	24,587,495
West Midlands				
Birmingham	1,013,000	3,987,000	698,000	4,685,000
Central England	255,810	1,798,394	(426,515)	1,371,879
Coventry/Warwick	976,966	2,835,271	(263,464)	3,812,803
Dudley	(277,643)	940,007	(14,551)	979,553
HAWTEC	309,857	1,164,866	877,518	2,435,735
Sandwell	385,104	1,691,913	136,041	1,827,954
Shropshire	497,489	2,273,100	681,163	3,362,209
Staffordshire	385,000	5,629,000	1,548,000	7,177,000
Walsall	563,982	1,254,626	712,669	1,967,295
Wolverhampton	161,000	1,700,000	300,000	2,054,000
	4,270,565	23,274,177	5,357,772	29,673,428
South West				
WESTEC	341,000	4,316,000	(1,993,000)	2,323,000
Devon/Cornwall	(620,000)	3,465,000	1,672,000	5,123,000
Dorset	(264,911)	2,626,165	514,099	3,140,264
Gloucester	980,410	3,619,487	367,056	3,986,543
Somerset	(48,000)	2,003,935	423,266	2,427,201
Wiltshire	28,106	1,551,212	503,617	2,054,829
	416,605	17,581,799	1,487,038	19,054,837
London				
AZTEC	884,679	4,397,861	524,103	4,921,964
CENTEC[3]	(22,482)	2,701,498	(870,081)	1,831,417
CILNTEC[3]	54,123	2,405,603	(2,405,602)	2,896,906
LETEC	2,505,452	8,530,616	(1,079,570)	7,451,046
North London	802,634	7,066,973	(4,254,678)	2,812,295
North West London	1,051,535	2,581,550	343,946	2,925,496
SOLOTEC	2,575,000	6,249,000	[1]n/a	[1]n/a
West London	1,383,308	2,608,221	140,775	2,748,996
	9,234,249	36,541,322	(7,601,1070	25,588,120
South East				
Hampshire	(1,077,933)	3,758,587	1,272,000	5,030,000
Isle of White	140,565	921,777	(202,382)	719,395
Kent	1,385,448	6,189,635	1,726,101	7,915,736
Milton Keynes/North Bucks	222,758	1,151,259	733,596	1,884,855
Heart of England	(352,446)	2,340,596	(183,474)	2,157,122

TECs/CCTEs by region

£

	Post tax surplus/deficit 1995–96	*Reserves 1995–96*	*Post tax surplus/deficit 1996–97*	*Reserves 1996–97*
Surrey	(56,808)	2,043,823	(30,266)	2,013,557
Sussex	(960,000)	4,595,000	272,000	4,896,000
Thames Valley Ent.	333,309	5,332,077	(488,556)	5,027,201
	(365,107)	26,332,754	3,099,019	29,643,866
Grand Total	33,352,406	259,805,560	27,548,646	[2,4]278,093,323

[1] Information for SOLOTEC not yet available.
[2] Totals for 1996–97 exclude surpluses and reserves for SOLOTEC.
[3] CENTEC and CILNTEC merged in April 1997 to become Focus Central London.
[4] Figures are as shown in the respective annual audited accounts for 1995–96 and 1996–97.
In some cases TECs, in their accounts for 1996–97, have restated figures for earlier years. This means that the reserves for 1996–97 may differ from the sum of reserves for 1995–96 and surpluses for 1996–97.

Age Discrimination

Mr. Winnick: To ask the Secretary of State for Education and Employment, pursuant to his oral answer of 22 May 1997, *Official Report*, columns 825–26, what was the form of the consultation process into age discrimination in employment; if he will make a statement on the meetings that have taken place as part of the consultation process indicating the individuals and organisations met and the date when such meetings occurred; and if he will make a statement on *(a)* visits to and (b) other contact with individuals and organisations under the consultation process to date. [25658]

Mr. Andrew Smith: The consultation on age discrimination in employment has not been restricted to visits and meetings solely concerned with older workers. It has been, and continues to be, broad-based in order to gain a wide variety of views so that a consensus may be established on how best to tackle the problems of age discrimination in employment. In addition, I have met with, and visited, a variety of organisations concerned with age discrimination and groups of older workers. These include Age Concern, the Third Age Challenge Trust and the Employers Forum on Age. On 27 October 1997, I held a meeting with a range of key figures from business, the lobby and other interested parties. The consultation is continuing into the Spring and I intend to hold another consultation meeting in the near future.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Education and Employment, pursuant to his answer of 20 January 1998, *Official Report*, column *492*, (1) when discussion began in his Department concerning the non-statutory agreement with the Scottish Executive; on what dates discussions took place; and who was present at such meetings; [25576]

(2) if he will publish the most recent drafts of non-statutory agreements with the Scottish Executive; when he proposes to publish the final document; and if the agreement will operate in the first instance for a trial period; [25578]

(3) in what areas a non-statutory agreement between his Department and the Scottish Executive will give the lead role in policy formation to his Department; to what extent it will include mechanisms to harmonise policy between Scotland and his Department on devolved matters; and if he will make a statement; [25579]

(4) what representation he has received from other government departments concerning the format and aims of a non-statutory agreement between his department and the Scottish Executive; if he will list the number of representations from each Department; and if he will make a statement. [25580]

Dr. Howells: Discussions are being held between departments, both at official level and at Ministerial level, on all matters relating to non-statutory agreements between the UK Government and the Scottish Executive. In most cases, these discussions are in their early stages in the light of the fact that such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

HEALTH

Hospitals (Greater London)

16. **Mr. Wilkinson:** To ask the Secretary of State for Health when he expects to publish the conclusions of his review of hospital facilities in Greater London. [23430]

Mr. Milburn: We will be publishing the report of the independent review panel, and the Government's response, shortly.

Tobacco Advertising

18. **Mr. Barron:** To ask the Secretary of State for Health if he will make a statement on the outcome of negotiations on the European Community tobacco advertising directive. [23432]

Ms Jowell: I attended the Health Council on 4 December, where a common position was agreed on the proposed tobacco advertising Directive. This text will now be considered by the European Parliament and the Government will continue to work hard to achieve final adoption of this very important piece of European legislation.

Hospital Waiting Lists

19. **Mr. Baldry:** To ask the Secretary of State for Health how many people had been waiting for operations for over 18 months at the latest available date. [23433]

Mr. Milburn: Waiting time information collected centrally does not show separately those patients waiting for operations. The latest published figures show that, on 30 September 1997, 794 patients were waiting 18 months or more for admission to hospital. We are determined that by the end of March no patients will be required to wait that long.

GP Fundholding

20. **Mr. Laurence Robertson:** To ask the Secretary of State for Health how many staff his Department anticipates will be made redundant as a result of the ending of general practitioner fundholding. [23435]

Mr. Milburn: In our White Paper "The New NHS" we said we would discuss transitional arrangements with those concerned. This includes arrangements for fundholding staff to enable those skilled in primary care commissioning to be retained wherever possible at the practice, Primary Care Group or health authority level.

Liverpool Blood Centre

21. **Maria Eagle:** To ask the Secretary of State for Health when the Cash report on services at the Liverpool blood centre will be published. [23436]

Mr. Boateng: Professor Cash is currently finalising his Report. We will publish the report and our response to it as soon as we have considered his recommendations.

Additional Support (Winter)

22. **Mr. Hanson:** To ask the Secretary of State for Health if he will make a statement on the impact of the additional support to the health service to meet winter pressures for the current year. [23437]

25. **Ms Stuart:** To ask the Secretary of State for Health how many on the schemes funded through the extra money made available to the NHS for winter pressures promote greater co-operation between health and social services. [23440]

Mr. Milburn: The additional £300 million made available across the Untied Kingdom in the current financial year has helped achieve better joint working between the National Health Service and Social Services Departments. In England alone, there are almost 1,500 initiatives and some £35 to £40 million of the additional money is being transferred to social services. Over the Christmas and New Year period, joint working arrangements between health and social services were greatly improved on previous years.

Reference Costs

23. **Mr. Ivan Lewis:** To ask the Secretary of State for Health what action he intends to take to introduce a national schedule of reference costs in the NHS. [23438]

Mr. Milburn: The National Health Service Executive has developed a work programme to deliver an initial reference cost schedule, by August 1998. This will cover all surgical, and limited medical, inpatient and day case activity. It is intended to extend the services included within the shortest practical timescale.

NHS (Innovation)

24. **Mr. Derek Twigg:** To ask the Secretary of State for Health what steps he is taking to promote innovation in the NHS. [23439]

Mr. Milburn: Specific measures outlined in "The New National Health Service" to promote innovation include ensuring the NHS locally no longer treats its best ideas as commercially confidential; a National Institute for Clinical Excellence to give new coherence to the clinical effectiveness programme; and a new database to improve access to research findings.

Funding (East Sussex)

26. **Mr. Baker:** To ask the Secretary of State for Health if he will make a statement on the funding available to the East Sussex, Brighton and Hove health authority for 1998–99. [23441]

Mr. Milburn: The 1998–99 Hospital and Community Health Services general revenue allocation for East Sussex, Brighton and Hove Health Authority is £372.5 million, which represents a cash increase of £16.6 million (4.67 per cent.), or £6.6 million (1.86 per cent.) in real terms.

Health Care (Rationing)

27. **Mr. Day:** To ask the Secretary of State for Health if he will make a statement on the rationing of health care in the NHS. [23442]

Mr. Milburn: For most people, most services are available in most places now. There are, however, unacceptable variations in access to some services and to the most effective treatments. Our aim is to improve this. We will take action to ensure that the most effective services are available across the country. We will work with the professions to produce national clinical guidelines and service frameworks to improve national consistency.

Social Services

28. **Ms Rosie Winterton:** To ask the Secretary of State for Health what action he is taking to promote better co-operation between health authorities and social services. [23443]

Mr. Boateng: Promoting partnership and cooperation is one of the key priorities we have identified in the National Health Service Priorities and Planning Guidance. We continue to pursue a number of initiatives to assist authorities to develop practical collaboration, for example through formal guidance and locality workshops.

Most importantly, partnership is integral to our broader development agenda. It is an essential theme within the White Paper, "The New NHS", which includes proposals for a new statutory duty of partnership between the NHS and social services. We have set in train a number of specific initiatives relevant to better co-operation between

health and local authorities: for example Health Action Zones, Better Services for Vulnerable People and our Primary Care Act pilot schemes.

Staff Morale

29. **Ms Christine Russell:** To ask the Secretary of State for Health what proposals he has for improving staff morale in the NHS. [23444]

Mr. Milburn: I refer my hon. Friend to the oral reply my right hon. Friend gave my hon. Friend the Member for Kettering (Mr. Sawford) today.

Private Medical Insurance

30. **Mrs. Roe:** To ask the Secretary of State for Health what estimate his Department has made of the impact on the NHS budget of the abolition of tax relief on private medical insurance for over-60-year-olds. [23445]

Mr. Milburn: None.

Referral Invoicing

31. **Dr. Brand:** To ask the Secretary of State for Health what arrangements will be made to fund patient treatment currently covered by extra-contractual referral invoicing. [23446]

Mr. Milburn: The Government's proposals for funding patient treatment currently covered by extra contractual referral invoicing are set out in paragraph 9.17 of the White Paper, "The New NHS", copies of which have been placed in the Library.

More detailed advice will be issued by summer 1998.

Community Hospitals

32. **Mr. Whittingdale:** To ask the Secretary of State for Health if he will make a statement on the role of community hospitals. [23447]

Mr. Milburn: I refer the hon. Member to the oral reply I gave the hon. Member for South-East Cornwall (Mr. Breed) today.

Tobacco-related Illness

33. **Mr. Canavan:** To ask the Secretary of State for Health what steps he intends taking to reduce the incidence of tobacco-related illnesses and deaths. [23448]

Ms Jowell: The Government regard banning tobacco advertising as the essential first step in building an effective strategy to deal with smoking. However, smoking is too complex an issue and too serious a threat to health for us to rely on a single measure. Controlling tobacco consumption, and ultimately tobacco-related illnesses and deaths, requires a wide range of measures as part of a well thought out overall strategy if we are to have a real impact and see a significant and lasting reduction. A White Paper setting out the Government's tobacco control strategy will be published this year.

Clinical Governance

34. **Dr. Starkey:** To ask the Secretary of State for Health what proposals he has to develop clinical governance in NHS trusts. [23449]

Mr. Milburn: The New National Health Service White Paper, published last December, outlines our proposals for developing clinical governance in NHS trusts. These proposals will be the subject of consultation later in the year.

Primary Care (Nurses)

35. **Dr. Iddon:** To ask the Secretary of State for Health what proposals he has for boosting the role of nurses in commissioning primary care. [23450]

Mr. Milburn: From April 1999, teams of local general practitioners and community nurses will work together in new Primary Care Groups to shape services to patients. Primary Care Groups will open up a new leadership and decision making role for community nurses, working in partnership with GPs and others locally to improve health and health care.

Specialist Services

36. **Mr. Gareth R. Thomas:** To ask the Secretary of State for Health what proposals he has for improving access to specialist services provided from hospitals. [23451]

Mr. Boateng: As we said in the White Paper "The New National Health Service", improved arrangements for commissioning specialised services will be in place by 1 April 1999. Regional offices will be held accountable for ensuring that these arrangements are able to deal with the particular needs of the patients who use each service, including the question of access.

Locality Commissioning

37. **Mr. Malcolm Bruce:** To ask the Secretary of State for Health what incentives the Government intend to give general practitioners to participate in locality commissioning, with particular reference to existing fundholders. [23452]

Mr. Milburn: In England, primary care-led commissioning will be undertaken by Primary Care Groups, which will allow better co-ordination of primary care and community services, and better healthcare provision to patients in the locality. National Health Service trusts and Primary Care Groups will be able to use savings from longer term agreements to improve services to patients. In addition, there can be practice-level incentive arrangements associated with the groups' budgets, approved by the health authority.

Redeployment of the general practitioner fundholding Practice Fund Management Allowance will provide about £3 per head of population to support the groups' running costs. GPs who take on key responsibilities within Primary Care Groups will have their time appropriately reimbursed from within the group's management support.

Clinical Excellence

Mr. Öpik: To ask the Secretary of State for Health if the proposed national institute for clinical excellence will be responsible for *(a)* assessing the clinical and cost-effectiveness of all technologies and *(b)* producing guidelines for the NHS. [23422]

Ms Jowell: The National Institute for Clinical Excellence will give a new coherence and prominence to information about clinical and cost-effectiveness. It will develop and disseminate clinical guidelines based on relevant evidence of clinical and cost-effectiveness. We will be consulting on the Institute's role and responsibilities over the coming months.

Waste Reduction

Mr. Davidson: To ask the Secretary of State for Health what action he is taking to reduce waste in the national health service. [23431]

Mr. Milburn: We are committed to ensuring that the new National Health Service uses its resources both efficiently and effectively to deliver high quality services. The White Paper sets out a programme of action to sweep away the bureaucracy of the internal market. Over the lifetime of this parliament, £1 billion that would otherwise have been spent on bureaucracy will be released for patient care.

Last October we announced that the NHS Efficiency Task Force, set up to consider the scope for making short-term savings, would become a permanent body examining the scope for savings through systems and processes in the NHS, and sharing best practice with the health service.

BSE-linked Deaths

Mr. Kenneth Clarke: To ask the Secretary of State for Health how many deaths have been scientifically established to have been caused by the consumption of beef contaminated by BSE. [24706]

Ms Jowell: There is convincing scientific evidence that the agent which causes new variant Creutzfeldt-Jakob Disease (nvCJD) in humans is the same as that which causes Bovine Spongiform Encephalopathy in cattle. However, research so far has been unable to shed any light on the mechanism through which patients have contracted the disease.

So far, there have been 23 deaths from nvCJD in the United Kingdom. In 22 of these cases, the diagnosis has been definitely established by the examination of brain tissue.

Care in the Community

Mr. Cox: To ask the Secretary of State for Health what is the total amount of money that has been spent in the Greater London area on care in the community in each of the last three years. [24529]

Mr. Boateng: Gross expenditure on care in the community *(a)* by London Health Authorities on National Health Service Hospital and Community Health Services (HCHS) and *(b)* by London boroughs and the Corporation of the City of London, for the last three years, is given in the table.

£ million

	1994–95	*1995–96*	*1996–97*
(a) Hospital and Community Health Services	63,033	74,594	95,745
(b) Personal Social Services (PSS):			
non-residential services	475	511	n/a
residential services	472	557	n/a

PSS expenditure for 1996–97 is not yet available.

Long-term Care

Ms Drown: To ask the Secretary of State for Health what consultation the Government have carried out on the proposal that the nursing costs of long-term care should be met by the NHS. [25918]

Mr. Boateng: We have noted this issue in our initial evidence to the Royal Commission, which will no doubt be considering it in the wider context of its considerations on the funding of long-term care.

Dental Services

Mr. Barnes: To ask the Secretary of State for Health if he will make a statement on dental registration and the availability of NHS dentistry. [23426]

Mr. Milburn: The Government are committed to improving access to National Health Service dentistry and tackling oral health inequalities. We have recently announced a further £10 million to expand our Investing in Dentistry initiative in 1998–99. The registration period for both adult continuing care and child capitation has been harmonised at fifteen months following each course of treatment. This will improve value for money by focusing resources on those patients receiving active care. We shall redeploy any savings to target improvements in oral health.

Hospital Waiting Lists (Essex)

Mr. Burns: To ask the Secretary of State for Health how many people in the Mid-Essex Hospital Services NHS Trust area have been waiting for treatment for more than *(a)* 18 months and *(b)* 12 months at the latest available date; and what were the figures on (i) 30 September 1997 and (ii) 31 March 1997. [25663]

Mr. Milburn: Information on patients awaiting admission to Mid-Essex Hospital Services National Health Service Trust on 31 March 1997 and on 30 September 1997, the latest published figures available, is given in the table.

	Number waiting	
	At 31 March 1997	*At 30 September 1997*
For 12 months or more	104	[1]441
For 18 months or more	0	3

[1] Figure is final one and differs from provisional figure supplied in the reply given to the hon. Gentleman on 24 November 1997, *Official Report*, column *429*.

Mr. Burns: To ask the Secretary of State for Health how many people in the Mid-Essex Hospital Services NHS Trust area have been waiting to see a consultant for

more than *(a)* 18 months, *(b)* 12 months and *(c)* 6 months at the latest available date; and what were the figures on (i) 31 March 1997 and (ii) 30 September 1997. [25664]

Mr. Milburn: Information collected centrally shows the numbers of patients waiting for their first outpatient appointment with a consultant, following written referral by their general practitioner, who were still waiting after 13 to 26 weeks and after more than 26 weeks. Figures giving the position on 31 March 1997 and 30 September 1997, the latest available, are in the table.

Patients still waiting for a first outpatient appointment with a consultant, following GP written referral, at Mid-Essex Hospital Services NHS Trust

	Number of patients waiting:	
	as at 31 March 1997	*as at 30 September 1997*
13 to less than 26 weeks	481	972
26 weeks and over	74	122

Drug Injection

Mr. Cousins: To ask the Secretary of State for Health if he will list the methods of injecting drugs or insulin which *(a)* are and *(b)* are not prescribable; when these decisions were made; and if they are under review. [25039]

Mr. Milburn: Injection devices which may be prescribed by general practitioners on the National Health Service are listed in Part IX of the Drug Tariff and include a variety of hypodermic syringes and syringe needles. Disposable injection pens which come prefilled with insulin are regarded as a container for the insulin and because of that may also be prescribed. Reusable injection pens, and pen needles, may not be prescribed though we are considering whether they should be. Listing decisions have been made at different times over a period of several years.

Medical Schools

Dr. Gibson: To ask the Secretary of State for Health what plans he has to establish a new medical school in the United kingdom. [23434]

Mr. Milburn: One of the main recommendations in the Third Report of the Medical Workforce Standing Advisory Committee (MWSAC) is a 20 per cent. increase in the annual intake to United Kingdom medical schools. This recommendation has very significant implications, and needs careful examination. The Government will announce their decisions on all of MWSAC's recommendations in a few months' time, in the light of the Government's Comprehensive Spending Review.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Health if he notifies potential purchasers of obsolete information technology equipment sold by his Department that such equipment may not be millennium compliant. [25655]

Mr. Milburn: When it is decided to sell redundant computer equipment that no longer meets the Department's business requirements, companies are invited to bid. The letter of invitation gives the companies the opportunity to inspect the equipment beforehand and makes it clear that it is sold "as seen" with no guarantee that it is fit for any particular purpose. The same approach is adopted within the Department's agencies.

Mrs. Gillan: To ask the Secretary of State for Health, pursuant to his answer of 16 Janaury 1998, *Official Report*, column *368*, how many *(a)* kidney dialysis machines, *(b)* intensive care cots for premature babies and *(c)* intensive care units cannot be repaired or replaced before 31 December 1999. [25659]

Mr. Milburn: An indication of those devices that are potentially affected by the Year 2000 problem will become available in April 1998 when individual site inventories are complete. Information as to which devices are not actually compliant will come mainly from the device manufacturers and in many cases this will not be available until after April 1998.

Head Lice

Mr. Hinchliffe: To ask the Secretary of State for Health what proposals he has to issue new guidelines on the treatment of head lice. [25429]

Mr. Boateng: The Department's poster and leaflet campaign launched in April 1996—*The Prevention and Treatment of Head Lice*—gives parents and teachers advice on the options for dealing with head lice. It has been well received by community health workers who mount local campaigns as the need arises. We also continue to work with the Department for Education and Employment to promote best practice, focusing on a "whole school approach", where action is taken at the same time to detect and treat every case of head lice within the school thus minimising opportunities for re-infestation. In addition consultants in communicable disease control, who have local responsibility for public health programmes, are currently working on a review document on head lice.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Health, pursuant to his answer of 20 Janaury 1998, *Official Report*, column *502*, (1) in what areas a non-statutory agreement between his Department and the Scottish Executive will give the lead role in policy formation to his Department; to what extent it will include mechanisms to harmonise policy between Scotland and his Department on devolved matters; and if he will make a statement; [25574]

(2) if he will publish the most recent drafts of non-statutory agreements with the Scottish Executive; when he proposes to publish the final document; and if the agreement will operate in the first instance for a trial period; [25573]

(3) what representations he has received from other Government Departments concerning the format and aims of non-statutory agreements between his Department and the Scottish Executive; if he will list the number of representations from each Department; and if he will make a statement; [25575]

(4) when discussions began in his Department concerning the non-statutory agreement with the Scottish Executive; on what dates discussions took place; and who was present at such meetings. [25572]

Mr. Milburn: Discussions are being held between departments, both at official level and at Ministerial level, on all matters relating to non-statutory agreements between the United Kingdom Government and the Scottish Executive. These discussions are in their early stages because such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed on progress on these matters.

Vitamins and Minerals

Mr. Martyn Jones: To ask the Secretary of State for Health if he will estimate the percentage of United Kingdom adults who consume less than the recommended daily allowance of *(a)* vitamin A, *(b)* thiamin, *(c)* riboflavin, *(d)* vitamin C, *(e)* vitamin D, *(f)* iron and *(g)* calcium; and if he will make a statement on the trend for these figures over the last 10 years. [24460]

Mr. Rooker: I have been asked to reply.

Recommended daily allowances have been replaced by reference nutrient intakes (RNI). The RNIs and their scientific basis are set out in the Department of Health Committee on Medical Aspects of Food Policy's 1991 report on dietary reference values.

If average intakes are at or above the RNI, the likelihood of deficiency in any group is small. Therefore, up to 50 per cent. of individuals in any group with adequate dietary intakes may consume less than the RNI. Table 1 gives information on the proportion of adults found in a survey in 1986–87 to have intakes below the RNI for the named nutrients. Vitamin D is not included in the table as there is no RNI for this nutrient in adults under 65 years of age.

Table 1: Proportion of adults with intakes below the RNI, 1986–87

Per cent

Nutrient	*Men*			*Women*		
	16–18 years	*19–50 years*	*51–64 years*	*16–18 years*	*19–50 years*	*51–64 years*
Vitamin A	44	27	18	44	31	21
Thiamin	10	8	4	10	12	7
Riboflavin	19	12	9	37	21	17
Vitamin C	21	26	22	29	34	29
Iron	36	12	12	93	89	34
Calcium	64	25	16	71	48	43

Data on trends are not available in the same format. However, data since 1989 on trends in the estimated average intake of nutrients for the whole population, expressed as a percentage of the relevant RNIs, are available from MAFF's National Food Survey (Table 2).

Table 2: Intake per person per day as a percentage of RNI, 1989–96

Nutrient	*Intake as percentage RNI*							
	1989	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
Vitamin A	199	179	181	185	179	165	164	139
Thiamin	159	154	153	150	149	153	161	173
Riboflavin	146	144	144	142	139	140	139	141
Vitamin C	142	138	144	131	134	139	136	143
Iron	102	101	97	96	95	93	92	97
Calcium	123	120	118	120	118	118	118	120

AGRICULTURE, FISHERIES AND FOOD

Ministerial Meetings

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which organisations, companies, individuals, European or overseas ministers and representative bodies he has agreed to meet during the remainder of 1997–98; and when those meetings are scheduled to take place. [16349]

Dr. John Cunningham: My diary for the remainder of 1997–98 is, of necessity, incomplete and provisional. It would serve no purpose to provide details of meetings which might or might not take place.

Mr. Gill: To ask the Ministers of Agriculture, Fisheries and Food how many meetings with farmers' organisations that Ministers had agreed to address they have subsequently declined to attend since 1 May. [22665]

Dr. John Cunningham: It has been necessary for me and my Ministerial team to cancel 10 meetings with farmers' organisations since 1 May.

Council of Ministers

Mr. Denzil Davies: To ask the Minister of Agriculture, Fisheries and Food how many meetings of the Council of Agriculture Ministers of the European Union he has attended [23605]

Dr. John Cunningham: I have attended nine meetings of the Council of Agriculture Ministers of the European Union.

Ministerial Travel (Trains)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food on what date he last used a train in the course of his official duties. [22928]

Dr. John Cunningham *[holding answer on 15 January 1998]:* I last used a train in the course of my official duties on 13 January.

Beef Imports

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food (1) what resources he plans to make available to inspect imported off the bone beef to ensure it meets the same standards as domestically produced meat; and how many people will be employed in this work; [23271]

(2) what plans he has to introduce spot checks on beef imported to the United Kingdom to ensure it meets the same standards as United Kingdom produced beef. [23272]

Mr. Rooker *[holding answer 15 January 1998]:* All fresh meat produced in the UK, and imported into the UK from other EU Member States, must be produced in accordance with harmonised Community rules laid down in Council Directive 64/433/EEC. Fresh meat imported from third countries must come only from approved establishments in countries which are authorised by the European Commission to export to the Community. These controls are designed to ensure that the meat satisfies production requirements equivalent to those applying within the Community.

The Government's new unilateral controls to ensure that certain food and feed products do not contain and were not derived from specified risk material (SRM) require products to be certified as such in their country of origin by national veterinary services. Products produced before 1 January and products derived from animals born, reared and slaughtered in Australia or New Zealand, provided they are certified as such, are not subject to the SRM-freedom requirements. All consignments imported into the UK from third countries are checked at designated Border Inspection Posts. EU Single Market rules permit only random spot-checks at destination for imports from member states. Consistent with those rules, a daily sample of randomly selected consignments from EU member states is checked for conformity with the new unilateral controls.

Other checks carried out at places of destination are made by authorised officers from a number of different bodies, including local authorities. It is not, therefore, possible to state precisely how many people are involved in this work at any one time, except at disproportionate cost.

Ministerial Visits

Mr. Wilshire: To ask the Minister of Agriculture, Fisheries and Food if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23745]

Dr. John Cunningham *[holding answer 19 January 1998]:* I can confirm that, under Rule 83 of the Ministerial Code, Mrs. Cunningham has not accompanied me on any official visit within the United Kingdom. Of the Ministers within my Department, only my hon. Friend the Parliamentary Secretary has been accompanied under Rule 83 of the Ministerial Code: Mrs. Morley attended the opening of the Sheepgate Equestrian Centre on Saturday 27 September 1997. Her attendance did not involve any additional public expenditure.

Beef (Northern Ireland)

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if beef on the bone supplied from certified herds in Northern Ireland will be permitted to be sold throughout Europe following the removal of European Union prohibitions on the export of beef in respect of those herds. [23846]

Dr. John Cunningham *[holding answer 19 January 1998]:* The proposal for an Export Certified Herds Scheme in Northern Ireland currently under consideration by the Standing Veterinary Committee permits only the export of de-boned beef from Northern Ireland.

Animal Welfare

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food if he will list the measures taken by the European Union in respect of animal welfare in each of the last three years. [24525]

Mr. Morley: The measures adopted by the European Union in respect of animal welfare over the three years 1995–1997 in my Department's area of responsibility have been:

Council Directive 95/29/EC of 29 June 1995 amending Directive 91/628/EEC concerning the welfare of animals during transport.

Council Directive 97/2/EC of 20 January 1997 amending Directive 91/629/EEC laying down minimum standards for the protection of calves.

Commission Decision 97/182/EC of 24 February 1997 amending the Annex to Directive 91/629/EEC laying down minimum standards for the protection of calves.

Council Regulation (EC) No. 1255/97 of 25 June 1997 concerning Community criteria for staging points and amending the route plan referred to in the Annex to Directive 91/628/EEC concerning the welfare of animals during transport.

The Protocol to the Treaty of Rome agreed at the 1997 Inter Governmental Conference in Amsterdam recognising that animals are sentient beings and placing on EU institutions a formal obligation to pay full regard to animal welfare when developing Community policies on agriculture, transport, the internal market and research.

Meat Export Licences

Miss Kirkbride: To ask the Minister of Agriculture, Fisheries and Food what is the average time currently taken to process red and white meat export licences by regional centre. [24489]

Mr. Rooker: The State Veterinary Service's Service Standard for processing routine export health certification is five working days from date of receipt of a fully completed application. The Ministry's records show that,

in December, the average time from receipt of an application to dispatch of certificates to Local Veterinary Inspectors for red meat and poultry meat certificates was as follows:

Veterinary Field Service region	*Average time for processing of red meat certificates (Calendar days)*	*Average time for processing of red meat certificates (calendar days*
East	0.96	0.71
West	0.60	1.47
North	1.30	2.47
Scotland	0.02	2.03
Wales	0.42	'0
HQ	0.16	2.18

Note:

'0 means all certificates dispatched on day of receipt.

All of the above figures are provisional and subject to amendment.

Vitamin Supplements

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food if he will list the name and professional qualifications of those nutritionists who have written to him to support his proposed new restrictions on the retail sale of vitamin B6 supplements. [24819]

Mr. Rooker: No assessment has been made of the professional status or qualifications of those who have written to the Government about the proposed controls on food supplements containing vitamin B6.

Agrimonetary Regime

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement describing the workings of the agrimonetary regime for EU member states who do not join its single currency in the first wave. [25246]

Dr. John Cunningham *[holding answer 26 January 1998]:* The European Commission will need to make proposals to the Agriculture Council this year for agrimonetary arrangements to apply after the start of the Single Currency. They have indicated their intention to make proposals in May or June. We intend to discuss the options with all interested organisations. A key aim for the UK in the negotiations will be ensuring equitable treatment of the different groups of Member States involved.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what has been the cost to public funds of each package of agrimonetary compensations claimed by other member states of the EU under the terms of the current agrimonetary regime. [25248]

Dr. John Cunningham *[holding answer 26 January 1998]:* Other EU Member States have paid around 650 MECU in agrimonetary compensation so far, of which 460 MECU has been reimbursed from the CAP budget. The UK's net contribution to this spending, as to all new EU spending in other Member State, will be around 5 per cent.

Rendering Industry

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the cost per tonne for the collection, transport, administration and processing of high-risk material by the rendering industry for the next three years when the current scheme is phased out. [25096]

Dr. John Cunningham *[holding answer 26 Janaury 1998]:* This is a commercial matter for the rendering industry. However, it has been estimated that the average cost of rendering, including the collection, transport, administration costs, is £80/tonne.

Organophosphates

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food if SEAC has investigated possible links between *(a)* Phosmet and *(b)* other organophosphate compounds and BSE; and if he will make a statement. [24696]

Dr. John Cunningham *[holding answer 26 January 1998]:* At a meeting on 24 October 1997, SEAC considered further papers relevant to the hypothesis that the organophosphate (OP), Phosmet, is in some way causally linked to the BSE epidemic. It was noted that the epidemiological evidence is better accounted for by the view that the BSE epidemic is due to the widespread use of animal feed contaminated with the transmissible agent of BSE than by the organophosphate theory. The Committee concluded that experimental evidence would be required to justify further consideration of a role for organophosphates in the epidemiology of BSE.

Specified Risk Material

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the actions planned by the EU Commission to adopt the decision 97/534/EC of 30 July 1997 on the exclusion of specified risk material. [25249]

Dr. John Cunningham *[holding answer 26 January 1998]:* I understand that the Commission intend to table an amended Decision to replace 97/534 before its planned coming into force date on 1 April 1998. As part of this process, the Commission have asked the Scientific Steering Committee for advice on a number of issues by the end of January. On the basis of past practice, I would expect the Commission to consider that advice and put proposals for an amended Decision to the Standing Veterinary Committee.

Green Pound Compensation

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will list the levels of green pound compensation claimed for production of (i) beef, (ii) cereals, (iii) milk and (iv) sugar by each of the other EU states, showing what percentage is nationally funded and indicating where appropriate which payments are subject to the Fontainebleau mechanism. [25241]

Mr. Rooker *[holding answer 26 January 1998]:* Full figures are available for notifications made up to 1 July 1997. At this date, agrimonetary compensation notified by each of the other EU Member States was as follows:

MECU	*Beef*	*Cereals*	*Milk*	*Sugar*	*National funding (per cent.)*
Belgium	15.1	3.2	16.8	4.1	34
Luxembourg	1.8	0.6	2.8	—	50
Netherlands	18.3	3.1	52.5	5.3	Nil
Austria	12.9	—	16.8	1.5	Nil
Ireland	39.1	4.8	39.6	1.9	Nil
Sweden	6.5	6.3	19.1	2.2	Nil

Germany and Denmark both paid aid for general measures beneficial to the agricultural industry.

The Fontainebleau mechanism affects the UK's contribution to the EU budget and will therefore reduce the UK's share of the cost of these measures.

High-risk Material (Disposal)

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what tonnage of fallen stock, animal waste and other tissue categorised as high risk by EU directive 90/667 has been produced in the United Kingdom over the last three years for which figures are available. [25083]

Mr. Rooker *[holding answer 26 January 1998]:* Figures are not available for the tonnage of high risk material produced in the United Kingdom although the Licensed Animal Slaughterers' and Salvage Association has estimated that around 300,000 tonnes are produced annually.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will introduce interim financial support to enable those engaged in the collection and disposal of fallen stock in the United Kingdom to continue to operate on a nation-wide basis in the period before the implementation of United Kingdom legislation consistent with EU environmental health and commercial objectives. [25093]

Mr. Rooker *[holding answer 26 January 1998]:* There is already UK legislation implementing EU legislation in this area. The livestock industry has a great deal to gain from maintaining public confidence in its ability to dispose of its waste in a sustainable manner. I expect it to meet the costs of disposing of fallen stock.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what plans he has to legislate to control or proscribe on-farm burial. [25085]

Mr. Rooker *[holding answer 26 January 1998]:* There is already legislation to control on-farm burial. The Animal By-Products Order 1992, as amended, permits the burial of fallen stock only in certain circumstances and requires burial to be at a depth beyond the reach of carnivorous animals. Under the Water Resources Act 1991, it is an offence to cause or knowingly permit a discharge of poisonous, noxious or polluting matter or solid waste matter into any controlled waters without the proper authority. The European Commission is reviewing the disposal options for fallen stock and may come forward with proposals for further EU legisation.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will list the current requirements to charge for processing high-risk material; and what estimate he has made of the value of dead stock which will in future be buried in-farm when the charges commence. [25084]

Mr. Rooker *[holding answer 26 January 1998]:* It is a commercial matter for renderers whether to charge for processing high risk material. State Veterinary Service staff have been asked to report incidents of unlawful disposal of dead stock on farm.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the cost per tonne of the disposal of high-risk material via landfill in each of the next three years. [25097]

Mr. Rooker *[holding answer 26 January 1998]:* Since 1 January 1998, the Animal By-Products (Amendment) Order 1997 has restricted the use of landfill for the disposal of unprocessed animal by-products. Where landfill is permitted, the cost of disposal is a commercial matter for individual waste suppliers to negotiate with the landfill sites concerned.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with his EU counterparts about the potential increased use of dead animal pits on United Kingdom farms. [25088]

Mr. Rooker *[holding answer 26 January 1998]:* No such discussions have taken place.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review the Code of Good Animal Practice as it relates to on-farm burial. [25086]

Mr. Rooker *[holding answer 26 January 1998]:* The Code of Good Agricultural Practice for the Protection of Water, which provides advice on burial on-farm, has recently been reviewed and it will be issued soon.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the likely effect on the negotiations currently under way to lift the EU export ban on beef of increased use of dead pits on UK farms as a route of disposal for fallen stock. [25091]

Mr. Rooker *[holding answer 26 January 1998]:* EU Directive 90/667, which permits the burial on-farm of fallen stock only in certain circumstances, applies to all Member States. GB legislation reflects the provisions in the Directive. This subject is also addressed by the Code of Good Agricultural Practice for the Protection of Water. This issue of fallen stock has not been raised in the course of negotiations on our proposals for lifting the beef export ban.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will list those EU countries which currently allow an on-farm disposal route for fallen stock. [25090]

Mr. Rooker *[holding answer 26 January 1998]:* An accurate list is not available but it is believed that most Member States permit on-farm burial of fallen stock, although in a number of countries it is allowed only in limited circumstances.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food (1) if he will review the effectiveness of the Rendering Industry Support Scheme as a means of allowing the knacker/fallen stock trade to provide a low-cost disposal service to the farmer and livestock producers; [25095]

(2) if he will *(a)* authorise an immediate review of the costs to the UK economy of the externality and direct costs of the disposal of animal waste and *(b)* continue the support available via the Rendering Industry Support Scheme currently being phased out until such a review is completed; [25092]

(3) what levels of financial support have been made available for the last three years and will be available over the next two years to businesses offering a fallen stock collection service to the livestock sectors in each county within the United Kingdom; [25082]

Mr. Rooker *[holding answer 26 January 1998]:* The objective of the support to the rendering industry was to avoid the disorderly collapse of the meat chain in the immediate aftermath of the BSE crisis. This was achieved. Support of £97 million was first paid under the rendering industry support arrangements in 1996–97 and up to £59 million has been available in 1997–98. The conditions in the spring of 1996 which gave rise to the threat of collapse of the meat chain no longer exist and there are no plans to continue to support for the disposal of animal waste in 1998–99.

Following the election, the Government carefully considered representations made by a wide range of interested bodies before confirming the phasing out of support in 1997–98. There are no plans to review the position again. The livestock industry has a great deal to gain from maintaining public confidence in its ability to dispose of its waste in a sustainable manner. I therefore expect it to meet the cost of disposing of fallen stock.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact black-market disposal of fallen stock on-farm would have on the traceability measures currently planned to enable the EU to sanction the lifting of the beef export ban. [25089]

Mr. Rooker *[holding answer 26 December 1998]:* Fallen stock must be disposed of so that they do not enter the human foodchain and there are already measures to prevent such entry from taking place. The computerised database which will be introduced later this year will improve tracing of cattle, including those which die on farm.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of the implications of a dead pit disposal route for fallen stock on the authorities charged with monitoring the quality of private water supplies in rural areas; [25094]

(2) if he will estimate the risks to (i) environmental, (ii) human and (iii) animal health from uncontrolled on-farm burial schemes of fallen stock; [25087]

(3) what assessment he has made of the public health and environmental consequences of dead animals being buried on-farm in future. [25080]

Mr. Rooker *[holding answer 26 January 1998]:* I would expect local authorities to continue monitoring private water supplies in areas where burial pits are used to dispose of fallen stock. The use of burial pits, and other methods of on-farm burial, is controlled by legislation and reinforced by the Code of Good Agricultural Practice for the Protection of the Water to avoid contaminating the environment or posing a disease risk.

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food how many businesses operating in the United Kingdom currently offer a fallen stock collection service to the livestock sectors in each country. [25081]

Mr. Rooker *[holding answer 26 January 1998]:* Many knackers' yards and hunt kennels offer a collection service for fallen stock. The total number of these businesses in counties where they exist is as follows:

	Number
Borders\Lothian	6
Cambridgeshire	9
Cardiff	17
Carmarthenshire	26
Cheshire	2
Co. Antrim	5
Co. Down	1
Co. Londonderry	2
Cornwall	24
Cumbria	16
Devon	32
Dorset	9
Dumfries and Galloway	4
Essex	12
Gloucestershire	11
Grampian	1
Gwynedd	11
Hampshire	14
Kent	11
Lancashire	7
Humberside	3
Lincolnshire	10
Norfolk	8
Nottingham	12
Oxfordshire	17
Powys	8
Shropshire	10
Somerset	21
Staffordshire	4
Suffolk	12
Surrey	10
Tayside	1
Tyne and Wear	15
Wiltshire	6
Worcester	11
Yorkshire	31

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received on the proposed arrangements for the collection, treatment and disposal of fallen stock and other high-risk animal waste; [25079]

(2) if he will make a statement outlining policy on the future arrangements for the collection, treatment and disposal of fallen stock and other high-risk animal waste. [25078]

Mr. Rooker *[holding answer 26 January 1998]:* The Government consider that it is the responsibility of the livestock industry to ensure that there are suitable

arrangements for the collection and disposal of fallen stock. I have discussed the current position with the Licensed Animal Slaughterers' and Salvage Association (LASSA) and my officials are discussing future arrangements with LASSA, the Meat and Livestock Commission and the farming industry.

Beef Producers

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the principles he proposes to apply in restructuring the beef-producing sector in the United Kingdom; and if producers in less favoured areas will continue to be the prime recipients of longer-term support payments; [25245]

(2) what account he will take of the position of the quality specialist suckler producer in the hill areas in his proposals to restructure the beef industry. [25243]

Mr. Rooker *[holding answer 26 January 1998]:* The aim of our restructuring plan, which will be drawn up in full consultation with the industry, is to help the sector become more efficient, and thus less dependent on subsidies and other support.

Our initial thoughts are that it would be appropriate to devise such a plan for both beef and sheep producers. If the plan is successful, it is possible that overall levels of production may decline. The extent to which this happens will reflect producers' decisions rather than those of Government. It is not an objective of the plan deliberately to alter the balance of production as between the less favoured areas (LFA) and non-LFA or as between the dairy herd and the suckler herd.

It is no part of our thinking that, by putting such a plan in place, the Government will reduce the need to provide some form of continuing long-term support to hill farmers that recognises the natural handicaps which they face. But, as my right hon. Friend said in his statement to the House on 22 December 1997, *Official Report*, columns *677–79*, we do need to look carefully at the way in which such support is provided and to devise ways of enabling that support to achieve positive environmental goals. This too will be the subject of full consultation with the industry.

Genetically Modified Crops

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will introduce compulsory segregation of genetically modified crops. [25458]

Mr. Rooker *[holding answer 26 January 1998]:* I refer the hon. Member to the reply given to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on 17 July 1997, *Official Report*, column *504*.

Livestock Producers

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what steps he proposes to take to consult livestock interests about the need to restructure; and if he will make special arrangements to consider the needs of livestock producers in less favoured areas. [25242]

Mr. Rooker *[holding answer 26 January 1998]:* Detailed plans for this initiative are under consideration, but livestock interests will be fully consulted as soon as possible. As always, we will take due account of the interests of less favoured area producers.

Specialist Beef Herd

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the reduction in size necessary in the United Kingdom specialist beef herd to make it economically sustainable in the long term; and if he will make a statement indicating the period of time over which the restructuring is to be achieved. [25244]

Mr. Rooker *[holding answer 26 January 1998]:* No. Adjustment is a continuing process and it is for individual farmers to assess their ability to compete within the single market of the European Union. However, our officials are discussing with farming organisations in what way the Government might be able to assist farmers to adjust.

BSE

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral statement of 22 December 1997, *Official Report*, columns 677–79, if he will give a breakdown of the £2 billion provided in 1996–97 and the £1.4 billion in 1997–98 to support the beef sector, identifying what the money was spent on, and what proportion of the money was used in each year for Government food safety or public health measures. [25253]

Mr. Rooker *[holding answer 26 January 1998]:* For the requested breakdown of 1996–97 expenditure, I refer the hon. Member to the reply I gave to my hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) on 22 December 1997, *Official Report*, columns *488–89*. The latest estimates of the equivalent figures for 1997–98 are as follows (not including the measures announced in the package, of which the beef industry's share is £72.5 million):

	£ million
Non-BSE related	
Suckler Cow Premium Scheme	222
Beef Special Premium Scheme	219
Hill Livestock Compensatory Allowances	52
Total (Non-BSE related)	493
BSE related	
Intervention	180
Export refunds	–2
Over Thirty Month Scheme	395
Calf Processing Aid Scheme	54
Rendering Industry Support	69
Animal Feed Disposal Service	2
Suckler Cow Special Payments	8
Specified Risk Material Controls	23
Selective Cull	119
MLC/LMC Promotion Payments	2
Other Measures	21
Total BSE related	871

All the above expenditure relates to measures which support the beef industry, whether through direct payments, market intervention, rebuilding consumer

confidence or in meeting the terms of the Florence Agreement in order to get the export ban lifted. Expenditure listed under Specified Risk Material Controls is principally concerned with increased controls in slaughterhouses and other meat plants and can properly be regarded as necessary to safeguard public health. The exclusion of meat from animals over thirty months of age from the food chain is a public health measure, but the market support provided in respect of such animals is not, properly speaking, public health expenditure.

Veterinary Students

Mr. Welsh: To ask the Minister of Agriculture, Fisheries and Food if he will pay tuition fees for veterinary students in the fifth and subsequent years of their courses; and if he will make a statement. [25342]

Mr. Rooker *[holding answer 26 January 1998]:* Matters relating to the funding of tuition fees for veterinary students are the responsibility of the Secretary of State for Education and Employment.

DUCHY OF LANCASTER

Disabled Civil Servants

Mr. Cawsey: To ask the Chancellor of the Duchy of Lancaster what proportion of Civil Service staff are registered disabled. [25661]

Dr. Clark: On 1 April 1996, 2.9 per cent. of staff (13,900) employed in the non-industrial Civil Service were disabled, of whom 1.6 per cent. (7,680) were registered as disabled.

The provisions under the Disabled Persons (Employment) Act 1944, which provided for disabled people to register their disability, were repealed in December 1996 by the Disability Discrimination Act 1995.

MINISTER WITHOUT PORTFOLIO

Millennium Experience

Mr. Mitchell: To ask the Minister without Portfolio what is his definition of British for the purposes of exhibiting in the Millennium Experience. [23713]

Mr. Mandelson: All the design companies with which the New Millennium Experience Company is working on the content of the Millennium Dome are registered in the United Kingdom.

The Millennium Experience at Greenwich will demonstrate to the world the very best of this country's rich and diverse talent and creativity.

Disney World

Mr. Maude: To ask the Minister without Portfolio what lessons he is drawing from Disney World for the Millennium Experience. [23919]

Mr. Mandelson: I refer the right hon. Member to the answer I gave on 16 January 1998, *Official Report*, column 352.

Millennium Dome (Contracts)

Mr. Maude: To ask the Minister without Portfolio (1) what steps were taken to ensure that the tendering process for the contract awarded to Brand Union conformed with European law; [25548]

(2) what is the lower limit for contracts regarding logo design or corporate identity to be placed in the *European Journal*. [25546]

Mr. Mandelson *[holding answer 26 January 1998]:* The New Millennium Experience Company's legal advice is that there is no requirement for contracts for corporate brand and identity (including logo design) to be advertised in the *Official Journal* of the European Communities. Such contracts fall within Part B of the Public Services Contracts Regulations (SI 1993/3228), the obligations of which, in contracts of this nature, concern technical specifications and post-contract award information. The New Millennium Experience Company has complied with the relevant obligations and, in the case of post-contract award information, will comply when negotiations on contract details are finalised. In the circumstances, the issue of lower limits of contract value and the *European Journal* do not apply.

Mr. Maude: To ask the Minister without Portfolio if he will make a statement on the tendering process used for the corporate identity and logo design contract awarded to Brand Union Ltd. [25547]

Mr. Mandelson: The New Millennium Experience Company (NMEC) is required to achieve some £359 million of income from private sponsors, visitors and other commercial income. NMEC's aim, therefore, is to develop a brand and identity, of which a logo is an integral part, which will assist the delivery of that income target.

After initial concept work in July and August, the NMEC Board's Executive Committee agreed in September that three companies would be invited to submit logo designs, on the basis that the status, experience and competence of those invited to tender were sufficiently similar to enable proper competition, and that no conflicts of interest arose for the Board or Executive of the NMEC.

Two of the three companies invited to do so submitted logo proposals. NMEC's Board decided that those from Brand Union Ltd., which included a comprehensive package of design support, were superior and held the prospect of providing the quality and profile considered essential to assist the achievement of sponsorship and other income targets.

However, it was clear that, whichever of the two bidders was chosen, further development work would be needed, both on logo and on overall brand and identity. In November, the Board's Executive Committee agreed that discussions with Brand Union Ltd. should be undertaken with the aim of refining the logo concepts and of establishing favourable contract terms. At this stage, Brand Union's work was shown to me, as Shareholder.

Subsequent discussions and negotiations between the company and Brand Union Ltd. concluded with a proposal that NMEC would pay Brand Union £50,000 to finalise

the logo design, for copyright of the logo, and for work on wider brand and identity. In addition, the company is in discussion with Martin Lambie-Nairn of Brand Union Ltd. over provision of design services to NMEC on all aspects of brand and identity.

On 13 January, NMEC's Chief Executive informed the Millennium Commission, in accordance with the provisions of their Grant Agreement, of its proposed contract arrangements. The Commission confirmed on 16 January that they were content with the decision.

Written Answers to Questions

Wednesday 28 January 1998

LORD CHANCELLOR'S DEPARTMENT

Appeals Committee

Mr. Steen: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects the Appeals Committee to consider the application made on 21 May for leave to appeal to the House of Lords in the case of Mr. and Mrs. Reeman of Brixham and the Department of Transport. [25942]

Mr. Hoon: The petition for leave to appeal has been considered by an Appeal Committee and was refused on 26 January 1998.

Legal Aid

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received from the Law Society on its proposals for a Contingency Legal Aid Fund, and what assessment he has made of the options proposed for setting up such a fund. [25871]

Mr. Hoon: The President of the Law Society wrote to me on 16 December 1997 enclosing a paper entitled "A proposal by the Law Society to link legal aid and conditional fees". I am considering the proposal and I am due to meet the President shortly to discuss it further. No final decisions will be taken about this, or any other representations, until the consultation paper has been issued and all the responses received.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on his Department's policy towards the funding of Legal Aid Board franchises, with particular reference to Citizens Advice Bureaux. [25869]

Mr. Hoon: The Legal Aid Board is piloting contracts for advice and assistance services provided by both solicitors and not-for-profit agencies, including Citizens Advice Bureaux. These contracts allow contract-holders meeting the franchise quality standard to provide advice, assistance and some limited representation. The pilot began in 1994.

On 14 January the Lord Chancellor asked the Legal Aid Board to construct an implementation plan to achieve the objective of delivering all advice and assistance through fixed-price contracts with quality-assured suppliers by the end of 1999. These contracts will include contracts with the not-for-profit advice sector, of which the Citizens Advice Bureaux form a part, in an expansion of the original pilot.

22 Citizens Advice Bureaux participated in the first phase of the pilot with contracts in 1996–97 to the value of £1,722,000 out of a total budget of £3 million.

Approximately 200 organisations, including more than 70 Citizen Advice Bureaux, are likely to be offered contracts in 1998–99. The Board has been allocated up to £14 million within its PES allocation for legal aid to support these contracts.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received with regard to the future funding of those disbursements and up-front costs in civil cases which at present receive legal aid for those purposes; and if he will make a statement. [25870]

Mr. Hoon: I have received many representations on our plans for reform of legal aid which refer to the problems of funding disbursements and up-front costs. The wide consultation we are undertaking is partly aimed at looking at ways of meeting these costs, either through lawyers funding these as a business cost, or by lawyers sharing the risk with insurers, banks or other funders. It may be that in certain types of case public funds may be necessary where there is no alternative.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to introduce a merits test on legally aided civil cases of 75 per cent. [25868]

Mr. Hoon: We intend to introduce a flexible legal aid merits test that can take account of the priority and importance of different types of case. Changing the merits test will require primary legislation. We intend to bring forward a Bill that will fundamentally reform the legal aid scheme, as soon as Parliamentary time allows.

Millennium Compliance

Mr. John M. Taylor: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the preparedness of *(a)* his Department, *(b)* the Land Registry and *(c)* the Public Record Office for the computer consequences of the arrival of the year 2000. [25430]

Mr. Hoon: Comprehensive plans for the achievement of Year 2000 compliance in the Department, its Agencies and other bodies which report to the Lord Chancellor, including the Land Registry and the Public Record Office, were delivered to the Central Computer and Telecommunications Agency in October 1997. They have since been placed in the public domain. The plans document in detail areas of vulnerability and the remedial action required to combat the Year 2000 problem.

A supplement to the plans was issued in December 1997 and quarterly progress reports will also be made available. The first of these will be prepared shortly, for publication in March.

Judicial Committee

Mr. Salmond: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the procedure for appointing members of the Judicial Committee of the Privy Council. [25509]

Mr. Hoon: Membership of the Judicial Committee of the Privy Council derives from the occupancy of certain judicial and ministerial posts. The membership comprises the Lord Chancellor, the present and former Lords President of the Council, the Lords of Appeal in Ordinary,

and those other members as shall from time to time hold or have held high judicial office. In practice this also includes the Heads of the Divisions of the Supreme Court, members of the Court of Appeal and those judges of the Court of Session and Supreme Court of Northern Ireland who are members of the Privy Council.

Retired judges in these categories who have not yet attained the compulsory retirement date of 75 are also members.

Serving and retired judges of certain Commonwealth superior courts who are members of the Privy Council are members of the Judicial Committee by virtue of the Judicial Committee Amendment Act 1895, as amended by the Appellate Jurisdiction Act 1908.

Mr. Salmond: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the membership of the Judicial Committee of the Privy Council indicating their *(a)* age, *(b)* legal jurisdiction of origin and *(c)* membership of other public bodies; and if he will make a statement. [25508]

Mr. Hoon: Those who are eligible to sit as members of the Judicial Committee of the Privy Council include the present and former Lords President of the Council and those members of the Privy Council, not over the age of 75, who hold or have held any of the following high judicial offices: Lord Chancellor, Lord of Appeal in Ordinary or judge of a superior court of Great Britain and Northern Ireland. Membership of the Judicial Committee extends to serving and retired judges of certain Commonwealth superior courts who are members of the Privy Council.

I list below the names of the members together with the other information requested, where available. By convention, the Lords of Appeal in Ordinary are the regular judges of the court, drawing occasional assistance from the Commonwealth and retired judges.

I have no plans to make a statement.

Name	*Age*	*Jurisdiction of origin*	*Public bodies*
The right hon. Ann Taylor MP	50	(President)	
The right hon. The Lord Hailsham of St. Marylebone KG CH	90	(Former Lord President)	
The right hon. The Viscount Whitelaw KT CH MC	79	(Former Lord President)	
The right hon. The Lord Carr of Hadley	81	(Former Lord President)	
The right hon. The Lord Prior	70	(Former Lord President)	
The right hon. The Lord Glenamara CH	85	(Former Lord President)	
The right hon. Michael Foot	84	(Former Lord President)	
The right hon. The Lord Pym MC	75	(Former Lord President)	
The right hon. The Lord Biffen	67	(Former Lord President)	
The right hon. The Lord Wakeham	65	(Former Lord President)	Chairman, Press Complaints Commission
The right hon. The Lord Howe of Aberavon CH QC	71	(Former Lord President)	
The right hon. John MacGregor MP	60	(Former Lord President)	
The right hon. The Lord Newton OBE	60	(Former Lord President)	
The right hon. The Lord Irvine of Lairg	57	(Lord Chancellor)	Member, Supreme Court Rule Committee Member, Crown Court Rule Committee Member, Family Proceedings Rule Committee
The right hon. The Lord Mackay of Clashfern KT	70	(Former Lord Chancellor)	
The right hon. The Lord Bingham of Cornhill	64	England	Member, Supreme Court Rule Committee Member, Crown Court Rule Committee
The right hon. The Lord Woolf	64	England	Member, Supreme Court Rule Committee
The right hon. Sir Stephen Brown	73	England	Member, Supreme Court Rule Committee Member, Family Proceedings Rule Committee
The right hon. Sir Richard Scott	63	England	Member, Supreme Court Rule Committee
The right hon. The Lord Goff of Chieveley	71	England	
The right hon. The Lord Browne-Wilkinson	67	England	
The right hon. The Lord Slynn of Hadley	67	England	
The right hon. The Lord Lloyd of Berwick	68	England	
The right hon. The Lord Nolan	69	England	
The right hon. The Lord Nicholls of Birkenhead	64	England	
The right hon. The Lord Steyn	65	England	
The right hon. The Lord Hoffman	63	England	
The right hon. The Lord Hope of Craighead	59	Scotland	
The right hon. The Lord Clyde	65	Scotland	
The right hon. The Lord Hutton	66	Northern Ireland	
The right hon. The Lord Saville of Newdigate	61	England	Chairman, Advisory Committee on Legal Education and Conduct
The right hon. The Lord Jauncey of Tullichettle	72	Scotland	
The right hon. The Lord Griffiths MC	73	England	
The right hon. The Lord Mustill	66	England	
The right hon. The Lord Cooke of Thorndon	71	New Zealand	
The right hon. The Lord Rodger of Earlsferry	53	Scotland	
The right hon. Sir Robert Carswell	63	Northern Ireland	
The right hon. Lord Cullen	62	Scotland	
The right hon. The Lord Cameron of Lochbroom	66	Scotland	
The right hon. The Lord Mackenzie-Stuart	73	Scotland	
The right hon. Lord Ross	70	Scotland	Chairman, Judicial Studies Committee, Scotland
The right hon. Lord Wylie	73	Scotland	
The right hon. Lord Justice Nourse	65	England	
The right hon. Lady Justice Butler-Sloss	64	England	

Name	*Age*	*Jurisdiction of origin*	*Public bodies*
The right hon. Lord Justice Stuart-Smith	70	England	
The right hon. Lord Justice Beldam	72	England	
The right hon. Lord Justice Kennedy	62	England	
The right hon. Lord Justice Hirst	72	England	
The right hon. Lord Justice Simon Brown	60	England	
The right hon. Lord Justice Evans RD	63	England	
The right hon. Lord Justice Rose	60	England	
The right hon. Lord Justice Roch	63	England	
The right hon. Lord Justice Gibson	63	England	
The right hon. Lord Justice Hobhouse	65	England	
The right hon. Lord Justice Henry	66	England	Chairman, Judicial Studies Board
The right hon. Lord Justice Millet	65	England	
The right hon. Lord Justice Swinton Thomas	66	England	
The right hon. Lord Justice Morritt CVO	59	England	
The right hon. Lord Justice Otton	64	England	Member, Crown Court Rule Committee Chairman. Special Health Authority for the Royal Brompton National Heart and Lung Hospital
The right hon. Lord Justice Auld	60	England	
The right hon. Lord Justice Pill	59	England	
The right hon. Lord Justice Aldous	61	England	
The right hon. Lord Justice Ward	59	England	
The right hon. Lord Justice Hutchison	64	England	
The right hon. Lord Justice Schiemann	60	England	
The right hon. Lord Justice Phillips	60	England	
The right hon. Lord Justice Thorpe	59	England	
The right hon. Lord Justice Potter	60	England	
The right hon. Lord Justice Brooke	61	England	
The right hon. Lord Justice Judge	61	England	
The right hon. Lord Justice Waller	57	England	
The right hon. Lord Justice Mummery	59	England	Member, Ecclesiastical Committee
The right hon. Lord Justice Mantell	60	England	
The right hon. Lord Justice Chadwick ED	57	England	
The right hon. Lord Justice Walker	59	England	
The right hon. Lord Justice Buxton	59	England	
The right hon. Lord Justice May	57	England	
The right hon. Lord Justice MacDermott	70	Northern Ireland	
The right hon. Lord Justice McCollum	64	Northern Ireland	
The right hon. Lord Justice Nicholson	64	Northern Ireland	
The right hon. Sir Christopher Staughton	64	England	
The right hon. Sir John Waite	65	England	
The right hon. Sir Michael Mann	66	England	
The right hon. Sir Alexander Leggatt	67	England	
The right hon. Sir Donald Farquharson	69	England	
The right hon. Sir Anthony McCowan	70	England	
The right hon. Sir Christopher Slade	70	England	
The right hon. Sir Patrick Russell	71	England	
The right hon. Sir Brian Dillon	72	England	
The right hon. Sir John Balcombe	72	England	
The right hon. Sir Iain Glidewell	73	England	
The right hon. Sir Brian Neill	74	England	
The right hon. Sir Roger Parker	74	England	
The right hon. Sir Thaddeus McCarthy KBE	90	New Zealand	
The right hon. Sir Harry Gibbs	80	Australia	
The right hon. Sir Owen Woodhouse	81	New Zealand	
The right hon. Sir William Douglas	76	Barbados	
The right hon. Sir Ronald Davison	77	New Zealand	
The right hon. Sir Ivor Richardson	67	New Zealand	
The right hon. Sir Duncan McMullin	70	New Zealand	
The right hon. Sir Edward Somers	69	New Zealand	
The right hon. Telford Georges	75	Cayman Islands	
The right hon. Sir Maurice Casey	74	New Zealand	
The right hon. Sir Gordon Bisson	79	New Zealand	
The right hon. Sir Thomas Eichelbaum	66	New Zealand	
The right hon. Thomas Gault	59	New Zealand	
The right hon. Ian McKay	68	New Zealand	
The right hon. Sir Vincent Floissac CMG OBE	69	West Indies	
The right hon. Edward Zacca	67	Jamaica	
The right hon. John Henry		New Zealand	
The right hon. Edmund Thomas		New Zealand	

Civil Service Staff

Mr. Rhodri Morgan: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26027]

Mr. Hoon: There are currently 55 permanent members of the Senior Civil Service (the equivalent of grade 5 and above) in this Department. Of this total:

(a) 33 have spent their entire civil service career within the Department;

(b(i)) two have had secondments or loans to the private sector;

(b(ii)) six have had secondments or loans to other departments; and

(c) 14 have come from other departments.

Of the total, 35 had experience in another sector before entering the civil service.

The Department also employs three fixed-term appointees at Senior Civil Service level, all of whom have had experience in other sectors prior to taking up their current appointments.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Heavy Goods Vehicles

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 15 January, *Official Report*, column *262*, what is the estimated cost to public funds of those heavy goods vehicles which evade vehicle excise duty. [24728]

Ms Glenda Jackson: The estimated net cost to public funds of VED evasion by heavy goods vehicles was £19 million in 1996–97. The enforcement cost to DVLA in the same period is estimated at £200,000. It is not possible to provide estimates for enforcement costs related to VED evasion by heavy goods vehicles in relation to other agencies.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what progress his Department is making in introducing legislation to provide for the impounding of illegally operated heavy goods vehicles. [25956]

Ms Glenda Jackson: We hope to issue a consultation paper shortly.

Working Time Directive

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the Working Time Directive to transport workers. [25964]

Ms Glenda Jackson: We recently responded to the European Commission's White Paper on proposals for extending the working time Directive to the transport sector. We will consider specific proposals once these have been brought forward by the Commission.

Channel Tunnel (Chemical Products)

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the regulations covering the carriage of chemical products through the Channel Tunnel. [25259]

Ms Glenda Jackson: Europe-wide controls on the transport of dangerous goods apply to the Channel Tunnel. Over and above these, special additional restrictions apply to Eurotunnel's dangerous goods policy, approved by the Intergovernmental Commission on the advice of the Channel Tunnel Safety Authority (CTSA). The policy approved in 1994 was reviewed as a consequence of the fire in the Channel Tunnel on 18 November 1996, and some further restrictions were introduced as a result in June 1997, when HGV Shuttle services were allowed to resume operations.

HSE's Railway Inspectorate carries out inspections designed to verify that risks are being properly controlled as required. Information from that process is also shared with the CTSA.

Passenger Rail Network

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how many carriages and train sets were in service on the passenger rail network as at 31 March in each year since 1990; and if he will make a statement. [25274]

Ms Glenda Jackson: The latest figures held centrally relating to the overall passenger rail network are contained in the British Railways Board's annual report and accounts and show the number of vehicles owned by the Board as at 31 March for each of the years 1990–95 inclusive. These are shown in the table. The rolling stock leasing companies who now own most of the passenger rolling stock, were privatised in 1995. Figures for subsequent years are not held centrally.

	31 March 1990	*31 March 1991*	*31 March 1992*	*31 March 1993*	*31 March 1994*	*31 March 1995*
Locomotives—Diesel[1]	1,835	1,752	1,634	1,559	1,428	1,422
Locomotives—Electric[1]	260	278	262	260	260	258
High speed trains—power cars	197	197	197	197	197	197
Coaching vehicles	12,514	12,451	11,825	11,184	10,892	10,665

[1] Includes freight locomotives (it is not possible to disaggregate these figures as some locomotives could be switched between passenger and freight haulage).

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how many carriages and train sets on the passenger rail network were *(a)* withdrawn from service and *(b)* commissioned into service in each year since 1990. [25276]

Ms Glenda Jackson: The latest figures held centrally relating to the overall passenger rail network are contained in the British Railways Board's annual reports and accounts. The relevant figures for the financial years 1990–91 to 1994–95 are shown in the table. The rolling stock leasing companies, who now own most of the passenger rolling stock, were privatised in 1995. Figures for subsequent years are not held centrally.

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*
Locomotives'—Diesel	+20 (–103)	+59 (–177)	+14 (–89)	+19 (–150)	+4(–10)
—Electric	+29 (–11)	+0 (–16)	+0 (–27)	no change	+0(–2)
High speed trains	no change	no change	no change	no change	no change
Passenger carrying vehicles	+414 (–1,091)	+283 (–909)	+115 (–756)	+661 (–1,614)	+265 (–492)

NB: Negative figures in brackets include not only withdrawals, but also transfers or conversions.
[1] Includes freight locomotives (it is not possible to disaggregate these figures as some locomotives could be switched between passenger and freight haulage).

Tour Operators

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions how many tour operators, broken down by sector, over each of the last three years, have been investigated for trading without a licence. [25308]

Ms Glenda Jackson: The Civil Aviation Authority, which operates the Air Travel Organisers' Licensing (ATOL) scheme, has advised that the number of travel organisers investigated for trading without holding an ATOL in each of the last three years is as follows:

1995: 685

1996: 1,122

1997: 1,449

To break down these figures further would involve disproportionate cost.

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions how many companies the Civil Aviation Authority licensed as tour operators, broken down by sector, over each of the last three years. [25307]

Ms Glenda Jackson: The Civil Aviation Authority issued the following number of new Air Travel Organisers' Licences in each of the last three years:

1995: 379

1996: 360

1997: 192

The total number of licence holders as at December of each year, broken down into the various ATOL categories, is as follows:

Year	*Fully*	*Scheduled*	*Agency*	*Wholesale*	*Total*
1995	1,199	145	17	n/a	1,361
1996	1,301	186	63	105	1,655
1997	1,336	196	60	124	1,716

Fully: fully bonded business—schedule or charter-based inclusive packages and also seat only sales on charter flights.
Scheduled: scheduled bonded business—consolidators and other firms that sell air tickets on a seat only basis but do not provide tickets immediately.
Agency: consolidators that sell discounted air tickets as agents of scheduled airlines.
Wholesale: licences held by companies set up by established tour operators for tax purposes.

Air Services

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will quantify the *(a)* jobs expected to be created in the tourism industry of the North West and *(b)* the (i) regional and (ii) national employment effects as calculated in the Civil Aviation Authority's analysis for bilateral air service talks with Pakistan, India, Singapore, and the United Arab Emirates. [25474]

Ms Glenda Jackson *[holding answer 26 January 1998]:* The CAA's analysis for bilateral air services talks with Pakistan, India, Singapore and the United Arab Emirates included the calculation of expenditure effects. However these were not translated into employment effects. The calculation of employment effects can be drawn from the expenditure effects and I have asked the CAA to produce the figures requested and will write to my hon. Friend with the information shortly.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library copies of the full regional economic analyses prepared by the CAA for bilateral air service talks for *(a)* Australia, *(b)* India, *(c)* Pakistan, *(d)* Canada, *(e)* Mauritius, *(f)* Seychelles, *(g)* Singapore and *(h)* the United Arab Emirates. [25473]

Ms Glenda Jackson *[holding answer 26 January 1998]:* Some of the information contained in the documents requested is of a commercially confidential nature: the release of such information in to the public arena could be prejudicial to future negotiations with our bilateral partners. It would therefore not be appropriate to place the information in the House Library.

Air Traffic Control

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what was the original budget allocated for the building and equipping of the new air traffic control centre at Swanwick; and what is the current level of expenditure; [25953]

(2) if he will list *(a)* the original target date for the Swanwick air traffic control centre to become operational and *(b)* the current target date; and what factors underlie the difference; [25954]

(3) if he will place in the Library a copy of the action plan drawn up by the Civil Aviation Authority and National Air Traffic Services for dealing with millennium compliance issues. [25976]

Ms Glenda Jackson: The original estimate by National Air Traffic Services Ltd. (NATS) for the capital expenditure at the Swanwick Centre, made in July 1989, was £215.5 million at 1988–99 prices, which equates to £313 million at 1997–98 prices. A reappraisal of the project was approved by the Government in December 1991, with a new budget of £310.2 million at 1990 prices. Using actual inflation indices, this gives an actual costs budget of £350.7 million—NATS still expects to be within this budget.

The original operational date for the Swanwick Centre, given in July 1989, was November 1996. The current target date is the winter of 1999–2000. The major causes of the delay were *(a)* problems with the integration of 23 software sub-systems, and *(b)* the need for additional functions in the system, which was identified following testing of the system by air traffic controllers.

I have arranged for copies of the CAA and NATS documents showing the steps that they have taken to address the millennium problem, and any further action they intend to take, to be placed in the Library.

Channel Tunnel

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions on what occasions Eurotunnel has asked *(a)* his Department and *(b)* the Channel Tunnel Safety Authority to refrain from publishing information relating to the safety of the Channel Tunnel; and on what occasions it has invoked clause 33.3 of the Channel Tunnel Treaty to prevent publication. [25959]

Ms Glenda Jackson: There have been no such occasions in either case. My Department, and the Channel Tunnel Safety Authority, both abide by the terms of Clause 33.3 of the Channel Tunnel Concession Agreement, but these do not prevent the Safety Authority from publishing its own reports, such as the eight Annual Reports published to date, the 1989 Report into non-segregation of tourist shuttle passengers from their vehicles, and the 1997 Report into the fire on HGV Shuttle 7539.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the extent to which clause 33.3 of the Channel Tunnel Treaty enables adequate information relating to safety in the Channel Tunnel to be published. [25958]

Ms Glenda Jackson: I am satisfied that the requirements of Clause 33.3 of the Channel Tunnel Concession Agreement enable adequate information to be published. Eurotunnel is free to publish the safety information which it produces, and the Channel Tunnel Safety Authority publishes an annual report on its activities, covering all aspects of Channel Tunnel safety. Copies of this report are placed in the Library.

Non-domestic Rating

Mr. MacShane: To ask the Secretary of State for the Environment, Transport and the Regions what will be the valuation date for the 2000 non-domestic rating revaluation. [26340]

Ms Armstrong: The next non-domestic property revaluation will come into force on 1 April 2000. We have decided that the antecedent valuation date for England and Wales, that is the common valuation date for the 2000 revaluation, will be 1 April 1998. I have today laid the necessary order before the House.

This decision will provide certainty for businesses and will allow adequate time for the assessment to be carried out.

Energy Saving Trust

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he has made a decision on the Government grant support for the Energy Saving Trust in 1998–99; and if he will make a statement. [26531]

Mr. Meacher: The previous Government's planned public expenditure total provided £13.5 million for 1998–99, compared to this year's £19 million. We have allocated an additional £5.5 million to the Trust, to avoid the previous Government's planned cut, and to maintain Government support for the Trust. This allocation of grant support reflects the contribution which energy efficiency makes both to reducing greenhouse gas emissions, and to reducing consumers' energy bills. The increased allocation will enable the Trust to maintain and develop its successful programmes, and will secure the Trust's capability to plan for the climate change task ahead. For the present year, the Secretary of State has allocated the Trust an additional £450,000, to enable it to extend its successful 'Energy Efficiency' promotion campaign and extend other successful programmes.

EDUCATION AND EMPLOYMENT

Exclusions

Mr. Cox: To ask the Secretary of State for Education and Employment how many pupils were permanently excluded from schools in England and Wales, on 1 December 1997. [23286]

Ms Estelle Morris: Data on permanent exclusions during the 1997–98 school year will be collected as part of the annual school census in January 1999. The latest figures currently available are for the school year 1995–96. These show a total of 12,476 permanent exclusions in England during the year—an average of 60 permanent exclusions on any one school day. Exclusions from schools in Wales are a matter for my right hon. Friend, the Secretary of State for Wales.

Grant-maintained Schools

Mr. Brady: To ask the Secretary of State for Education and Employment if he will list his decisions on each school from which he has considered applications for grant-maintained status since 1 May 1997, indicating the grounds for his decision. [24081]

Mr. Byers: The table lists decisions on applications for grant-maintained status since 1 May 1997. Each proposal was decided on its individual merits. Factors taken into account included the following:

the effect of the proposals on the standard of educational provision in the area generally;

the quality of education at the school;

the demand for places at the school;

the financial viability of the school;

the financial management of the school;

the cost implications of the proposals;

the acceptability of the admission policy of the school;

the views of interested parties, including parents and other local residents, the LEA, other schools, the FAS and FEFC, and, in the case of Church schools, the Diocese or Trustees;

the strength of support for GM status demonstrated by the ballot;

the commitment of the head and governing body to GM status.

LEA	*School name*
Approved	
Bedfordshire	Westoning Lower School
Birmingham	St. Paul's Community School
Croydon	Virgo Fidelis Convent Senior School[1]
Hertfordshire	Jewish Community Day School[1]
Lambeth	Julian's Primary School
Southwark	Surrey Square Grant-maintained Infant School
Southwark	Surrey Square Grant-maintained Junior School
Minded to approve subject to certain modifications	
Barnet	Matilda Marks Kennedy School[1]
Birmingham	'Al Furqan Muslim Primary School
Brent	Islamia Primary School[1]
Rejected	
Barnet	Pardes House and Beis Yaskov School
Bedfordshire	Shortstown Lower School
Brent	Torah Temimah Primary School[1]
Bradford	Stoney Lee Middle School
Buckinghamshire	Chartridge County Combined School
Devon	Mount St. Mary's Convent School[1]
Devon	Ratcliffe Special School
Gloucestershire	Oakdene Special School
Hampshire	Rookwood County Infant School
Hampshire	The Foxbury Special School
Kent	Amherst County Junior School
Kent	St. Thomas of Canterbury School
Kent	Woodchurch CE Primary School
Lancashire	The Maharishi School[1]
Stockport	Doodfield Primary School
Surrey	St. Peter and St. Paul CE Primary
Surrey	The Ashford High School
Tower Hamlets	Bishop Challoner R. C. School
Trafford	Stretford Grammar School
Warwickshire	Ilmington CE Primary School
Walsall	Birchills CE Primary Community School
West Sussex	Herbert Shiner School
Wiltshire	Broad Hinton CE Primary School
Wiltshire	Leigh Primary School
York	Fulford Cross Special School

[1]Proposals for new GM schools by promoters.

Shropshire Local Education Authority

Mr. Gill: To ask the Secretary of State for Education and Employment what assessment he has made of the ability of Shropshire Local Education Authority to meet its statutory obligations in the next financial year within his proposed financial settlement. [24432]

Mr. Blunkett: Shropshire is set to receive a 4.7 per cent. increase in its education SSA for next year to help it meet its obligations. However, I am aware of the concern of Shropshire parents and teachers about the financial settlement announced by my right hon. Friend the Deputy Prime Minister and the effects of local government reorganisation and am keeping in close touch with developments.

Religious Education

Mr. Loughton: To ask the Secretary of State for Education and Employment how many qualified religious education teachers are employed in local education authority schools; how many vacancies exist; and if he will make a statement on the recruitment of religious education teachers. [24436]

Mr. Byers: LEA-maintained secondary schools in England had about 8,200 qualified religious education teachers at November 1996 and 17 vacancies at January 1997. ITT courses for the primary sector equip all teachers to deliver religious education.

Student Support

Mr. Harvey: To ask the Secretary of State for Education and Employment if he will review the rules concerning provision of support for students who take a year out of their degree course for health reasons. [24456]

Dr. Howells: Local Education Authorities have the discretion to continue paying grant to students holding mandatory awards who, with the permission of their academic authority, are absent from their courses. We have issued detailed guidance to LEAs on how to approach the question of payments for students who are absent through sickness. It encouraged LEAs to take a sympathetic and positive view when dealing with sick students, and to bear in mind that they are not immediately eligible for benefits. Sick students may become eligible for Income Support and other benefits only where the period of illness has continued for 28 weeks or more. It is right for LEAs to have discretion in this area and I have no plans to change the present position in 1998–99.

One of the eligibility criteria for obtaining a student loan is that students must be attending their courses. Students who leave their courses for any reason, including sickness, cease to be eligible until they return to their course.

We are currently considering what arrangements should be put in place for sick students once loans replace grants in 1999–2000.

Higher Education

Mr. Cousins: To ask the Secretary of State for Education and Employment how many additional places in higher education he expects to be financed by the introduction of tuition fees in each of the first four years of the operation of the scheme. [24724]

Dr. Howells: We have made it clear that the savings from the introduction of the new funding arrangements for higher education will be used to improve quality, standards and opportunities for all in further and higher education. The funding for higher education in 1998–99 announced by my right hon. Friend on 23 September 1997 will enable an additional 1,000 full-time places to be provided in higher education, on sub-degree programmes mainly in further education colleges. Plans for subsequent years will be announced in due course, having regard to the Government's comprehensive spending review and our aim to widen participation in higher education.

Labour Mobility

Dr. Cable: To ask the Secretary of State for Education and Employment what plans the Government have to encourage greater labour mobility to ease labour shortages. [25220]

Mr. Andrew Smith: The Government will continue to encourage employers to consider the widest possible range of sources of labour when recruiting, including people whose preference is for flexible working arrangements such as part-time or tele-working. Equally, we shall continue to encourage individuals to increase their employability, including their flexibility and mobility as well as their skills.

To assist geographical mobility, the Employment Service operates a Travel to Interview Scheme. This encourages people to widen their job search by helping with travelling costs incurred in attending interviews outside their usual travel to work area.

Training and Enterprise Councils continue to work with employers locally to respond to the skills needs identified in particulars areas. In addition, the Government are setting up a new Skills Taskforce to advise on the extent and nature of skills shortages, and on appropriate action for tackling them.

New Deal (Gateway)

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment what is the average allocation of money for each young person for the gateway to the new deal; and how this money is to be disbursed. [25410]

Mr. Andrew Smith: The Gateway will help young people to finds jobs or to take up New Deal option places. Individual young people's circumstances and needs will differ considerably. At present, our broad planning assumption is that the Gateway will meet these varying needs within an average expenditure of £260 per young person. As this includes those who leave the Gateway early for unsubsidised jobs, significantly more will be available for those who need the greatest help, the amount in each case related to the young person's needs.

Greenwich Judgment

Mr. Brady: To ask the Secretary of State for Education and Employment if he will make a sttaement on the effects of the Greenwich Judgment on *(a)* grant-maintained schools and *(b)* proposed foundation schools. [25320]

Mr. Byers: The 1989 Greenwich Judgment does not cover grant-maintained schools, but the Department has consistently encouraged them to adopt the same approach. Our proposals in the School Standards and Framework Bill mean that the judgment would apply to all maintained schools, including those in the new foundation category. We shall expect school admission authorities to work closely with those in neighbouring LEA areas in the interests of all parents, and look to the proposed new forums to help bring this about.

Age Discrimination

Mr. Sarwar: To ask the Secretary of State for Education and Employment what steps the Government have taken to tackle age discrimination. [25646]

Mr. Andrew Smith: The Government firmly oppose age discrimination in employment. Following my announcement in the House on 22 May 1997, *Official Report*, column 825, I have been consulting widely on how best to achieve a consensus to tackle this complex issue. The consultation will continue into the spring.

New Deal (Cornwall)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what is the guide price per trainee per week for placements on the New Deal in Cornwall *(a)* in total and *(b)* excluding payments to the trainee. [25470]

Mr. Andrew Smith *[holding answer 26 January 1998]:* There is no guide price for New Deal participants in Cornwall. The funding for an individual participating in the programme will vary considerably depending on the amount of help they require during the Gateway and, if they enter an option, the nature of the opportunity they take up.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what is the average amount per trainee allowed for supervision under New Deal contracts in Cornwall. [25468]

Mr. Andrew Smith *[holding answer 26 January 1998]:* No "average amount" has been suggested for the supervision of New Deal participants. All those wishing to tender were asked to submit a full costing analysis for the delivery of Gateway provision or the New Deal option that they were interested in providing. This analysis included the management and supervisory costs that they intended to charge.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment if he will list the environmental objectives for the New Deal in Cornwall. [25471]

Mr. Andrew Smith *[holding answer 26 January 1998]:* Work undertaken on the Environment Task Force in Cornwall will contribute to the improvement of the local and/or global environment and will be compatible with sustainable development.

Opportunities for young people on the Environment Task Force will be as broad and inclusive as possible and will, where possible include opportunities for young people to become involved in the regeneration of their local communities for example on housing, reclamation, recycling and conservation projects.

Work on environmental projects under the New Deal must complement and contribute to national and international environmental objectives and run in synergy with the aims and objectives of the New Deal.

New Deal (Child Minders)

Mr. Willetts: To ask the Secretary of State for Education and Employment if he will give a breakdown of the numbers from each new deal programme making up the 50,000 new child minders to be trained in the Chancellor's Budget initiative. [25777]

Mr. Andrew Smith: It is a principle of the design of the New Deal that young people should be helped to choose the option most appropriate for them. Accordingly, we have not estimated the number of child care opportunities likely to be pursued under each New Deal option. We expect, however, that many of the placements will be found under the Voluntary Sector option of the New Deal, with further opportunities under the Employment and Full Time Education or Training options.

Teachers Superannuation Scheme

Mr. Burnett: To ask the Secretary of State for Education and Employment if he will estimate the cost of giving a full widow's pension to spouses of members of the teachers superannuation scheme who married those members after the members' retirement in each year since 1994–95. [25867]

Dr. Howells: This information can be provided only at disproportionate cost.

Teacher Recruitment

Mr. Pickthall: To ask the Secretary of State for Education and Employment when he will publish his Department's response to the Education and Employment Committee's First Report on Teacher Recruitment (HC 262–1) of Session 1997–98. [26513]

Ms Estelle Morris: I welcome the Committee's report.

Copies of the Department's response have been placed in the Libraries of both Houses.

CULTURE, MEDIA AND SPORT

Poor People

Mr. Pond: To ask the Secretary of State for Culture, Media and Sport if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23333]

Mr. Tom Clarke: The sectors for which my Department is responsible—arts, museums, libraries, sport, tourism, the built heritage, the music industry, film and broadcasting—are central to delivering improvements to the quality of life for everyone. In all these sectors our objective is to ensure access for the many, not just the few, whether as audience or participant.

The arts, sport and broadcasting have a widely accepted role in promoting social cohesion, and in providing through formal and informal education the necessary skills which individuals need to develop socially and at work.

Public libraries are a vital focus for the community, offering a source of information and advice to help the unemployed into work or training, and free access to sources of learning and enjoyment for all.

All our sectors are supporting the New Deal. The tourism industry in particular has the potential to provide many new job opportunities over the next few years.

The National Lottery has provided sporting and cultural infrastructure around the country from which all benefit. The National Lottery Charities Board in particular gives grants to help meet the needs of those at greatest disadvantage in society. The Bill currently before the House for the reform of the National Lottery will help the disadvantaged further through the New Opportunities Fund, whose first programmes will include out of school hours activities and healthy living centres.

My Department is working with the Social Exclusion Unit to ensure that we fully exploit opportunities for sport, the arts, broadcasting and the other DCMS sectors to play their part in helping to tackle the problems of social exclusion.

Publications (Legal Deposit)

Ms Ryan: To ask the Secretary of State for Culture, Media and Sport how he plans to take forward policy on the legal deposit of publications following the response to the consultation paper published in February 1997. [26339]

Mr. Chris Smith: The consultation period closed on 11 April 1997. One hundred and sixty one organisations and individuals submitted responses. I am grateful to them for taking the trouble to address the issues which the consultation paper discussed, and for submitting their views. I have placed a summary of the results of the consultation exercise in the Libraries of the House.

The Government believe that it is extremely important to ensure that material published in this country is incorporated into our national archive irrespective of the medium used. The arrangements for legal deposit, which are concerned primarily with published material in print form, underpin the nation's academic, research and educational sectors. We intend to ensure that these benefits extend also to material published in format other than print. But in so doing, we recognise the need to minimise the burden that such arrangements might place on the publishing industry.

I am therefore establishing a working group, chaired by Sir Anthony Kenny, comprising representatives of the British Library and legal deposit libraries, the British Film Institute, and publishing sectors. The working group will be asked:

(i) To advise on how an effective nation archive of non-print material might be achieved, taking into account the need to minimise the burden on publishers, the need to safeguard deposited material from unauthorised use, the archival value of the material, and the scope for making deposited material available among legal deposit libraries through secure IT networks;

(ii) To draw up and agree a voluntary code of practice to achieve deposit of electronic and microform publications until such time as the Government may decide to introduce legislation;

(ii) To ensure that such arrangements are compatible, where appropriate, with the existing arrangements for the voluntary deposit of films and sound recordings;

The Government will keep under review the case for introducing legislation to extend legal deposit to these additional categories of publication. We will take account of the working group's recommendations and the extent to which the voluntary code meets the reasonable current and future needs of those requiring access to deposit material.

The Government do not for the present plan to make any amendments to the system for print publications under which up to six copies are deposited, although we will expect the legal deposit libraries to operate together to ensure that the burden on publishers is reduced through greater selectivity and co-operation. The working group will therefore also be asked:

(iv) To advise on the scope for developing the existing arrangements for the deposit of printed publications with a view to ensuring greater co-operation between the different legal deposit libraries, encouraging greater selectivity in the material claimed from publishers, and the scope for developing IT networking solutions which can in the longer term be used to reduced the statutory burden on publishers in complying with the deposit arrangements.

In the light of the responses to the consultation paper, we are not convinced that there is a sufficient case for establishing an additional legal deposit library in Northern Ireland. Users of legal deposit material who live in Northern Ireland are able to gain access to it at the other legal deposit libraries. It would also take many years for an additional legal deposit library to build up a collection which would provide significant benefits to users.

I have, however, asked the working group to include in its work under item (i) examination of the scope for improved access in Northern Ireland to deposited material through IT networking. A representative from Northern Ireland will be appointed to the working group.

I have asked the Working Group to report to me on these matters within six months.

HEALTH

Intestinal Cancer

Mr. Martyn Jones: To ask the Secretary of State for Health what assessment he has made of the number of people diagnosed with intestinal cancer over the last 10 years; and if he will make a statement on how this compares with other *(a)* Commonwealth and *(b)* EU countries. [24470]

Mr. Milburn: The number of people diagnosed over the last 10 years in England and Wales with cancers of the small intestine, colon and rectum is shown in table 1. Table 2 gives the figure for bowel cancer, a combination of the three cancers.

Table 1: Incidence of small intestine, colon and rectum cancer (ICD9, 152–154) England and Wales 1983 to 1992

Year	Small intestine (ICD9, 152) cases males	Small intestine (ICD9, 152) cases females	Colon (ICD9, 153) cases males	Colon (ICD9, 153) cases females	Rectum (ICD9, 154) cases males	Rectum (ICD9, 154) cases females
1983	179	180	6,907	8,667	5,547	4,636
1984	173	171	6,983	8,611	5,599	4,569
1985	196	176	7,237	8,992	5,875	4,649
1986	167	172	7,053	8,876	5,572	4,523
1987	187	172	7,569	9,237	5,625	4,566
1988	181	193	7,727	9,403	5,834	4,586
1989	176	199	8,000	9,347	5,855	4,715
1990	177	190	8,047	9,355	5,934	4,502
1991	219	185	8,069	9,403	5,826	4,441
1992[1]	243	213	8,419	9,790	6,250	4,745

Note:

[1] Provisional Monitor MB1 97/1 Registrations of cancer diagnosed in 1992, England and Wales (1997).

Source:

ONS.

Table 2: Incidence of bowel cancer (ICD9 152–154) England and Wales 1983 to 1992

Year	Cases males	Cases females	Age standardised rates per 100,000[1] males	Age standardised rates per 100,000[1] females	Crude rate per 100,00 males	Bowel (ICD9, 152–154) crude rate per 100,000 female
1983	12,633	13,483	32.9	24.4	52.2	52.9
1984	12,755	13,351	33.0	23.7	52.6	52.3
1985	13,308	13,817	33.8	24.4	54.6	53.9
1986	12,792	13,571	32.3	24.1	52.3	52.8
1987	13,381	13,975	33.7	24.3	54.5	54.2
1988	13,742	14,182	34.2	24.4	55.8	54.9
1989	14,031	14,261	34.5	24.1	56.7	55.0
1990	14,158	14,047	34.5	23.9	56.9	54.0
1991	14,114	14,029	34.3	23.8	56.5	53.7
1992	14,912	14,748	35.8	24.6	59.4	56.3

[1] Directly age standardised using the world standard population.
Source:
ONS.

The incidence of colorectal cancer is highest in developed countries in North America, northern and western Europe and New Zealand. The lowest rates are found in Africa and Asia. However, there are difficulties in the comparison of data where health care systems are less well developed and there is no comprehensive or standardised cancer registration system. Table 3 gives estimated incidence (1990) in the European Community for cancer of the colon and rectum.

Table 3: Cancer of the colon and rectum estimated incidence European Community 1990

Country	Males		Females	
	Number of cases	Age standardised rates per 100,000 population	Number of cases	Age standardised rates per 100,000 population
Belgium	2,641	36.9	3,034	31.2
Denmark	1,566	39.2	1,648	32.6
France	14,166	35.1	14,580	26.2
Germany	21,362	39.4	27,809	32.0
Greece	1,389	18.2	1,427	15.8
Ireland	732	35.5	675	27.5
Italy	12,285	29.4	12,489	22.6
Luxembourg	107	41.8	104	28.4
Netherlands	3,416	35.0	3,818	29.3
Portugal	1,893	29.0	1,905	21.9
Spain	6,697	25.9	6,962	20.9
United Kingdom	13,941	32.2	14,721	24.9
European Community	80,195	32.2	89,172	25.5

Source:
Facts and Figures of Cancer in the European Community (IARC, 1993).

Haemophiliacs

Mr. Syms: To ask the Secretary of State for Health if he will make it his policy to advise health authorities to use recombinant blood products for haemophiliacs. [24670]

Mr. Boateng: In line with the recommendations of the Spongiform Encephalopathy Advisory Committee we have recently commissioned an assessment of the risks of possible human to human transmission of new variant Creutzfeldt-Jakob Disease through blood and blood products. When we have the results of that assessment we will decide what further advice, if any, we should give.

Commission for Health Improvement

Mr. Hesford: To ask the Secretary of State for Health if he will make a statement on the public health responsibilities of the Commission for Health Improvement. [25004]

Mr. Milburn: We will consult on the role and responsibilities of the Commission for Health Improvement before bringing forward legislation.

School Nurses

Audrey Wise: To ask the Secretary of State for Health if he will make a statement on *(a)* regional and *(b)* locality variations in school nurse numbers. [25016]

Mr. Milburn: The number of school nurses is for employers to determine in the light of local needs and clinical priorities. Any future proposals authorities wish to make should be made in the light of the Green Paper on Public Health which will shortly be published.

Audrey Wise: To ask the Secretary of State for Health (1) what is the ratio of *(a)* school nurses to schools and *(b)* schools nurses to numbers of children; [25015]

(2) how many school nurses, expressed as whole-time equivalents, were employed by the NHS in England in *(a)* 1990, *(b)* 1995, *(c)* 1996, and *(d)* 1997. [25012]

Mr. Milburn: School nurses employed by the National Health Service hospital and community health services are not separately identifiable from other community nursing staff within the non-medical workforce censuses conducted by the Department of Health after 1994. Consequently, figures for 1995 and 1996 are not available centrally. In addition to the number of school nurses, the table gives the numbers of schools and school children, as changes to the ratios can be the result of changes to these components as well as changes to the numbers of nurses.

NHS hospital and community health services nursing and midwifery staff (excluding agency and learners) working in the school nurse area of work, numbers of schools and numbers of pupils in England for 1990 to 1994

Year	Number of school nurses[1]	Number of schools	Number of schools per school nurse[2]	Number of pupils (thousands)	Number of pupils per school nurse[1]
1990	2,540	27,385	11	7,401	2,910
1991	2,460	27,179	11	7,452	3,020
1992	2,440	26,956	11	7,541	3,090
1993	2,470	26,752	11	7,665	3,100
1994	2,350	26,442	11	7,700	3,280

Notes:
[1] Rounded to the nearest ten whole-time equivalents.
[2] Rounded to the nearest whole number.
Figures for school nurses relate to the position at September each year, the figures for schools and pupils relate to the position at January each year.
Ratios are calculated on unrounded figures.
Sources:
Department of Health's annual non-medical workforce census.
"Statistics of Education : Schools in England" published by the Department for Education and Employment.

Audrey Wise: To ask the Secretary of State for Health (1) what national standards he has set for school health services; [25022]

(2) what guidance he has issued to *(a)* purchasers and *(b)* commissioners of health provision on the employment of school nurses relating to (i) numbers and (ii) job descriptions. [25014]

Mr. Boateng: Good practice guidance, "*Child Health Services—A Guide to Good Practice*", was issued to the National Health Service in 1996. Copies are available in the Library.

The exact job descriptions and numbers of school nurses are for local commissioners and employers to determine in the light of local needs and priorities.

Audrey Wise: To ask the Secretary of State for Health what assessment he has made of the benefits of giving each school pupil access to a named school nurse. [25023]

Mr. Boateng: We are considering the terms of a new Patient's Charter to include the health care needs of children. The level of benefit to be gained by their having access to a named school nurse will form part of that consideration.

Carbamazepine

Mr. Flynn: To ask the Secretary of State for Health (1) how many unfavourable side-effects of the drug carbamazepine have been reported in the past 10 years; and if he will list them; [24996]

(2) how many people have been treated with carbamazepine for medicinal purposes in the last five years; and how many cases of harmful side-effects have been reported. [24997]

Mr. Milburn: The number of patients prescribed carbamazepine is not available. The number of prescription items for carbamazepine dispensed in England from 1 January 1992 to 31 December 1996 (the last five years for which data are available) was 8.9 million. During this period, 672 suspected adverse drug reaction reports for carbamazepine were received by the Committee on Safety of Medicines (CSM).

A drug analysis print for carbamazepine, listing all suspected adverse drug reactions reported to the CSM from 1988 to 1997 inclusive will be placed in the Library, together with an information sheet to help with interpretation of the print.

DEFENCE

Indonesian Military (Training Contracts)

Mr. Hancock: To ask the Secretary of State for Defence which contracts to train Indonesian military personnel remain outstanding. [22907]

Dr. Reid: I refer the hon. Member to the answer I gave him on 8 July 1997, *Official Report*, column 422. I will, as promised then, write to the hon. Member once the review has been completed.

Newsletter

Mr. Matthew Taylor: To ask the Secretary of State for Defence what is the current security classification of the newsletter produced for the staff of *(a)* the Ships Support Agency, *(b)* the Ministry of Defence Police and *(c)* the Defence Intelligence and Security Centre; how often each newsletter is produced; and when each newsletter was first produced. [24508]

Mr. Spellar: This is a matter for the Chief Executives of the Agencies concerned. I have asked them to write to the hon. Member.

Letter from W. E. E. Boreham to Mr. Matthew Taylor, dated 28 January 1998:

I am replying to your Question to the Secretary of State for Defence about the publication of a newsletter for Ministry of Defence Police (MDP), as this falls into my area of responsibility, as Chief Constable/Chief Executive of the Ministry of Defence Police Agency.

My staff produce, every two months, an unclassified colour magazine, entitled Talk Through. The magazine was first produced in 1986.

Letter from Brigadier C. G. Holtom to Mr. Matthew Taylor, dated 28 January 1998:

I am replying to your Question to the Secretary of State for Defence about the publication of newsletters as this matter falls within my area of responsibility as the Chief Executive of the Defence Intelligence and Security Centre Agency.

The DISC does not currently produce a newsletter. However, as part of the preparations for the move of a number of units to form the DISC at its new site at Chicksands, unclassified leaflets were produced containing information for personnel and their families moving into the area. Six issues were produced between July 1996 and February 1997 covering such topics as housing, schools, public transport and leisure facilities.

Letter from J. D. Coles to Mr. Matthew Taylor, dated 28 January 1998:

I am reply to your Question to the Parliamentary Under Secretary of State for Defence about the Ships Support Agency (SSA) newsletter as this matter falls within my area of responsibility as Chief Executive of the SSA.

The current newsletter produced for SSA staff, titled 'Ships Telegraph', was first published in October 1995 following the formation of the Director General (Ships) organisation. This magazine has remained in circulation since the launch of the Ships Support Agency in December 1996 and continues to be published on a monthly basis.

The security classification of 'Ships Telegraph' has always been, and remains, unclassified.

I hope this is helpful.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Defence, pursuant to his answer of 20 January 1998, *Official Report*, column *482*, (1) when discussions began in his Department concerning the non-statutory agreement with the Scottish Executive; on what dates discussions took place; and who was present at such meetings; [25589]

(2) what representations he has received from other government departments concerning the format and aims of a non-statutory agreement between his Department and the Scottish Executive; if he will list the number of representations from each department; and if he will make a statement; [25592]

(3) if he will publish the most recent drafts of non-statutory agreements with the Scottish Executive; when he proposes to publish the final document; and if the agreement will operate in the first instance for a trial period; [25590]

(4) in what areas a non-statutory agreement between his Department and the Scottish Executive will give the lead role in policy formation to his Department; to what extent it will include mechanisms to harmonise policy between Scotland and his Department on devolved matters; and if he will make a statement. [25591]

Mr. George Robertson *[holding answer 27 January 1998]:* Discussions are being held between departments, both at official level and Ministerial level, on all matters relating to non-statutory agreements between the UK Government and the Scottish Executive. In most cases, these discussions are in their early stages in the light of the fact that such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

Trident

Mrs. Ewing: To ask the Secretary of State for Defence, pursuant to his answer of 20 January 1998, *Official Report*, column *480*, if he will list the amounts in US dollars and pounds sterling paid to the United States in each of the US fiscal years from 1980 to date in support of the United Kingdom Trident programme; how much he expects to pay, in dollars and sterling, for each of the next five US fiscal years, to support the operations of the United Kingdom Trident programme; and if he will give dollar and sterling figures for each of the amounts cited in his answer; and if he will make a statement. [25487]

Mr. George Robertson: Payments to the United States in respect of the United Kingdom's Trident programme are made in US dollars and are largely made through the US Department of Defense. I am unable to provide a breakdown of payments by US Fiscal Year but cumulative expenditure during UK Financial years to 31 March 1997 through the Department of Defense on Trident was some $3,430 million, broken down as follows:

	$000
Prior to 1986–87	174,451
1986–87	51,295
1987–88	144,594
1988–89	229,274
1989–90	249,269
1990–91	270,359
1991–92	341,738
1992–93	418,354
1993–94	649,634
1994–95	432,502
1995–96	213,015
1996–97	255,135
Total	3,429.620

In addition, lesser payments were made directly to US companies under contracts which were in place over a number of years. Such payments, again all in US dollars, amounted to some $194 million to 31 March 1997. Sterling values for the dollar expenditure varied according to exchange rates at the time.

Expenditure in the United States in future years remains subject to Ministerial approval and will be dependent on the outcome of the Strategic Defence Review.

The hon. Member will have noted that a misprint in my answer of 20 January 1998, *Official Report*, column *480*, was corrected on 22 January, *Official Report*, column 1252. Both sums quoted were in US dollars. Expenditure

resulting from these commitments will fall across a number of years so equivalent sterling expenditure will vary dependent upon prevailing exchange rates.

Helicopters (Civilian Rescue Work)

Mr. Alasdair Morgan: To ask the Secretary of State for Defence if he will list the number, type and location of Royal Navy and Royal Air Force helicopters available for civilian rescue work in Scotland. [25982]

Dr. Reid: All MOD helicopters, depending on military commitments, are available to assist the civil community in an emergency situation. The Royal Navy and Royal Air Force provide dedicated Search and Rescue helicopter cover for Scotland from the following locations:

Service	*Location*	*Type*	*Number*
Royal Navy	HMS Gannet, Prestwick	Sea King	2
Royal Air Force	RAF Lossiemouth, Morayshire	Sea King	2
Royal Air Force	RAF Boulmer, Northumbria	Sea King	2

In addition, based in Scotland there are a further seven Sea Kings at HMS Gannet in the Anti-Submarine Warfare role and the Territorial Army have four Gazelles at RAF Leuchars. These helicopters may be supplemented by other MOD helicopters based elsewhere in the UK if necessary. This includes a Chinook helicopter at RAF Odiham and a Puma helicopters at RAF Benson, both on "national standby".

Atomic Weapons Establishment, Aldermaston

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 17 November 1997, *Official Report*, column *66*, how many papers have been produced for conferences and other purposes since January 1994 by the AWE Directorate of Environment, Safety and Health; and how many of these are currently unclassified. [24803]

Mr. Spellar: Since October 1994, when a central register for such things was started, 11 unclassified papers by staff of the Directorate of Environment, Safety and Health have been through MOD clearance procedures for use at conferences or as MSc theses. As regards the total number of papers produced for conferences and other purposes since January 1994, I have nothing to add to the answers I gave on 17 November and 22 July 1997, *Official Report*, columns *66* and *529* respectively.

Nuclear Weapons

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many special safety teams in respect of nuclear weapons accidents there are currently. [24510]

Dr. Reid: The RAF has five station nuclear accident response teams (formerly called Special Safety Teams) that would provide immediate response forces in the event of a nuclear weapon accident. A similar capability is provided as an integral part of the escort for a nuclear weapon road convoy, and immediate response capabilities are also maintained by the Clyde Naval Base and the Atomic Weapons Establishment.

Defence Export Services Organisation

Mr. Hesford: To ask the Secretary of State for Defence how many staff are employed within the Defence Export Services Organisation; what is the breakdown of their posts; and how many of the staff are employed in London. [24840]

Mr. Spellar: There are a total of some 687 personnel employed with the Defence Export Services Organisation (DESO). Of these, a total of 478.5 are located in London. The posts are broken down in the following way:

	UK based	*Overseas*
Senior Civil Service grades	12	—
Middle and senior management grades	223.5	33
Non-mobile grades	137	9
Locally engaged staff	—	34.5
Staff on secondment from Industry	2	—
Military Personnel	163	73
Total	537.5	149.5

Mr. Hesford: To ask the Secretary of State for Defence how many members of staff of the Defence Export Services Organisation are seconded from defence manufacturers; and what functions they perform. [25669]

Mr. Spellar: There are currently two secondees from defence manufacturers working in the Defence Export Services Organisation (DESO). One is the head of the organisation itself; the other is a middle manager seconded for one year to gain a general understanding of the work of DESO.

Land Command

Mr. Bayley: To ask the Secretary of State for Defence (1) what is his estimate of the additional staffing and administration costs of expanding Land Command United Kingdom's Scotland Headquarters to take command of both the Scotland and North of England districts; [25935]

(2) pursuant to his answer of 16 January 1998, *Official Report*, column *349*, what estimate he has made of the redundancy costs which would be incurred with the closure of 2nd Division headquarters at York. [25934]

Dr. Reid: This kind of information will form part of the internal analysis of options to be considered during the study of the restructuring of Land Command. At this stage, therefore, I am withholding the information requested under exemption 2 of the Code of Practice on Access to Government Information.

Mr. Bayley: To ask the Secretary of State for Defence, pursuant to his Answer of 16 January 1998, *Official Report*, column *349*, what other options are being studied by the Commander in Chief Land Command for the restructuring of his command. [25933]

Dr. Reid: We are prepared to consider any option which provides an efficient structure for the command and administration of the Army in the UK. At this stage it is too early to say whether any options will emerge other than that outlined in my earlier reply.

Sir Arthur Harris

Mr. Flight: To ask the Secretary of State for Defence what plans he has to recognise the wartime service of Sir Arthur Harris; and if he will make a statement. [25726]

Mr. Spellar: The achievements of Sir Arthur Harris have been recognised by the bestowal of many highly valued honours and awards. He was awarded the Air Force Cross in 1918, the OBE in 1927 and the GCB in 1945. He was promoted to Marshal of the Royal Air Force in 1946 and Her Majesty The Queen conferred a Baronetcy upon him in 1953. He was further honoured in 1992 when his statue outside St. Clement Danes Church in The Strand was unveiled by Her Majesty Queen Elizabeth the Queen Mother. There are no plans for further recognition.

Armed Forces (Travel Allowances)

Mr. Key: To ask the Secretary of State for Defence if Her Majesty's forces' access to *(a)* indulgence travel, *(b)* free flights on posting, *(c)* leave travel at public expense and *(d)* other concessionary and privileged travel is restricted to serving personnel and their wife or husband and children; and what plans he has to extend *(a)* to *(d)* to other relationships. [25743]

Dr. Reid: Entitlement to Her Majesty's forces access to indulgence travel, free flights on posting, leave travel at public expense and other concessionary and privileged travel is restricted to serving personnel and their wife or husband and children.

We have no plans at present to extend access to concessionary and privileged travel beyond Service personnel, their spouses and dependent children, but the situation is kept under review.

SCOTLAND

Private Finance Initiative (NHS)

Mr. Simon Hughes: To ask the Secretary of State for Scotland if, for each of the major acute PFI schemes prioritised by his Department since May, he will *(a)* list the capital cost in the outline business case, *(b)* estimate the current cost and *(c)* state the percentage change. [21411]

Mr. Galbraith *[holding answer 18 December 1997]:* The information requested is set out in the table.

NHS Trust	*1* *Capital cost in OBC*[1] *£ million*	*2* *Capital cost in OBC at current prices*[2] *£ million*	*3* *Latest estimated capital cost at current prices*[3] *£ million*	*4* *Percentage change between columns 2 and 3*
Royal Infirmary of Edinburgh	174.5	186.5	188.5	1.1
Law Hospital	78.6	84.9	85.0	0.0
Hairmyres and Stonehouse Hospitals	52.4	66.0	66.1	0.2

[1] None of the projects prepared outline business cases (OBCs) since the projects were initially developed along the lines of public funding. Figures have been taken from the nearest equivalents.

[2] Figures in column 1 have been uplifted to current prices using the BCIS index (to 4th Quarter 1997).

[3] Figures are gross of sales of surplus land and include the costs of land (except in the case of the Royal Infirmary of Edinburgh), construction and professional fees but exclude the cost of equipment (other than items which are supplied and fixed under the terms of the construction contract), VAT, rolled up interest and financing costs. Figures are based on current prices.

The capital cost of a scheme in the OBC (or equivalent) is not necessarily comparable with the capital cost of the facility provided under the PFI. The capital cost in the OBC is based on the scheme being funded from limited public capital whereas under PFI the same constraints on capital do not exist. PFI allows Trusts to develop schemes which transfer risks from the public sector to the private sector and offer the best value for money to the taxpayer.

Only the projects that prove to be affordable to the healthcare planners, value for money to the taxpayer and offer real healthcare improvements to the public will proceed under PFI.

Unemployment

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list the numbers and percentage rates of 18 to 25-year-olds unemployed in *(a)* November 1997, *(b)* May 1997 and *(c)* May 1996 in the local authorities of (i) Angus, (ii) City of Dundee and (iii) Perthshire and Kinross. [23833]

Mr. Wilson: ONS measures unemployment using the internationally standard ILO unemployment rate. This is measured through the Labour Force Survey, which is a survey of households in the United Kingdom. This is internationally agreed and counts the number of people who are: (a) without a paid job; (b) available to start work within the next two weeks and (c) have actively sought work in the last four weeks or are waiting to start a job already obtained.

The ONS also publishes the monthly claimant count, which is based on the administrative system and includes all people claiming unemployment-related benefits (i.e. Jobseekers Allowance or National Insurance credits) at Employment Service offices on the day of the monthly count, who on that day had signed on as unemployed and available to do any suitable work.

The data requested, which can be derived only from the claimant count due to the sample size of the labour force survey, are presented in the table. Information on rates by age is not available.

Claimant count unemployed aged 18 to 24[1,2]

	Angus	*Dundee City*	*Perth and Kinross*
(a) November 1997	655	1,633	575
(b) May 1997	835	1,765	675
(c) May 1996	965	2,184	805

Source:
Office for National Statistics.
Notes:
[1] Information for those aged 18 to 25 is not readily available.
[2] Excludes clerical claims, which represent about 1 per cent. of all claims. A full analysis of the age and duration data is available quarterly (January, April, July and October).

Nursery Vouchers

Mr. Ancram: To ask the Secretary of State for Scotland how he will ensure that each eligible child who had a nursery place under the voucher scheme will have a similar place at the centre of their parents' choice, under the new arrangements. [22081]

Mr. Wilson: I published on 27 November 1997 a major consultation paper, *Education in Early Childhood: The Pre-school Year,* which sets out the Government's vision of the way forward for pre-school education in Scotland after vouchers are discontinued in June 1998. The policy set out in the consultation paper has been widely welcomed, and I look forward to the detailed responses from many quarter which have already begun to come in, in advance of the end of the consultation period on 6 February.

Under the new arrangements, pre-school education grant will be available to support a part-time place for every child in the pre-school year whose parents want one. Local authorities, accountable to their local electorates, will have the lead role in planning and delivering pre-school education in partnership with centres in the private and voluntary sectors, and will be able to use their local knowledge to ensure that places are well matched to local circumstances, to the varied needs of children, and to the preferences of parents, at the same time securing the best value for public money. All centres in receipt of grant will be required to implement the same curriculum guidelines and will be liable to inspection by HM Inspectors of Schools to ensure a high quality of education.

E.coli

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will make a statement on the reasons for the reduction in charges in the case of John Barr Butchers and the E.coli deaths in Wishaw. [25234]

Mr. McLeish: Criminal prosecutions are a matter for my right hon. noble and learned Friend the Lord Advocate. I understand that the Procurator Fiscal consulted Crown Counsel before agreeing to accept pleas of guilty which were offered on behalf of the firm of John. M. Barr and Son in respect of two charges under the Food Safety Legislation and to drop two other, less serious, charges against the firm and the three charges against the partners in the firm. The charges in respect of which the firm pleaded guilty reflected the most serious offences which were charged in the case, namely those involving E.coli 0157 contamination. The Lord Advocate is satisfied that acceptance of the pleas tendered was in accordance with the interests of justice.

Social Work Services

Miss Begg: To ask the Secretary of State for Scotland if he will list, by local authority, the level of charges levied on residents in receipt of the social work care services broken down by service item. [25605]

Mr. Galbraith: This information is not held centrally.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland (1) by what means he has made public the change in the ownership structure relating to the Skye Bridge; and if he will make a statement; [25452]

(2) what assessment he has made of the compliance of the change in the ownership structure relating to the Skye Bridge with the concession agreement; and if he will make a statement. [25998]

Mr. Dewar: I refer the hon. Member to the answer I gave him on Tuesday 27 January 1998.

TRADE AND INDUSTRY

Electrical Goods

Mr. Breed: To ask the President of the Board of Trade (1) what plans she has to implement the Monopolies and Mergers Commission's proposals for the retail of domestic electrical goods; [25729]

(2) what representations she has received on the Monopolies and Mergers Commission proposals to abolish recommended retail prices within the domestic electrical goods market. [25730]

Mr. Nigel Griffiths: My right hon. Friend announced her proposals for implementing remedies following the Monopolies and Mergers Commission report on domestic electrical goods on 30 July 1997. These were subject to a public consultation.

Many representations have been received and are under consideration. My right hon. Friend will announce her final decision as soon as possible.

ESF and ERDF Budgets

Mr. Campbell-Savours: To ask the President of the Board of Trade what instructions have been given to Regional Office North West on the need to underspend on ESF and ERDF budgets for the period 1994 to 1996. [24693]

Mrs. Roche *[holding answer 26 January 1998]:* I have asked for this matter to be looked into and I am informed that no instructions were given.

Internet

Mrs. Gillan: To ask the President of the Board of Trade what is her Department's policy on the recent policy statement from the European Commission relating to the principle of self-regulation of the Internet industry. [24003]

Mrs. Roche *[holding answer 19 January 1998]:* The Government welcome the Commission's Communication "Action Plan on promoting safe use of the Internet" (COM(97)582 final). The fight against illegal content needs to be based on the effective action of industry, backed up by the full force of existing law.

Bankruptcy

Mr. Gordon Prentice: To ask the President of the Board of Trade how many discharged bankrupts have had their pensions seized as a result of the judgment in the Landau case. [25058]

Mr. Nigel Griffiths: The judgment in the Landau case provided judicial clarification of the provisions of the Insolvency Act 1986 as to the rights of a trustee in bankruptcy and a bankrupt to the benefits arising from a retirement annuity contract, similar in nature to a personal pension, held by a bankrupt at the date of bankruptcy.

The information as to the number of discharged bankrupts whose pensions have been seized by trustees in bankruptcy under the Insolvency Act 1986 is not held centrally.

Press Releases

Dr. Tonge: To ask the President of the Board of Trade if she will make a statement on the procedure for her Department issuing press releases following agreement being reached under a carecraft order for the disqualification of a director. [24105]

Mr. Nigel Griffiths *[holding answer 20 January 1998]:* The usual practice is to issue a press release in cases where a disqualification order is made against a director following a carecraft agreement.

HOUSE OF COMMONS

Public Bills

Mr. Cohen: To ask the President of the Council if she intends to make it the general practice of Government to publish the notes on clauses which accompany public bills; and if she will make a statement. [25489]

Mrs. Ann Taylor: Notes on clauses are already produced by departments for most Bills. In future, as the Select Committee on Modernisation of the House reported recently (Second Report 1997–98 HC 389), it is intended that notes on clauses will be combined with the existing explanatory memoranda and published as a single document with each Bill. It is hoped that draft Bills published this session and Bills introduced next session will be accompanied by the new style explanatory notes. This is in line with the suggestion the Government and First Parliamentary Counsel put to the Modernisation Committee and which was endorsed in their recent report on the proposed explanatory notes on Bills (Second Report 1997–98 HC 389).

Legislation

Mr. Sayeed: To ask the President of the Council if Her Majesty's Government will in future, when drafting legislation, make use of purpose clauses making clear the intentions of Parliament. [25524]

Mrs. Ann Taylor: There are some circumstances when the use of purpose clauses is appropriate, but the Government share the views of the Committee on the Preparation of Legislation in 1975 that they should be used "selectively and with caution" and the Hansard Society Commission on the Legislative Process in 1992 that

"they should not be used as a general practice".

The Government intend, through the publication of better explanatory material on Bills, to make clearer the background to legislation at the time it is introduced into Parliament. The Select Committee on Modernisation of the House of Commons has recently reported on the proposed explanatory notes on Bills (Second Report 1997–98 HC 389).

PRESIDENT OF THE COUNCIL

Judicial Committee

Mr. Salmond: To ask the President of the Council if she will make a statement on the role of the Judicial Committee of the Privy Council in relation to its role as final court of appeal for Commonwealth countries and UK dependencies. [25506]

Mrs. Ann Taylor: The Judicial Committee of the Privy Council hears appeals and applications for leave to appeal from the final courts of appeal of those independent Commonwealth territories which have retained the appeal to the Privy Council upon attaining independence, and the dependent territories. The Committee also hears appeals from the Channel Islands and the Isle of Man.

Mr. Salmond: To ask the President of the Council if she will list the number of cases dealt with by the Judicial Committee of the Privy Council in each of the last 10 years; and if she will make a statement. [25577]

Mrs. Ann Taylor: The Judicial Committee of the Privy Council has heard the following number of appeals and applications for leave to appeal in each of the last 10 years:

Year	*Appeals*	*Petitions*
1998	43	50
1989	63	47
1990	64	47
1991	53	54
1992	54	65
1993	59	63
1994	68	55
1995	69	69
1996	85	99
1997	82	82

Mr. Salmond: To ask the President of the Council if she will make a statement on the role of the Judicial Committee of the Privy Council in reviewing legislation from the parliaments of *(a)* UK dependencies, *(b)* the Isle of Man and *(c)* the Channel Islands. [25507]

Mrs. Ann Taylor: The Judicial Committee of the Privy Council has no jurisdiction to review the legislation of the Parliaments of UK dependencies, the Isle of Man or the Channel Islands other than in its appellate capacity in particular cases.

Millennium Compliance

Mrs. Gillan: To ask the President of the Council if she notifies potential purchasers of obsolete information technology equipment sold by her Department that such equipment may not be millennium compliant. [25656]

Mrs. Ann Taylor: Sales of redundant information technology equipment by my department are infrequent, but any future potential purchaser of non-millennium compliant equipment would be warned accordingly.

ATTORNEY-GENERAL

Civil Service Staff

Mr. Rhodri Morgan: To ask the Attorney-General what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26028]

The Attorney-General: My Departments comprise the Legal Secretariat to the Law Officers (LSLO), the Treasury Solicitor's Department (TSD) and its agency the Government Property Lawyers (GPL), the Serious Fraud Office (SFO) and the Crown Prosecution Service (CPS).

The information requested is given in percentages and is as follows:

	(a)	*(b)(i)*	*(b)(ii)*	*(c)*
LSLO	0	0	0	100
TSD	34	0	15	51
GPL	60	0	0	40
SFO	25	12.5	25	75
CPS	84	0	5	11

SOCIAL SECURITY

Benefit Entitlement

Mr. Plaskitt: To ask the Secretary of State for Social Security how many individuals have had their benefit entitlements reviewed under the Benefit Integrity Project; and how many, as a result, have had their benefit *(a)* reduced and *(b)* stopped. [23521]

Mr. Denham: One of our key aims is to re-build integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefits Integrity Project.

The administration for this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend with further details.

Letter from Peter Mathison to Mr. James Plaskitt, dated 27 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding how many individuals have had their benefit entitlements reviewed under the Benefit Integrity Project (BIP); and how many, as a result, have had their benefit (a) reduced and (b) stopped.

At 30 November, a total of 33,490 cases had been examined of which 6,953 have been changed. Of these changes, 2,232 have been disallowed, 3,880 reduced and 841 increased. Figures for the period to 31 December and subsequent months will be placed in the House of Commons library.

I hope you find this reply helpful.

Severe Hardship Claims Unit

Mrs. Fyfe: To ask the Secretary of State for Social Security what plans she has for the future of the severe hardship claims unit; and if she will provide further funding when its budget ends in March 1998. [24011]

Mr. Keith Bradley: Ministers at the Department for Education and Employment and the Department of Social Security are currently considering the future location of the Severe Hardship Unit.

The funding for the Severe Hardship Claims Unit for 1998–99 has been agreed.

School Leaving Dates

Mrs. Fyfe: To ask the Secretary of State for Social Security (1) if she plans to alter the child benefit extension period school leaving dates to bring these regulations into line with the Education (School Leaving Date) Order 1997; and if the existing rules will still apply in Scotland where there has been no change to school leaving dates; [24012]

(2) how many school leaving dates there will be per year in future for the purposes of child benefit regulations in the case of young persons who leave relevant education after the terminal date based on their date of birth. [24014]

Mr. Keith Bradley: The Education (School Leaving Date) Order 1997 relates only to children in England and Wales who are approaching the end of their compulsory full-time education. There is no necessity for any change to the regulations governing the Child Benefit Extension Period, which apply to school leavers aged 16 or 17 throughout Great Britain.

From September 1997, children in England and Wales who reach age 16 during the academic year are required to remain in full-time education until the end of the summer term. Those who choose to remain in education beyond compulsory school leaving age may leave at any time.

Child Benefit Regulations prescribe three fixed dates on which Child Benefit may cease for a child leaving full time education. These are the first Monday in January, the Monday after Easter and the first Monday in September. When a child leaves school at the end of the summer term, Child Benefit may continue up to the first Monday in September, providing the child does not start work or youth training and the other conditions of entitlement are met.

Mrs. Fyfe: To ask the Secretary of State for Social Security how benefit entitlement will be affected in the case of a young person educated in Scotland who moves to England or Wales after being entitled to leave school under Scottish law, but who is still too young to have left in England or Wales. [24013]

Mr. Keith Bradley: The benefit entitlement of a person who has legally left school in Scotland will not be affected if they move to England or Wales before they would be able to legally leave school in that country. This is because the date that a person legally leaves school in Scotland will continue to be used to decide when young people cease being treated as a "child" for benefit purposes, regardless of which part of Great Britain they claim in.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Social Security what proportion of Civil Service staff of grade 5 and above within her Department *(a)* have spent their entire civil service career within her Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26035]

Mr. Field: Of the total number of staff in the Senior Civil Service currently employed in the Department:

19 per cent. have spent their entire Civil Service career within this Department. This includes people who joined the Department from the private sector;

28 per cent. have had a secondment or loan to an organisation outside UK central government;

27 per cent. have had a secondment or loan to another UK Government Department;

28 per cent. have transferred to this Department from another Government Department.

Notes:

1. Information as at 28 January 1998.
2. Percentages are subject to rounding.

Disablement Workshops

Mr. Cox: To ask the Secretary of State for Social Security how many disablement workshops there are in each London borough authority area. [24534]

Mr. Alan Howarth: I have been asked to reply.

Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Tom Cox, dated 28 January 1998:

The Secretary of State for Social Security has asked me to reply to your question about the number of disabled workshops in each London Borough Authority area. This is something which falls within the responsibilities delegated to me as the Employment Service Chief Executive.

The Employment's Service's Supported Employment Programme provides employment for severely disabled people who would not otherwise be able to obtain or retain employment. The Programme provides funding for the following workshops for disabled people in the London Boroughs:

London Borough	*Workshop owned by Local Authority*	*Workshop owned by a voluntary body acting as a voluntary agent for a LA*	*Workshop owned by a voluntary body*	*Remploy factory*
Barking	—	—	—	Barking
Brent	Carlyon	Royal London Society for the Blind	—	Cricklewood
Croydon	Crosfield	—	—	—
Ealing	—	—	—	Acton
Greenwich	—	—	—	Woolwich
Haringey	Haringey	—	—	—
Islington	—	General Welfare for the Blind	Mencap Office Services	Holloway
Lambeth	—	—	—	Brixton
Newham	Newco	—	—	—
Southwark	—	Action for Blind People Royal Society for the Blind	Camberwell Rehabilitation Association	—

I hope this is helpful.

NORTHERN IRELAND

RUC (Religious Discrimination and Harassment)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the annual incident of religious discrimination within the RUC for the period 1991 to 1996 in respect of officers of *(a)* Catholic and *(b)* Protestant origin. [22350]

Mr. Ingram *[holding answer 16 January 1998]:* The estimated percentage, as taken from the recent Religious and Political Harassment and Discrimination Survey of the annual incidence of religious discrimination within the RUC for the period 1991–96 in respect of Catholic and Protestant origin is as follows:

	1991	*1992*	*1993*	*1994*	*1995*	*1996*
Catholic	13.2	13.6	13.0	11.3	10.5	9.2
Protestant	2.5	3.2	3.4	4.5	4.8	4.6

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the extent of under-reporting of incidents of religious discrimination

within the RUC; what assessment she has made of the causes of under-reporting; and what improvements to procedures she proposes. [22351]

Mr. Ingram *[holding answer 16 January 1998]:* A total of 66 per cent. of the 4,357 respondents to the recent Religious and Political Harassment and Discrimination Survey indicated they ignored or did nothing as a result of being subjected to religious or political discrimination.

The survey indicated the following reasons why respondents (4,357) did not report religious/political discrimination.

	Per cent.
Didn't think anything would be done	57
Didn't want to damage career	46
No proof of discrimination	45
Didn't want to be victimised	38
Didn't know what to do	12

The RUC has introduced a number of measures to encourage officers to come forward. These include:

(a) The installation of a Confidential Helpline in the Equal Opportunities Unit and an extensive poster campaign promoting the Helpline.

(b) The introduction of Harassment Support Officers at local level.

(c) Poster campaigns.

(d) Increasing the accessibility of the Equal Opportunities Unit through Divisional and Sub-Divisional roadshows.

(e) Continual input on Equal Opportunities matters in all recruit, probationer, further and divisional training courses.

These measures are continually under review for their effectiveness.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will identify by rank those persons responsible for religious discrimination in respect of RUC officers of *(a)* Catholic and *(b)* Protestant origin since 1991. [22352]

Mr. Ingram *[holding answer 16 January 1998]:* This information is not currently available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the extent of under-reporting of incidents of religious harassment within the RUC; what assessment she has made of causes of under-reporting; and what improvements to procedures she proposes. [22662]

Mr. Ingram *[holding answer 16 January 1998]:* Records are not available to estimate the extent of under-reporting of incidents of religious harassment within the RUC.

The RUC has introduced a number of measures to encourage officers to come forward. These include:

(a) The installation of a Confidential Helpline in the Equal Opportunities Unit. This was followed by an extensive poster campaign promoting the Helpline.

(b) The introduction of Harassment Support Officers at local level.

(c) Poster campaigns.

(d) Increasing the accessibility of the Equal Opportunities Unit throughout Divisional and Sub-Divisional roadshows.

(e) Continual input on Equal Opportunities matters in all recruit, probationer, further and divisional training courses.

These measures are continually under review for their effectiveness.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what definition of religious discrimination has been used by the RUC in its internal reports; and what estimate has been made of the extent to which officers of *(a)* Catholic and *(b)* Protestant origin perceive religious discrimination to be a problem. [22724]

Mr. Ingram *[holding answer 16 January 1998]:* The RUC defines religious discrimination as follows:

Direct discrimination means treating a person less favourably on the grounds of religion or political opinion, than the person of another religion or political opinion is or would be treated in similar circumstances.

Indirect discrimination on the grounds of religion and political opinion occurs when an unjustifiable requirement or condition is applied equally to all religious and political groups but has a disproportionately adverse effect on members of a particular group and it is to the complainant's detriment that the requirement or condition cannot be complied with.

The table reveals the perceived extent of religious/political discrimination within the RUC as taken from the recent Religious and Political Harassment and Discrimination Survey (4,357 respondents).

Perception of religious discrimination in the RUC	*Roman Catholic*	*Protestant*
There is no religious discrimination within the RUC	47 (11 per cent.)	480 (14 per cent.)
Religious discrimination is now more of a problem	35 (8 per cent.)	500 (15 per cent.)
Religious discrimination is now less of a problem	191 (43 per cent.)	1,193 (36 per cent.)
Religious discrimination has remained unchanged	90 (20 per cent.)	561 (17 per cent.)
Don't know/no reply	80 (18 per cent.)	607 (18 per cent.)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the annual incidence of religious harassment within the RUC for the period 1991 to 1996 in respect of officers of *(a)* Catholic and *(b)* Protestant origin. [22660]

Mr. Ingram *[holding answer 16 January 1998]:* The estimated percentage of the annual incidence of religious harassment within the RUC for the period 1991–96 in respect of Catholic and Protestant origin as taken from the recent Religious and Political Harassment and Discrimination Survey is as follows:

	1991	*1992*	*1993*	*1994*	*1995*	*1996*
Roman Catholic	25.9	29.1	26.3	24.6	25.4	27.9
Protestant	2.8	3.1	3.6	4.0	4.7	5.2

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will define behaviour that would constitute religious harassment within the RUC. [22661]

Mr. Ingram *[holding answer 16 January 1998]:* The recent Religious/Political Harassment and Discrimination Survey referred to religious/political harassment as — 'unwanted conduct' based on religious belief or political opinion affecting the rights of people at work. This

harassment may take the form of serious assaults, physical gestures, jokes, banter, offensive language, circulation of notes or letters, or visual displays of offensive materials.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will identify by rank those persons responsible for religious harassment experienced by RUC officers of *(a)* Catholic and *(b)* Protestant origin. [22663]

Mr. Ingram *[holding answer 16 January 1998]:* This information is not readily available in the format requested and would incur disproportionate cost to provide.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate how many current RUC officers of *(a)* Catholic and *(b)* Protestant origin have been the subject of religious discrimination. [22349]

Mr. Ingram *[holding answer 16 January 1998]:* The recent Religious and Political Harassment and Discrimination Survey indicated that of those officers who responded, approx 12 per cent. of Roman Catholics and 3 per cent. of Protestants felt that they had experienced religious discrimination at some time in their careers.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate how many current RUC officers of *(a)* Catholic and *(b)* Protestant origin have been the subject of religious harassment during their careers. [22659]

Mr. Ingram *[holding answer 16 January 1998]:* The recent Religious and Political Harassment and Discrimination Survey indicated that of those officers who responded 29 per cent. of Roman Catholic and 3 per cent. of Protestants felt they had experienced religious harassment at some time in their careers.

RUC (Sexual Discrimination and Harassment)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate how many current *(a)* female and *(b)* male RUC officers have been the subject of sexual harassment. [22422]

Mr. Ingram *[holding answer 16 January 1998]:* The 1996 Sexual Harassment Survey indicated that of those who responded, approximately 45 per cent. of female and 4 per cent. of male officers felt that they had experienced sexual harassment at some time in their careers.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the annual incidence of sexual harassment within the RUC for the period from 1991 to 1996 in respect of *(a)* female and *(b)* male RUC officers. [22423]

Mr. Ingram *[holding answer 16 January 1998]:* The estimated percentages of the annual incidence of sexual harassment, as taken from the 1996 Sexual Harassment Survey, within the RUC for the period 1991–95 in respect of male and female officers are as follows:

Gender	*1991*	*1992*	*1993*	*1994*	*1995*
Female	13.5	13.9	16.8	16.8	14.1
Male	0.7	0.5	1.0	0.8	0.9

The Survey covered only the 5-year period up to 1995.

The number of complaints of sexual harassment received during 1996 were—male 1, female 27.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the extent of under-reporting of incidents of sexual harassment within the RUC; what assessment she has made of possible causes of under-reporting; and what improvements to procedures she proposes. [22425]

Mr. Ingram *[holding answer 16 January 1998]:* Records are not currently available to estimate the extent of under-reporting of incidents of sexual harassment within the RUC.

The RUC has introduced a number of measures to encourage officers to come forward. These include:

(a) The installation of a Confidential Helpline in the Equal Opportunities Unit. This was followed by an extensive poster campaign promoting the Helpline.

(b) The introduction of Harassment Support Officers at local level.

(c) Poster campaigns.

(d) Increasing the accessibility of the Equal Opportunities Unit throughout Divisional and Sub-Divisional roadshows.

(e) Continual input on Equal Opportunities matters in all recruit, probationer, further and divisional training courses.

These measures are continually under review for their effectiveness.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate how many *(a)* female and *(b)* male RUC officers have been the subject of sexual discrimination during their careers. [22427]

Mr. Ingram *[holding answer 16 January 1998]:* It is not possible for the RUC to estimate how many officers perceive themselves to be the subject of sexual discrimination.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the annual incidence of sexual discrimination within the RUC for the period from 1991 to 1996 in respect of *(a)* female and *(b)* male officers. [22428]

Mr. Ingram: *[holding answer 16 January 1998]:* The following table illustrates the number of cases of sexual discrimination within the RUC reported to the Equal Opportunities Unit for the period 1991–96.

Gender	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
Female	4	9	0	6	3	4
Male	4	4	2	8	6	7

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will estimate the extent of under-reporting of incidents of sexual discrimination within the RUC; what assessment she has made of the possible causes of under-reporting; and what improvements to procedures she proposes. [22429]

Mr. Ingram *[holding answer 16 January 1998]:* It is not possible for the RUC to estimate the extent of under-reporting of incidents of sexual discrimination

within the RUC. However the RUC has introduced a number of measures to encourage officers to come forward. These include:

(a) The installation of a Confidential Helpline in the Equal Opportunities Unit. This was followed by an extensive poster campaign promoting the Helpline.

(b) The introduction of Harassment Support Officers at local level.

(c) Poster campaigns.

(d) Increasing the accessibility of the Equal Opportunities Unit throughout Divisional and Sub-Divisional roadshows.

(e) Continual input on Equal Opportunities matters in all recruit, probationer, further and divisional training courses.

These measures are continually under review for their effectiveness.

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) if she will identify by rank those persons responsible for sexual discrimination in respect of *(a)* female and of *(b)* male RUC officers since 1991; [22430]

(2) if she will identify by rank those found responsible for sexual harassment within the RUC since 1991. [22426]

Mr. Ingram *[holding answer 16 January 1998]:* This information is not readily available and would incur disproportionate cost to provide.

RUC (Equal Opportunities Unit)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will set out the *(a)* terms of reference, *(b)* key objectives and *(c)* measures of gauging the effectiveness of the Equal Opportunities Unit within the RUC. [22353]

Mr. Ingram *[holding answer 16 January 1998]:* *(a)* The terms of reference for the RUC Equal Opportunities Unit are as follows:

To ensure equality of opportunity in all areas including:

Application

Selection

Training

Promotion

Deployment and any other areas.

(b) The objectives of the RUC Equal Opportunities Unit are as follows:

(1) To emphasise the force's commitment to equality of opportunity.

(2) To ensure that recruitment methods and selection procedures are fair and free from bias.

(3) To provide equal access to opportunities for promotion.

(4) To ensure equal treatment in deployment.

(5) To provide equal access to opportunities for transfer.

(6) To provide access to opportunities for transfer.

(7) To promote equality of opportunity through the implementation of positive action measures.

(8) To investigate all job requirements and remove those which are unjustifiable.

(9) To ensure all conditions of service are non-discriminatory.

(10) To examine all initiatives which facilitate members to combine domestic and work commitments.

(11) To deal with complaints of discrimination promptly and fairly.

(12) To implement systems to monitor the provision of equality of opportunity in the force.

(c) The nature of the work of the Equal Opportunities Unit makes it difficult to measure the effectiveness of the Unit however the Unit reports tri-annually to the Fair Employment Commission and is also subject to regular inspection from Her Majesty's Inspector of Constabulary

IT Equipment

Mr. Barnes: To ask the Secretary of State for Northern Ireland what is her Department's policy regarding the recycling of information technology equipment within her Department and relevant agencies and to other Government departments or agencies; and what arrangements have been made in this respect. [23279]

Mr. Paul Murphy *[holding answer 21 January 1998]:* The policy of Northern Ireland Departments and the Northern Ireland Office on the recycling of redundant, but serviceable, information technology equipment is to relocate the equipment within the Department concerned and its Agencies. If this is not possible the equipment is offered to other Northern Ireland Departments and their Agencies.

TREASURY

EU Finance Ministers

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the council meeting of the Economic and Finance Ministers of the European Union held on 19 January. [24943]

Mr. Gordon Brown: I chaired the Economic and Finance Council—ECOFIN—of the European Union in Brussels on 19 January. The Economic Secretary represented the UK.

I began by introducing my work programme to the Council, amplifying on the priorities I had previously indicated to them by letter (a copy of my letter to colleagues has been placed in the Library of the House). This session took the form of an open debate, and the Commission and other colleagues responded to my presentation, welcoming the Presidency's aims. During this discussion we touched on the financial situation in Asia, as well as my aims for economic reform in the Union, the preparations for Stage 3 of EMU, the economic and financial aspects of enlargement, and the need for budget discipline and increased vigilance against fraud and financial mismanagement in the context of the EC Budget.

The Council considered the implementation of the Italian convergence programme, following up its conclusions in July of last year calling for a report to the Council once concrete budgetary measures had been defined in the 1998 Budget Law. Further Council Conclusions were agreed.

The FISIM Regulation (Financial Intermediation Services Indirectly Measured) was agreed by simple majority.

Oil and Gas Rigs

Mr. Alan Simpson: To ask the Chancellor of the Exchequer if he will make a statement on tax relief levels relating to oil and gas rig decommissioning; and what estimate he has made of the likely tax disbursements in respect of such decommissioning over the next 30 years. [24785]

Dawn Primarolo: Qualifying costs of decommissioning oil and gas installations are allowable for Petroleum Revenue Tax (PRT) purposes. They also attract a special 100 per cent. capital allowance for Corporation Tax (CT) purposes. The level of tax relief available for decommissioning the installations of a field therefore depends on the extent to which the field has paid PRT and the companies which own it pay CT.

The Department of Trade and Industry currently estimates that the total costs of decommissioning existing offshore installations over the next 25 years could be in the region of £7 billion to £10 billion at today's prices. On average, about half those costs are expected to be met from the Exchequer by way of tax relief.

Taxation

Mrs. Lait: To ask the Chancellor of the Exchequer how many married couples would pay higher-rate tax if independent married women's tax was withdrawn and they were taxed jointly. [24957]

Dawn Primarolo: This would depend on what assumptions were made about the operation of joint taxation.

Mrs. Lait: To ask the Chancellor of the Exchequer what receipts would be generated by *(a)* taxing child benefit at the basic rate, *(b)* taxing child benefit at the higher rate and *(c)* means-testing maternity benefits. [25007]

Dawn Primarolo: Information on the taxation of child benefit for 1998–99 is given in the table.

	Yield in a full year (£ million)
Child benefit taxed as:	
Father's or lone mother's income at	
(a) basic rate[1]	1,200
(b) higher rate[2]	1,400
Mother's or lone father's income at	
(a) basic rate[1]	675
(b) higher rate[2]	700

[1] Benefit taxed at 20 per cent for taxpayers only paying lower rate of tax and at 23 per cent. for all other taxpayers.
[2] Benefit taxed at taxpayer's marginal rate.

The effect of means testing Statutory Maternity Pay and other maternity benefits would depend on the precise system of means testing. Statutory Maternity Pay is liable to tax in the same way as other earnings.

Mrs. Lait: To ask the Chancellor of the Exchequer if the Inland Revenue classifies child benefit as a tax relief paid in cash. [24958]

Mr. Darling: Child Benefit is classified in the national accounts as General Government Expenditure.

Mrs. Lait: To ask the Chancellor of the Exchequer what is the estimated amount of tax forgone by the Treasury since the introduction of independent married women's taxation. [24955]

Dawn Primarolo: I regret that such an analysis could be provided only at disproportionate cost.

Self-Assessment

Mr. Webb: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Daventry of 1 July 1997, *Official Report*, column *112*, what is his current estimate of the cost to the Inland Revenue of publicity in support of the move to self-assessment. [24739]

Dawn Primarolo *[holding answer 22 January 1998]:* Since the launch of the Self-Assessment public information programme in June 1995 about £19.5 million has been spent informing taxpayers of the changes.

Banking Sector

Mr. Dismore: To ask the Chancellor of the Exchequer if he will make a statement concerning the banking sector, with particular reference to the status of the remaining building societies which have not converted to banks. [24987]

Mrs. Liddell *[holding answer 23 January 1997]:* The United Kingdom has a very successful banking sector, in which building societies continue to play an important part, providing mortgages and other financial services to millions of their members. The Government are aware how widespread the contribution of mutual is to the UK economy, through the competitive products offered by mutual insurers and friendly societies and through the competitive rates which building societies offer for savers and borrowers.

Higher Personal Tax Allowance

Mr. Martin Bell: To ask the Chancellor of the Exchequer if he will estimate how much additional taxation would have been raised in 1997–98 if the higher personal tax allowance for *(a)* people aged 65 to 74 years and *(b)* people aged 75 years and over had been abolished. [25746]

Dawn Primarolo: The estimated full year yields at 1997–98 income levels from abolishing the age related personal allowance would be £470 million for those aged 65 to 74 years and £330 million for those aged 75 years and over. These figures represent the excess of the aged personal allowance over the non-aged personal allowance.

VAT on Fuel

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the total cost of reducing VAT on fuel to 5 per cent; and how much of this sum will accrue to each decile of the income distribution. [24683]

Dawn Primarolo *[holding answer 26 January 1998]:* The cost of reducing VAT on domestic fuel from 8 per cent. to 5 per cent. is estimated to be £485 million in 1998–99. This is split between income deciles in the table together with the gain to households as a percentage of their net income.

Income decile	Cost (£ million)	Percentage of net household income
Bottom	45	0.30
2	45	0.20
3	45	0.20
4	45	0.15
5	45	0.15
6	45	0.10
7	50	0.10
8	50	0.10
9	55	0.10
Top	60	0.05
Average	485	0.10

The information is based on Family Expenditure Survey data. The cash in the table has been rounded to the nearest £5 million. The percentages have been rounded to the nearest 0.05 per cent.

EU Programmes (Underspends)

Mr. Jack: To ask the Chancellor of the Exchequer if he will publish a breakdown of each of the underspends on EU programmes which provided the £400 million distributed to pensioners in the July 1997 Budget. [25247]

Mrs. Liddell *[holding answer 26 January 1998]:* The saving on the UK's net contribution to the EC which my right hon. Friend announced in November reflected the difference between the forecast of net payments to EC Institutions in the previous Government's expenditure plans for 1997–98 and the actual net payments the Government now expects to make for 1997–98, which are based on more recent information. The saving was therefore not directly derived from specific items of underspending in the EC Budget; indeed the previous forecast published in November 1996 Financial Statement and Budget Report had assumed an element of underspending.

That said, underspending in the main areas of the EC Budget in 1996 was as follows:

Fund	Mecu
EAGGF	2,284
Structural Operations	1,394
Training etc., Energy etc., internal market and research	722
External action	985
Administration	578

Source:
Diagram VIII of the European Court of Auditor's report on the 1996 Community Budget.

The 1996 underspend was reflected in reductions in the contributions actually made by Member States in 1997.

Duty Free

Mrs. Ewing: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for North Thanet (Mr. Gale), of 1 December 1997, *Official Report*, column *94*, on duty-free trade, if he will list the steps which duty and tax free shops in UK airports with only limited non-European Union international flights can take to adapt to the removal of intra-European Union duty free; and if he will make a statement. [25210]

Dawn Primarolo *[holding answer 27 January 1998]:* The current extension of the intra-EU duty free regime to 30 June 1999 was agreed by the Council of Finance Ministers, in 1991, so as to allow duty free operators time to adjust and explore alternative ways of carrying on the business.

Following abolition, operators currently engaged in intra-EU duty free trade who wish to carry on their business will have to adopt their operations to dealing in goods on a duty and tax paid basis.

Mrs. Ewing: To ask the Chancellor of the Exchequer what representations he has received concerning the impact of the abolition of intra-European Union duty free on *(a)* the viability of European flights from Scottish and regional United Kingdom airports, *(b)* employment in Scottish and regional United Kingdom airports and *(c)* the cost of European flights from Scottish and regional United Kingdom airports. [25209]

Dawn Primarolo *[holding answer 27 January 1998]:* I have received a number of representations from various airport authorities within the United Kingdom including Scotland. These representations include, among other things, the viability and cost of European flights and the effect on employment.

Mrs. Ewing: To ask the Chancellor of the Exchequer if he will make it his policy to press for a continuation of duty-free sales within the European Union until there has been an equalisation of alcohol duties between the member states of the European Union; what plans he has to discuss this issue with European Treasury ministers in the course of the United Kingdom presidency of the European Union; and if he will make a statement. [25208]

Dawn Primarolo *[holding answer 27 January 1998]:* The Government have no plans to use the UK Presidency to press for a continuation of duty free sales. However, the UK will not stand in the way of any proposal for a Commission study particularly if this were also to examine the nature of any successor regime to duty free. The equalisation of duties and taxes was not a factor in the decision taken by the Council of Finance Ministers towards the end of 1991 to allow duty-free shopping to continue after 1 January 1993 to 30 June 1999.

Barristers and Solicitors (Taxation)

Mr. Garnier: To ask the Chancellor of the Exchequer what research he has commissioned into the effect that the proposed removal of the cash basis income tax system for barristers and self-employed solicitors will have upon (i) the financial viability of the Bar and solicitors' profession, (ii) individuals in legal practice and (iii) the public's access to justice; and if he will publish it. [25763]

Dawn Primarolo *[holding answer 27 January 1998]* The Inland Revenue issued a press release on 22 December 1997 inviting comments on the proposal to withdraw the cash basis practices available to professional businesses. The responses will enable the Government to identify those affected and allow them to explain the effect of the proposal. The responses received will then be considered as in any consultative exercise.

If anyone wishes to make representations and has not already done so, these should be sent not later than 14 February 1998 to: Crispin Taylor, Inland Revenue, Business Profits Division, Room 439, 22 Kingsway, London WC2B 6NR.

Pre-paid Funerals

Mr. Caplin: To ask the Chancellor of the Exchequer if he will ensure that pre-paid funerals are subject to regulation by the new Financial Services Authority. [24800]

Mr. Nigel Griffiths *[holding answer 21 January 1998]:* The Government plan to ensure that consumers who purchased their funerals in advance are adequately protected. I am urgently considering how this can best be achieved.

FOREIGN AND COMMONWEALTH AFFAIRS

International Criminal Court

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the Preparatory Committee of the United Nations General Assembly on the establishment of an International Criminal Court, indicating whether Her Majesty's Government will provide financial support to help create such an institution. [25525]

Mr. Tony Lloyd: The December 1997 session of the Preparatory Committee made good progress on negotiating a Statute for the International Criminal Court. However, many issues have yet to be resolved. At the next session in March and at the Diplomatic Conference in June–July we will work actively to advance the negotiations so that a Treaty can be signed at the end of the Conference. Through the EU we have contributed funds to assist Governments of Least Developed Countries to participate in the Conference.

South Africa

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with South Africa. [25645]

Mr. Tony Lloyd: The relationship thrives on many levels. The UK is South Africa's largest trading partner; there are close political links across a wide range of issues; we have a major development programme in South Africa; and cultural and sporting ties abound and have expanded since the 1994 changes. Recent highlights included President Mandela's two visits to the UK last year, the Prince of Wales's visit to South Africa in November, and Deputy President Mbeki's visit to London for the first meeting of the UK/South Africa Bilateral Forum.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 20 January 1998, *Official Report*, column *469*, what representations he has received from other Government Departments concerning the format and aims of a non-statutory agreement between his Department and the Scottish Executive; if he will list the number of representations from each Department; and if he will make a statement; [25588]

(2) in what areas the non-statutory agreement between his Department and the Scottish Executive will give the lead role in policy formation to his Department; to what extent it will include mechanisms to harmonise policy between Scotland and his Department on devolved matters; and if he will make a statement; [25587]

(3) if he will publish the most recent drafts of non-statutory agreements with the Scottish Executive; when he proposes to publish the final document; and if the agreement will operate on a trial basis; [25586]

(4) pursuant to his answer of 20 January 1998, *Official Report*, column *469*, when discussions began in his Department concerning the draft non-statutory agreement with the Scottish Executive; on what dates discussions took place; and who was present at such meetings. [25585]

Mr. Doug Henderson *[holding answer 27 January 1998]:* Discussions are being held between departments, both at official level and Ministerial level, on all matters relating to non-statutory agreements between the UK Government and the Scottish Executive. In most cases, these discussions are in their early stages in the light of the fact that such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

Argentina (Arms Embargo)

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs if there have been any recent exceptions to the arms embargo on Argentina. [26529]

Mr. Tony Lloyd: We have recently granted an exception to the embargo relating to the sale of spare parts for the Argentine icebreaker, the Almirante Irizar. This represents an exception but not a change to the embargo.

Geneva Conventions

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ratification of the additional protocols to the Geneva Conventions. [26530]

Mr. Tony Lloyd: I am pleased to be able to inform the House that the United Kingdom instruments of ratification of the two Additional Protocols of 1977 to the Geneva Conventions of 1949 for the Protection of War Victims are today being deposited with the Swiss authorities in Berne.

The necessary legislation, the Geneva Conventions (Amendment) Act 1995, received the Royal Assent on 19 July 1995.

A copy of the note accompanying the instrument of ratification has been placed in the Library of the House. The note contains the statements made by the United Kingdom on ratification of Additional Protocol I on International Conflicts. In most cases these reflect similar statements made by the United Kingdom on signing Protocol I in 1977.

I wish to draw the attention of the House in particular to the statement concerning nuclear weapons, which is in the following terms:

"It continues to be the understanding of the United Kingdom that the rules introduced by the Protocol apply exclusively to conventional weapons without prejudice to any other rules of international law applicable to other types of weapons. In particular, the rules so introduced do not have any effect on, and do not regulate or prohibit the use of nuclear weapons."

Statements to similar effect have been made by NATO partners and others when ratifying Protocol I. They reflect the basis upon which the Conference which drew up Additional Protocol I took place and statements made at the Conference by the United Kingdom delegation among others.

I would also draw the attention of the House to statement (m) on Articles 51 to 55 and statement (n) on Articles 56 and 85, paragraph 3c. These statements reserve our right to threaten reprisals if attacks were launched against our own civilians or civilian targets and remove the virtual immunity under the Protocol for attacks on dams, dykes and certain nuclear facilities such as nuclear power stations, even when they are a significant part of the enemy's war effort. Both reservations have been drafted with great care to show that these would be measures of last resort, to be decided upon only if all else had failed, and requiring high level authorisation. Our actions would still be subject to the classic rule of proportionality.

I would also draw the attention of the House to statement (d) concerned with Article 1, paragraph 4 and Article 96, paragraph 3, which extend the application of the protocol to armed conflicts

"in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination."

To guard against the possibility that terrorist organisations may seek to misuse these provisions the statement makes clear that the term "armed conflict" is understood as denoting something clearly beyond the commission of ordinary crimes including acts of terrorism, and that the United Kingdom will not be bound, in relation to any situation in which the United Kingdom itself is involved, unless it expressly recognises the adversary as genuinely an authority representing a people engaged in an armed conflict of the type referred to in these Articles.

In accordance with the powers conferred in Section 7 of the 1957 Geneva Convention Act, as amended by Section 4 (7) of the Geneva Conventions (Amendment) act 1995, the Government will certify in an Order in Council the terms of the statements made on ratification.

Article 90 of Additional Protocol I establishes an International Fact-finding Commission and provides that the High Contracting Parties may at the time of ratification or subsequently declare that they recognise, in relation to any other High Contracting Party accepting the same obligation, the competence of the Commission to inquire into allegations by such other party of facts alleged to be a grave breach or serious violation of the Conventions or the Protocol. The Government intend to make a declaration of acceptance of the competence of the Fact-finding Commission. It will be necessary first to bring before the House legislation to confer upon the members of the Commission and their staff the necessary privileges and immunities.

Algeria

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings have been held by his Department and British Embassy staff in Algiers with representatives of oil or gas companies operating in Algeria; and what was discussed at these meetings. [26016]

Mr. Fatchett: We hold regular discussions with British energy companies that operate in Algeria, as we do with many British companies who have major interests abroad. The agenda usually covers the political situation including security and human rights, and economic developments.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he and his Ministers have held with the French Government in respect of policy towards Algeria. [26013]

Mr. Fatchett: We hold regular discussions with the French Government on many aspects of foreign policy at all levels, both bilaterally and in the context of the Common Foreign and Security Policy of the European Union. Algeria is one of the subjects discussed.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he and his ministers have held with the Organisation of African Unity concerning the situation in Algeria. [26020]

Mr. Fatchett: There have been no such recent discussions.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the proposals from the EU Troika to restore human rights in Algeria; and if he will make a statement. [26015]

Mr. Fatchett: The Troika's proposals to the General Affairs Council concentrated on improving dialogue between the EU and Algeria, on encouraging greater transparency on the part of the Algerian authorities and on encouraging democratisation, including through parliamentary exchanges. These measures will help in improving the situation of the Algerian people. They were approved by the General Affairs Council on 26 January.

Roma People

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings he had with representatives of human rights groups and Roma peoples during his visit to the Czech Republic. [26019]

Mr. Doug Henderson: My right hon. Friend the Foreign Secretary did not hold any meetings with representatives of human rights groups or Roma organisations during his visit to Prague in November. He discussed the situation of the Czech Roma minority in his meetings with President Havel and the Czech Foreign Minister as well as raising the issue in a speech at the Bohemia Foundation. My right hon. Friend the Foreign Secretary said that the Czech Government needed to address those issues which led the Roma to believe they had no future in the Czech Republic.

Arms Embargoes

Mr. Andy King: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list all arms embargoes currently implemented by the United Kingdom, indicating their scope; and if he will make a statement. [26140]

Mr. Tony Lloyd: The United Kingdom currently enforces eighteen arms embargoes. Under the United Nations Charter, we have a legally binding obligation to enforce arms embargoes imposed by the Security Council under Article 41 of the Charter. Other embargoes are imposed on a national basis or following agreement within the European Union (EU) or the Organisation for Security and Co-operation in Europe (formerly CSCE).

Under UK law, binding UN embargoes are implemented by prohibiting the export of goods and technology on the Military List which forms Part III to Schedule 1 of the Export of Goods (Control) Order 1994, as amended. In addition, the supply of such items from the UK or supply abroad by UK registered companies and nationals is prohibited by Orders in Council under the United Nations Act 1946. From time to time, the contents of the Military List may change, for example, to reflect technological advances or continuing international efforts to counter the proliferations of weapons of mass destruction. Orders in Council extend such embargoes to the Crown Dependencies and the Dependent Territories. A licence is required for each export or supply from the UK or abroad by a UK registered company or national.

National embargoes and those agreed in the EU and the OSCE prohibit only the export of goods covered by the embargo. With the exception of the embargoes on China and Iran, the UK interprets the scope of all such embargoes to cover goods and technology on the Military List as defined above.

There are currently seven binding UN arms embargoes:

Angola (a), *Iraq* (b), *Liberia* (c), *Libya* (d) *Rwanda* (e), *Somalia* (f) and *Sierra Leone* (g).

There are currently seven EU embargoes:

Afghanistan (h), *Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia* (i), *Burma* (j), *China* (k), *Nigeria* (l), *Sudan* (m) and *Democratic Republic of Congo (formerly Zaire)* (n).

The UK currently implements two embargoes as a result of decisions by the OSCE:

Armenia (o) and *Azerbaijan* (p).

There are currently two national embargoes:

Argentina (q) and *Iran* (r).

I shall keep the House informed of current arms embargoes and their scope on a yearly basis. All new embargoes or any amendments to existing embargoes will be announced at the time. We shall also shortly be laying in the Library of the House a revised list of all UK policy commitments to control strategic exports, including embargoes. An updated version will be laid in the Library annually (or more frequently if policy change requires a revision). This statement will also be used to inform British industry.

Footnotes:

(a) Implemented in the UK on 1 October 1993. Products covered by the scope of the embargo can be supplied through named points of entry on a list provided by the Government of Angola;

(b) Implemented in the UK on 9 August 1990 as part of comprehensive trade sanctions;

(c) Implemented in the UK on 22 July 1993;

(d) Implemented in the UK on 15 April 1992 as part of a range of sanctions (following an EU arms embargo imposed on 14 April 1986);

(e) Implemented in the UK on 24 June 1994. The embargo does not apply to the sale or supply of arms and related material if under licence to the Government of Rwanda. But it does cover the sale or supply of arms and material to persons in States neighbouring Rwanda (i.e., Burundi, Tanzania, Uganda and the Democratic Republic of Congo) if that sale or supply is for the purpose of the use of such arms or material within Rwanda;

(f) Implemented in the UK on 22 July 1993;

(g) Implemented in the UK on 1 November 1997;

(h) Implemented in the UK on 17 December 1996;

(i) Implemented in the UK on 26 February 1996. This embargo does not extend to transfers of equipment need for demining activities;

(j) Implemented in the UK on 29 July 1991;

(k) Implemented in the UK on 26 June 1989 (although a national embargo was announced on 6 June 1989). In the absence of agreement amongst EU partners on its scope, interpretation of the embargo was left to national discretion. The UK interprets this embargo to include:

lethal weapons such as machine guns, large calibre weapons, bombs, torpedoes, rockets and missiles;

specially designed components of the above, an ammunition;

military aircraft and helicopters, vessels of war, armoured fighting vehicles and other such weapons platforms; and

any equipment which is likely to be used for internal repression

(l) Implemented in the UK on 20 November 1995 (although a national embargo was announced on 11 November 1995);

(m) Implemented in the UK on 15 March 1994;

(n) Implemented in the UK on 7 April 1993;

(o) Implemented in the UK on 28 February 1992;

(p) Implemented in the UK on 28 February 1992;

(q) Implemented on 3 April 1982;

(r) Implemented on 1 March 1993. In addition to the Military List as defined above, the scope of this embargo also covers items entered in Group O in Annex 1 of European Council Decision 94/942/CFSP on the export of dual-use goods, as amended.

There are two exceptions to this embargo:

goods essential for the safety of civil aircraft and air traffic control systems;

radioactive material in the form of sources for medical equipment and deuterium labelled compounds for medical use.

Licences are not approved for any equipment where there is knowledge or reason to suspect that it would go to a military end-user or be used for military purposes. The exception is equipment which would not normally require an export licence but is deemed licensable under the Weapons of Mass Destruction (WMD) end-use control and where WMD concerns are not subsequently substantiated.

HOME DEPARTMENT

Political Parties

Ms Christine Russell: To ask the Secretary of State for the Home Department if he will make a statement on the funding and registration of political parties. [26514]

Mr. Straw: The Government are committed to reforming the system of party funding. On 12 November 1997, my right hon. Friend the Prime Minister asked the Committee on Standards in Public Life, chaired by Lord Neill, to review issues in relation to the funding of political parties and recommend any changes in present arrangements. At that time, it was the Government's intention to legislate in this Session to deliver our manifesto commitment to ban foreign funding of political parties and to demand disclosure of donations above £5,000.

Since then, Lord Neill and the members of his Committee have reached the view that it would be preferable for the Government not to proceed with the funding aspects of proposed legislation at the same time. In a letter to me, dated 26 January, Lord Neill explained why he is particularly concerned about simultaneous consideration of these issues by Parliament and the Committee.

In response, I have therefore decided not to introduce legislation on the funding of political parties in this Session of Parliament. I have placed in the Library a copy of Lord Neill's letter, together with a copy of my reply.

Lord Neill has made it clear that the Committee is considering not whether the Government's two specific manifesto commitments should be fulfilled, but how best to do so. The Government remain firmly committed to legislate in this area and will bring forward proposals in the light of the recommendations of the Neill Committee. This will enable us to bring forward a comprehensive and effective package of measures.

The registration of political parties is necessary to enable the electoral systems proposed for the European Parliament, the Scottish Parliament and the Welsh Assembly to function effectively and to deal with misleading descriptions on ballot papers. I intend to introduce the Bill on this subject later in this Session.

Asylum Seekers (Algeria)

Mr. Corbyn: To ask the Secretary of State for the Home Department (1) what discussions he or his Ministers or officials have held with the UNHCR on the situation facing people seeking refuge from Algeria; and if he will make a statement; [26007]

(2) what discussions he has held with the Refugee Council, the Refugee Legal Centre, the Joint Council for the Welfare of Immigrants and others concerning the situation facing asylum seekers from Algeria; and if he will make a statement. [26006]

Mr. Mike O'Brien: In the six-month period between 1 July and 31 December 1997, a total of 435 applications for asylum in the United Kingdom, excluding dependants, were lodged by nationals of Algeria. During the same period, a total of 265 decisions, excluding dependants, were made on asylum applications lodged by Algerian nationals. Of these, 80 (30 per cent.) were to grant asylum, five (2 per cent.) were to refuse asylum but grant exceptional leave and 180 (68 per cent.) were to refuse both asylum and exceptional leave.

Provisional data indicate that, during the period 1 July to 31 December 1997, a total of 68 Algerian asylum seekers were removed or made voluntary departures from the United Kingdom. Of these, a total of 13 persons, who had been refused asylum in the United Kingdom, were removed to Algeria. During the same period, a further five asylum seekers were recorded as having made a voluntary departure to Algeria. Many of the others have been removed, or have made voluntary departures, to safe third countries. The available data exclude any in-country applicants who make a voluntary departure prior to the initiation of enforcement action.

All asylum applications are considered in accordance with the United Kingdom's international obligations under the 1951 United Nations Convention on the Status of Refugees and its 1967 Protocol, and the risk to the individual is assessed on its merits. In addition, if the granting of asylum is not appropriate, consideration is given to whether there are compelling humanitarian reasons to grant permission to remain in the United Kingdom exceptionally. In cases of applications from Algerian citizens, particular care is being taken in the light of the current situation in Algeria.

Both Ministers and officials receive and take account of advice and information from the office of the United Nations High Commissioner for Refugees and from the Foreign and Commonwealth Office on this. Information provided by non-governmental organisations is regularly reviewed by the Country Information and Policy Unit of the Asylum Directorate. Although no specific meetings have been held to discuss the situation in Algeria with members of the various refugee groups, such as the Refugee Council, they have expressed their concerns to Ministers in a wider context. In addition, we have invited a number of organisations closely connected with the asylum determination process to discuss country information issues.

The cases of all rejected asylum seekers from Algeria will be reviewed individually just before removal, in the light of detailed advice from UNHCR, and to take account of the latest information and advice from other sources. No one will be returned to Algeria unless it is reasonable to believe that they could be so safely. A declaration of upheaval under the Asylum and Immigration Act 1996 will be made if the situation in Algeria is such as to constitute an upheaval throughout the country.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many Algerian asylum seekers are currently held in detention under immigration law; and if he will make a statement on his policy in this respect. [26008]

Mr. Mike O'Brien: A total of 53 Algerian nationals who had sought asylum at some stage were recorded as being detained solely under Immigration Act powers as at 5 January 1998 (port cases) and 6 January 1998 (after entry cases). Detention is used sparingly and only where there are good grounds for believing that a person will not comply with the terms of temporary admission, regardless of nationality.

Mr. Corbyn: To ask the Secretary of State for the Home Department if he will list for each year since 1990 *(a)* the number of asylum applications by Algerian nationals, *(b)* number granted asylum, *(c)* the number given exceptional leave to remain, *(d)* the number returned to Algeria and *(e)* the number removed to other countries. [26009]

Ann Clwyd: To ask the Secretary of State for the Home Department how many asylum seekers have had their applications refused and been returned to Algeria during the last six months. [24580]

Mr. Dafis: To ask the Secretary of State for the Home Department how many asylum applications have been received from Algerians over the past six months; and what percentage of these have been successful. [24842]

Ms Drown: To ask the Secretary of State for the Home Department (1) if he will review the treatment of asylum seekers from Algeria; [25916]

(2) what plans he has to declare Algeria a country of upheaval under the Asylum and Immigration Act 1996. [25917]

Mr. Mike O'Brien: The available information is given in the table.

I regret that comprehensive data on the final destination of those Algerian asylum seekers removed from the United Kingdom since 1990 could be obtained only at disproportionate cost. However, a recent exercise indicated that, of the 68 Algerian asylum seekers who were removed (or departed voluntarily) between 1 July and 31 December 1997, 13 were removed to Algeria and a further five were recorded as having made a voluntary departure to that country. Many of the others have been removed, or have made voluntary departures, to safe third countries. These data are provisional and exclude any in-country applicants who make a voluntary departure prior to the initiation of enforcement action.

Asylum Seekers (Roma People)

Mr. Corbyn: To ask the Secretary of State for the Home Department what meetings there have been between representatives of Roma people from the Czech and Slovak republics and Ministers or officials from his Department during the past year. [26017]

Mr. Mike O'Brien: None, but I have spoken to refugee groups who have dealings with the Roma people from the Czech and Slovak Republics.

Applications[1] received for asylum in the United Kingdom from nationals of Algeria, excluding dependants, initial decisions[2,3], and removals/voluntary departures, for the years 1990 to 1997

	1990	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
Asylum applications[1]	25	45	150	275	995	1,865	715	715
Decisions[2,3]	5	5	20	140	440	745	1,880	765
Recognised as a refugee and granted asylum	*	n/a	*	10	20	15	30	105
Not recognised as a refugee but granted exceptional leave to remain	5	*	5	10	10	10	15	5
Total refused	*	5	10	115	410	720	1,835	655
Removals	n/a	n/a	25	51	90	145	198	162
port[4,5]	n/a	n/a	14	18	37	84	101	86
in country[6,7]	n/a	n/a	11	33	43	61	97	76

[1] Provisional figures rounded to the nearest 5 with "*" = 1 or 2 and n/a = not available.
[2] Decision figures do not necessarily relate to applications made in same year.
[3] Information is of initial decisions, excluding the outcome of appeals or other subsequent decisions
[4] Includes any voluntary departure up to and including notification of the decision on the asylum application but excludes any subsequent departure.
[5] Data for 1995 to 1997 taken from December 1997 extract of the ALU system.
[6] Includes removals under enforcement powers and those departing voluntarily following enforcement action but excludes all other voluntary departures.
[7] Data for 1995 to 1997 taken from December 1997 extract of the HOMES system.

Police Raids

Mr. Key: To ask the Secretary of State for the Home Department if he will institute an inquiry into the leak to a journalist of explicit details of some of the targets of police raids on 21 November 1997 initiated by the Paedophile Unit of the Metropolitan Police. [25776]

Mr. Michael: This is an operational matter for the Commissioner of Police of the Metropolis. He tells me that a full investigation is going on. Wiltshire Constabulary tell me it has also conducted its own internal inquiry into this matter. As I understand it from the Commissioner, the role of the Metropolitan Police was to act as a facilitator in the co-ordination of intelligence in the raids. The raids involved staff from eight police forces.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for the Home Department what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26029]

Mr. Straw: There are 135 members of the Senior Civil Service (SCS) currently in post within my Department and its agencies. This includes eight SCS members who are currently on loan to the Home Office from other Departments.

Of the 127 SCS members with a Home Office background:

(a) 79 (62 per cent.)[1] have spent their entire career within the Home Office, including the agencies. (Of these, 34 (27 per cent.)[1] have spent their entire career within the Department, excluding the agencies);

(b) 48 (38 per cent.)[1] have, whilst in the senior grades, spent time away from the Department either on secondment to the private sector or on loan to other Departments.

Currently there is:

(i) one member of the SCS on secondment to the private sector; and

(ii) 22 (17 per cent.)[1] on loan to other Departments.

(c) 8 SCS members are currently on loan to the Home Office from other Departments.

[1] Percentages have been rounded to the nearest whole number.

Prison Officers

Mr. Beith: To ask the Secretary of State for the Home Department how many hours training are given to prison officers and prison custody officers at each of the privately managed prisons prior to taking up their duties; and if he will make a statement. [25049]

Ms Quin: The number of hours of initial training received by prison officers at directly managed prisons and by prisoner custody officers (PCOs) at each of the privately managed prisons is:

Prison officers at directly managed prisons	*312 hours training at the Prison Service College and 117 hours induction and familiarisation at the prison*
PCOs, Her Majesty's Prison (HMP) Altcourse	347 hours initial training at the prison
PCOs, Her Majesty's Prison (HMP) Blakenhurst	320 hours initial training at the prison
PCOs, Her Majesty's Prison (HMP) Buckley Hall	309 hours initial training at the prison
PCOs, Her Majesty's Prison (HMP) Doncaster	280 hours initial training at the prison
PCOs, Her Majesty's Prison (HMP) Parc	350 hours initial training at the prison
PCOs, Her Majesty's Prison (HMP) Wolds	320 hours initial training at the prison

In all cases at contractually managed prisons there is additional training reflecting the specific nature of the tasks to be undertaken by individual members of staff.

Mr. Beith: To ask the Secretary of State for the Home Department what are the salary maxima and minima for *(a)* prison officers, *(b)* prison custody officers working in the Greater London area and *(c)* prison custody officers in each of the privately managed prisons; and if he will make a statement. [25118]

Ms Quin: The annual salary for prison officers is £14,863 minimum up to £20,499 maximum; in addition there are three rates of London Weighting and London Supplement as follows:

	London Weighting (£)	*London Supplement (£)*
Inner	1,776	508
Intermediate	1,015	330
Outer	736	264

The annual salary for basic grade prisoner custody officers at privately managed prisons is as follows:

£

Prison	*Minimum*	*Maximum*
Altcourse	13,000 flat rate[1]	
Blakenhurst	13,500	15,370
Buckley Hall	13,000	13,860
Doncaster	13,500	15,312
Parc	14,000 flat rate[1]	
Wolds	13,000	16,807

[1] A single flat rate of pay is currently paid to prisoner custody officers at Her Majesty's Prison Altcourse and Her Majesty's Prison Parc because the prisons opened on 1 December 1997 and 17 November 1997 respectively.

There are no privately managed prisons in the Greater London area, but the annual salary for basic grade prisoner custody officers employed on the court escort and custody service in the Metropolitan Police District is £11,501 minimum rising to £15,065 maximum.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 January, *Official Report*, column *513*, what representations he has received from Government Departments concerning the format and aims of a non-statutory agreement between his Department and the Scottish Executive; how many representations were received from each department; and if he will make a statement. [25510]

Mr. Mike O'Brien: We have received no such representations. There can be no agreement between the Home Office and the Scottish Executive until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

Parc Prison, Bridgend

Mr. Beith: To ask the Secretary of State for the Home Department what costs have been incurred by the Prison Service in respect of unoccupied prisoner places ordered from the managing contractor at Her Majesty's Prison Parc, Bridgend; when he expects the prison to be fully occupied; and if he will make a statement. [25048]

Ms Quin: Her Majesty's Prison Parc, Bridgend, opened with the provision of 50 available prisoner places on 17 November 1997, four weeks ahead of programme.

In the first four weeks of operation, the prisoner population at Parc increased in line with the contractual programme of 50 per week. During the four-week period commencing 15 December 1997, the number of prisoners sent to Parc by the courts dropped significantly as a result of the usual seasonal downturn over the Christmas/new year period, which resulted in an overall fall of about 2,400 in the number of prisoners held in England and Wales. Some prisoners were transferred to Parc from Cardiff and Swansea prisons but, because overcrowding had reduced nationally, it was decided on operational grounds not to disrupt prisoners by transferring them over long distances during December to prisons where there were vacancies or where population pressures were much lower, such as Her Majesty's Prison Parc.

The prisoner population at Parc is now building up at a rate agreed between the Prison Service and the contractor, and full occupancy of 800 places is expected to be achieved no later than the week commencing 23 March 1998.

The cost to the Prison Service of unused places at Parc, from opening date to 21 January 1998 inclusive, is £368,000.

Electronic Tagging

Mr. Cox: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women were electronically tagged in 1997; and what was the total cost. [25434]

Ms Quin: During 1997, curfew orders enforced by electronic monitoring were imposed on 516 men and 49 women. Of these, 11 men and three women had two separate curfew orders imposed on them during the year.

Because of considerations of commercial confidentiality, it would not be appropriate to publish details of the payments made to contractors which are the major part of the costs of curfew orders enforced by electronic monitoring.

However, we estimate that the average cost of a curfew order enforced by electronic monitoring would be around £1,900, if the scheme were available throughout England and Wales.

Television Licence (Fine Defaulters)

Mr. Cox: To ask the Secretary of State for the Home Department how many people served a prison sentence during 1997 for television licence fine default; and if he will make a statement. [25433]

Ms Quin: Provisional information indicates that 234 people (173 males and 61 females) were received into prison during 1997 in default of payment of a fine for using a television without a licence.

Security Service Files

Dr. Julian Lewis: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 January 1998, *Official Report*, column *520*, on Security Service files, what central guidance on the preservation of records of likely historical interest is currently being given to the Director General of the Security Service in addition to the requirements of the Public Records Act 1958. [25438]

Mr. Straw: The Security Service seeks guidance from the Public Record Office (PRO) as it deems necessary. The PRO has recently approved the criteria used by the Service in identifying records of historical interest.

Dr. Julian Lewis: To ask the Secretary of State for the Home Department, pursuant to his answer of 20 January 1998, *Official Report*, columns *519–20*, whether individuals who were or later became hon. Members and/or Ministers will automatically have their Security Service files preserved in accordance with the criteria that they were individuals involved in important historical events. [25439]

Mr. Straw: As I made clear in my reply of 20 January 1998 *Official Report*, columns *519–20*, each file reviewed by the Security Service is examined individually and considered on its merits against the criteria currently in force.

Immigration and Asylum

Mr. Burnett: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 December, *Official Report*, columns *548–50*, on immigration cases, how many of the applications for leave to apply for judicial review made in 1996 and 1997, but recorded as having lapsed, were *(a)* refused on the papers and not renewed, *(b)* granted leave but no notice of motion was subsequently lodged and *(c)* withdrawn or otherwise not proceeded with. [24963]

Mr. Mike O'Brien: I regret that this information could only be obtained at disproportionate cost.

Asylum Appeals

Mr. Burnett: To ask the Secretary of State for the Home Department (1) how any applications for leave to appeal to the Immigration Appeal Tribunal in respect of a refusal of asylum were made in 1997; how many such applications were determined in 1997; and how many such applications were *(a)* granted and *(b)* dismissed; [25124]

(2) how many appeals to the Immigration Appeal Tribunal in respect of a refusal of asylum were *(a)* made and *(b)* determined in 1997; and how many such appeals were (i) allowed, (ii) dismissed and (iii) withdrawn; [25126]

(3) how many appeals against a refusal of asylum were made to and determined by adjudicators of the Immigration Appeals Authority in 1997; and how many such appeals were *(a)* allowed, *(b)* dismissed, *(c)* withdrawn and *(d)* referred to the Secretary of State for further consideration. [25127]

Mr. Mike O'Brien: The information requested is given in the tables.

Table 1: Asylum appeals made to and determined by the adjudicators of the Immigration Appeals Authority, 1997 [1]

	Number
Appeals received in the Home Office	20,950
Appeals determined by the IAA[2]	21,090
of which:	
Allowed[3]	1,135
Dismissed[3]	18,255
Withdrawn[3]	1,660
Without foundation appeals referred to Secretary of State for further consideration[3]	40

[1] Provisional figures rounded to the nearest 5, with * = 1 or 2.
[2] Source: Lord Chancellor's Department.
[3] Breakdown based on Asylum Directorate data.

Table 2: Applications for leave to appeal to the Immigration Appeal Tribunal in respect of a refusal of asylum, 1997 [1,2,3]

	Number
Applications for leave to appeal	9,160
Applications decided[4]	8,470
of which:	
Granted[4]	1,560
Refused[4]	6,910
Withdrawn[4]	*

[1] Provisional figures rounded to the nearest 5, with * = 1 or 2.
[2] Source: Lord Chancellor's Department.
[3] Excludes applications for leave to appeal made by the Secretary of State.
[4] Estimates based on LCD data and adjusted to excluded applications made by the Secretary of State.

Table 3: Appeals to the Immigration Appeal Tribunal in respect of a refusal of asylum, 1997 [1,2,3]

	Number
Appeals received[4]	1,570
Total determined	805
of which:	
Allowed	55
Dismissed	305
Withdrawn	—
Remitted to adjudicators for further consideration	445

[1] Provisional figures rounded to the nearest 5, with * = 1 or 2.
[2] Source: Lord Chancellor's Department.
[3] Excludes appeals lodged by the Secretary of State.
[4] Estimate based on LCD data and adjusted to excluded appeals lodged by the Secretary of State.

Fire Services (London)

Dr. Cable: To ask the Secretary of State for the Home Department (1) what is the current provision of fireboat services on the River Thames; and what plans he has to review it; [25227]

(2) what are the criteria for establishing at which emergencies it is appropriate to call on fireboat services. [25228]

Mr. George Howarth: Fireboat services form part of the pre-determined attendance for known riverside risks and large scale riverside incidents. This might include riverside fires or those in vessels, mid-stream collisions or assistance in pumping water from the River Thames for firefighting purposes. The provision of such services is a mater for the fire authority.

Fireboat services in London are currently provided by a boat called the London Phoenix with another boat, the Fire Hawk, in reserve. The brigade has recently reviewed its arrangements with a view to improving the effectiveness of its response on the River Thames. In accordance with section 19(4) of the Fire Services Act 1947, the London Fire and Civil Defence Authority has sought my right hon. Friend's approval to change the way the service is provided in future. This would be based on the use of smaller, more flexible craft.

Dr. Cable: To ask the Secretary of State for the Home Department how many *(a)* pumping and *(b)* special appliances were on operational duty with the London Fire and Civil Defence Authority on 1 Janaury 1998. [25235]

Mr. George Howarth: I understand from the London Fire and Civil Defence Authority that 177 pumping appliances and 47 special appliances were operational in London on 1 January 1998. The number of special appliances has since been reduced by one as the fireboat tender has been damaged and is not currently in service.

Probation Service

Mr. Kidney: To ask the Secretary of State for the Home Department what new targets he proposes to set for the performance of the Probation Service. [24972]

Ms Quin: The probation service key performance indicators (KPIs) and the targets that have been set for them in 1998–99 are shown below. These KPIs will apply throughout 1998–99 but are subject to review following the Comprehensive Spending Review:

KPI Definitions	*Targets*
KPI 1 The actual reconviction rates for persons subject to community orders by type of order compared with the predicted rates	To lower the actual reconviction rates for all types of order and achieve rates lower than those predicted
KPI 2 The proportion of supervision cases where the first contact with offenders is within national standards time limits	80 per cent. for probation orders, 80 per cent. for Community Service orders, and 90 per cent. for licences
KPI 3 The proportion of relevant supervision cases in which breach action is taken in accordance with national standards requirements (on or before a third unacceptable failure)	90 per cent.
KPI 4 The proportion of pre-sentence reports (PSRs) completed in the timescale set down by the commissioning court	95 per cent.
KPI 5 The proportion of welfare reports completed within 10 weeks of receipt of papers by the service	95 per cent.

KPI Definitions	*Targets*
KPI 6	
The proportion of magistrates satisfied with (a) the work of the service overall (a) and (b) the overall usefulness of PSRs	(a) 90 per cent. (b) 90 per cent.
KPI 7	
Unit costs:	
(a) unit cost per PSR	£400
(b) unit cost per welfare report	£900
(c) annual unit cost per community order:	
probation order	£1,750
Community Service order	£1,300
supervision order	£1,200
combination order	£3,350
(d) annual unit cost of Automatic Conditional Release licences	£1,050
KPI 8	
The proportion of bedspaces in approved hostels which are occupied	83 per cent

Casino Licences

Mrs. Lait: To ask the Secretary of State for the Home Department what plans he has to increase the number of casino licenses. [25005]

Mr. George Howarth: My right hon. Friend is responsible for regulations prescribing in which area casinos may operate: within those areas individual licence applications go to the local licensing authorities.

We have been considering the previous Government's proposals for adding some 20 new permitted areas to the 53 existing ones. We expect to make our views known shortly.

Data Protection

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what plans he has to review the workings of the Data Protection Act 1984; and if he will make a statement. [25327]

Mr. George Howarth: A Data Protection Bill to give effect to the 1995 European Communities Data Protection Directive (95/46/EC) was introduced in the House of Lords on 14 January. This Bill repeals and replaces the Data Protection Act 1984.

Remand Prisoners (Self-Harm)

Mr. Clappison: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 January, *Official Report*, column *66*, on incidents of self-harm among remanded 15 and 16-year-olds, in how many of the reported incidents of self-harming carried out by 15 and 16-year-olds on remand a F2052 SH self-harm at risk form had been opened prior to the incident of self-harm. [25929]

Ms Quin: Of the 17 reported incidents of deliberate self-harm among remanded 15 and 16-year-olds during the calendar year 1997, five had an F2052 SH self-harm at risk form opened prior to the incident of self-harm.

Immigration Advisers

Mrs. Lait: To ask the Secretary of State for the Home Department if he will list the firms and advisers dealing with asylum and immigration cases who will be excluded from the official register of authorised immigration advisers. [25800]

Mr. Mike O'Brien: We will consider whether or not to set up a register of authorised advisers when we have responses to the consultation paper which we published on 22 January.

PRIME MINISTER

Government Records

Mr. Matthew Taylor: To ask the Prime Minister if he will open for public inspection at the Public Record Office files concerning the machinery of Government with the classmarks CAB 134/2024 and CAB 134/2025. [24506]

The Prime Minister: The files in question have been retained by the Cabinet Office on grounds of national security. They were last reviewed in 1995 to see if they could be released but that review confirmed the need to continue to withhold them. They will be reviewed again at regular intervals and when no longer sensitive will be released.

Poor Countries

Dr. Tonge: To ask the Prime Minister what representations he made to the Japanese Government to support the Chancellor's initiative to relieve the debt of highly indebted poor countries. [25409]

The Prime Minister: The Chancellor raised the issue in a meeting with Japanese Finance Ministry representatives prior to my visit to Tokyo. The subject has been also raised in a number of the other recent meetings between the British and Japanese Governments, most recently during the visit of the Secretary of State for International Development to Japan. My colleagues and I continue to press all members of the international community to support the objectives that my right hon. Friend outlined in Mauritius at the Commonwealth Finance Ministers' meeting.

Ministerial Visits

Mr. Redwood: To ask the Prime Minister what limits he has placed on the costs incurred by Ministers travelling with their spouses or partners to be borne by the Exchequer. [25424]

The Prime Minister *[holding answer 26 January 1998]:* All my Ministers are required to be cost-conscious when arranging their travel plans, irrespective of whether they are accompanied or not. Public funds may only be used when it is clearly in the public interest.

Coal Industry

Mr. Redwood: To ask the Prime Minister if he was informed of the details of the agreement reached by the Paymaster General with the power generators to ensure more British coal is burned in the second quarter of 1998. [25425]

The Prime Minister *[holding answer 26 January 1998]:* I am fully aware, as are interested colleagues, of the role played by the Paymaster General in facilitating discussions between the generators and coal companies and the outcome of those discussions.

Ministers (Tax Affairs)

Mr. Soames: To ask the Prime Minister in what circumstances he would remove from office a Minister whose tax affairs were under investigation. [25766]

The Prime Minister *[holding answer 27 January 1998]:* It is the longstanding practice that Ministers may only remain in office for so long as they retain the confidence of the Prime Minister.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 28 January. [24112]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. Later today I shall have further such meetings.

INTERNATIONAL DEVELOPMENT

Minimum Wage

10. **Mr. Boswell:** To ask the Secretary of State for International Development if she will assess the advantages and disadvantages of extending the national minimum wage to British-financed and British-managed aid projects overseas. [23867]

19. **Mr. Paterson:** To ask the Secretary of State for International Development if she will assess the advantages and disadvantages of applying the United Kingdom national minimum wage to foreign workers employed on projects funded with British aid. [23877]

Mr. Foulkes: There is obviously no plan to extend Britain's national minimum wage world-wide but we are working to promote respect for the International Labour Organisation's core labour standards throughout the world.

Southern Africa

11. **Helen Jackson:** To ask the Secretary of State for International Development what measures she is taking to strengthen the links between the European Community and the Southern Africa Development Community. [23868]

Clare Short: The UK Presidency will work to conclude the trade and co-operation agreement between South Africa and the European Union. We are also helping to prepare a joint seminar to help the Southern African Development Community (SADC) to benefit from globalisation and to increase the effectiveness of EU development assistance. There will be a SADC/EU Ministerial meeting later this year.

23. **Mr. Evans:** To ask the Secretary of State for International Development what are her priorities for aid to southern Africa. [23881]

Clare Short: My priority across the region is to put the White Paper into practice. We will work with others to implement the international development targets through sustainable economic and social development, helping build and maintain efficient and accountable government and securing fair access to international markets for Southern African trade. Country programmes will be agreed with development partners and we will seek to co-ordinate our work more effectively with other donors.

Students (Asia)

12. **Mr. Flight:** To ask the Secretary of State for International Development if she will make a statement on the impact on the financial circumstances of students from Asian countries studying at UK universities, of the recent economic difficulties in Asia. [23869]

Mr. Foulkes: Detailed information on the impact of the recent economic difficulties in Asia on the financial circumstances of students from these countries is not available. It is likely to vary depending on individual students, country of origin, and source of funding.

However, students funded by UK Government scholarship schemes should not experience financial difficulty as their fees, stipends and allowances are paid here in the UK in Sterling. Any cases of hardship will be dealt with on an individual basis.

La Francophonie

13. **Mr. David Heath:** To ask the Secretary of State for International Development what discussions she has had with La Francophonie on international development issues. [23870]

Clare Short: I plan to meet Mr. Josselin, who is the French Development Minister, for the third time in February. French, Canadian and British officials will meet shortly to discuss closer co-operation with La Francophonie.

Bosnia

14. **Mr. Bradshaw:** To ask the Secretary of State for International Development when she plans to visit Bosnia and Herzegovina to discuss aid to that region; and if she will make a statement. [23872]

Clare Short: I plan to visit Bosnia and Herzegovina from 1–4 February to consider how best my Department can support reconstruction and strengthen our efforts to encourage refugee return and reconciliation.

Child Poverty

16. **Ms Squire:** To ask the Secretary of State for International Development if she will make a statement on the Government's plans for tackling child poverty. [23874]

Clare Short: Every child has the right to enjoy basic health care, education, nutrition and shelter. Many millions of children in the world do not yet enjoy these rights. Support for the provision of these services for children, along with sustainable livelihoods for their parents, is a central part of my Department's work to meet the international poverty eradication targets. Enjoyment of these rights also means ensuring children are protected

from violence and abuse and participate in decisions which affect their lives. This includes support to the speedy eradication of intolerable forms of child labour.

Sanctions

20. **Mr. Dalyell:** To ask the Secretary of State for International Development pursuant to her answer of 10 December 1997, *Official Report*, column *615*, what progress she is making in her review of the impact of sanctions on poor people. [23878]

Clare Short: The initial findings of the Department for International Development's internal review are still under consideration. I will write to my hon. Friend when the review has been completed.

Company Donations

21. **Mr. Wigley:** To ask the Secretary of State for International Development what proposals she has to encourage private sector companies to make financial donations to help alleviate poverty or develop the economy in under-developed countries. [23879]

Clare Short: Many private sector companies already use part of their profits for community programmes as well as matching their employees contributions to charities. Companies with operations in developing countries often make direct contributions in addition to the benefits they bring through their business activities. Some outstanding examples were recently recognised through the WorldAware Business Awards.

We are consulting with private sector representative on how we can identify the replicate best practise and how we can encourage more inward investment.

We are working with businesses and NGOs to encourage respect for ethical and environmental standards. The growth in ethical investment and consumer movements has great development potential.

Poverty

22. **Mr. Bill O'Brien:** To ask the Secretary of State for International Development what action her Department takes to encourage employers in developing countries to pay wage levels to their employees which would help eradicate poverty in those countries; and if she will make a statement. [23880]

Clare Short: We made clear in our White Paper that we are working for the world wide acceptance of core labour standards. This includes a commitment to the principle that workers must be suitably rewarded for their work. We are promoting this in several ways, including through the ILO where we have recently agreed to provide resources for their More and Better Jobs for Women Programme.

In November I approved a contribution to help set up the Ethical Trading Initiative (ETI) which will bring together the private sector, development NGO's and unions to work on the codes of practice many companies have for the goods they import. The codes incorporate ILO core standards and, among other things, aim to ensure that workers making the goods we buy are properly paid whether they work for a UK firm or for an independent supplier.

Fair Trade Initiatives

24. **Dr. Tony Wright:** To ask the Secretary of State for International Development what support she is giving to fair trade initiatives. [23882]

Clare Short: Fair trade initiatives help reduce poverty by ensuring that small producers get fair prices for their goods and also allow consumers to make choices that support development. I strongly support these initiatives and am very pleased fairly traded coffee is now available in the House of Commons. I hope other workplaces will follow suit.

I am ready to consider requests for support. However, to succeed, fairly traded goods must be marketable on their merits. The best known in UK, Café Direct, has achieved commercial success without financial support from my Department.

Zambia

25. **Mr. Paice:** To ask the Secretary of State for International Development if she will make a statement about aid programmes to Zambia. [23883]

Clare Short: We are currently exploring whether we will be able to establish a partnership with the Government of Zambia, on the basis outlined in the White Paper on International Development.

Debt Reduction

26. **Mr. McAllion:** To ask the Secretary of State for International Development what discussions she has had with aid organisations relating to reduction of debts owed by developing countries. [23884]

Clare Short: My right hon. Friend the Chancellor of the Exchequer leads on debt policy, but my Department has a key interest in ensuring the rapid and flexible implementation of debt reduction measures for the poorest most-indebted countries. Debt relief, coupled with economic policies that benefit the poor, has an important part to play in creating the conditions for the sustained economic growth needed to eliminate poverty in poorer countries. We seek to work closely with other donors and creditors in order to achieve this objective. In recent weeks, I have had discussions with the development Ministries of most of our EU partners, the Japanese Foreign Ministry, and the President of the African Development Bank. Last month, the Chancellor and I met representatives of the churches and leading NGOs, to discuss how we would work together to make faster progress.

European Bank for Reconstruction and Development

27. **Mr. Tyrie:** To ask the Secretary of State for International Development if she will make a statement on the future of the EBRD. [23885]

Clare Short: Under the excellent leadership of Jacques de Larosiere, the European Bank for Reconstruction and Development (EBRD) has made a major contribution to promoting the transition to open market economies and to developing the private sector in central and eastern Europe and central Asia. M. Larosiere will retire as President on 31 January. We are actively seeking to have

a new President appointed as soon as possible and look forward to deepening still further the collaboration between the UK and EBRD on advancing an equitable and sustainable transition and thereby the living standards of the people in EBRD's region.

Laos

28. **Mr. Loughton:** To ask the Secretary of State for International Development if she will make a statement on her Department's plans to support mine-clearance work in Laos. [23886]

Clare Short: We have provided nearly £700,000 for the clearance of unexploded ordnance and towards national capacity building in Laos since 1995. We intend to continue to support clearance projects within the national clearance programme during 1998 and are discussing specific proposals with the United Nations Development Programme.

Zimbabwe

29. **Mr. Gerald Howarth:** To ask the Secretary of State for International Development what action she proposes to take to oppose the confiscation by the Government of Zimbabwe of farms owned by white farmers. [23887]

Clare Short: I have informed the Government of Zimbabwe that we are prepared to support a land reform programme that is properly planned, transparent, and intended to benefit the poor, but we will not support the programme they have announced. Zimbabwean law requires the payment of compensation and is enforceable in the courts.

Commonwealth Development Corporation

Mr. Hammond: To ask the Secretary of State for International Development what plans she has to introduce legislation to change the status of the Commonwealth development corporation. [23873]

Clare Short: We are seeking to bring forward legislation to enable the creation of a new Public/Private Partnership for CDC as soon as parliamentary time permits in the next session.

Georgia

Mr. Flynn: To ask the Secretary of State for International Development what new proposals she has to assist the people of Georgia. [23875]

Mr. Foulkes: We are providing a range of assistance through the Know How Fund to benefit the people of Georgia. During 1998 we intend to develop a project to help tackle Georgia's serious poverty problems. We will continue to provide emergency assistance, as required.

We also provide help through our contributions to the multilateral agencies working in Georgia—including the European Commission and United Nations's agencies.

Sri Lanka

Mr. Simon Hughes: To ask the Secretary of State for International Development what assistance is currently being given to the people of Sri Lanka. [23876]

Clare Short: We provide around £6 million of bilateral Development assistance annually to Sri Lanka. The programme focuses on Poverty, Education, and the Environment.

Our work in poverty reduction centres on relief and rehabilitation assistance to families displaced by the civil conflict in the North and East who are now either living in refugee camps or living with other families in cramped conditions with little or no government service provision.

In Education, we are helping improve the quality of primary education on a national basis. The support includes a high level of collaboration with the World Bank and the Ministry of Education in order to ensure effective targeting of assistance and to maximise benefits.

We are also assisting in a three year project to develop the Environment and Forestry Conservation Division (EFCD) of the Mahaweli Development Authority Sri Lanka as an environmental and development agency.

We recently started to improve the efficiency of the existing sewerage system in Colombo and undertake reform of Water and Sewerage Management.

WALES

New Deal

Mr. Barry Jones: To ask the Secretary of State for Wales what financial allocation for administration of the New Deal in Wales each area office of the Employment Agency receives. [25313]

Mr. Hain: The Employment Service agency is responsible for the administration of the New Deal for 18 to 24-year-olds in Wales and in the rest of Great Britain. The funding for the New Deal guarantees opportunities for all young people who are eligible to join the programme.

The precise level of funding to be made available to each Employment Service District will depend on take-up; it is not possible to be more precise at this stage.

Mr. Barry Jones: To ask the Secretary of State for Wales what is his budget for the operation of the New Deal. [25312]

Mr. Hain: The operational budget for the New Deal in Wales, as with all other parts of Great Britain, is the responsibility of my right hon. Friend the Secretary of State for Education and Employment, and will be administered through the Employment Service agency.

However, we will ensure that the New Deal meets the needs of Wales. For this purpose we have established the Wales Advisory Task Force to advise on the development and operation of the programme throughout Wales.

Unemployment

Mr. Barry Jones: To ask the Secretary for Wales (1) how many long-tem unemployed there are in each constituency in Wales; [25314]

(2) how many long-term unemployed *(a)* men and *(b)* women there are in each constituency in Wales. [25316]

Mr Hain: The requested information on long-term unemployment is given in the table (it relates to all people who have been claiming unemployment-related benefits for 52 weeks or more). The data are also available from the NOMIS database, which can be accessed by the staff of the Library.

Long-term unemployed (claimant count), October 1997 [1]

Constituency	*Male*	*Female*	*Total*
Aberavon	324	45	369
Alyn and Deeside	304	45	349
Blaenau Gwent	717	94	811
Brecon and Radnorshire	213	58	271
Bridgend	321	70	391
Caernarfon	659	112	771
Caerphilly	609	111	720
Cardiff Central	582	129	711
Cardiff North	218	28	246
Cardiff South and Penarth	784	133	917
Cardiff West	776	105	881
Carmarthen East and Dinefwr	307	75	382
Carmarthen West and South Pembrokeshire	573	115	688
Ceredigion	296	60	356
Clwyd South	246	56	302
Clwyd West	344	66	410
Conwy	588	115	703
Cynon Valley	378	66	444
Delyn	246	38	284
Gower	258	41	299
Islwyn	196	43	239
Llanelli	561	91	652
Meirionnydd Nant Conwy	309	77	386
Merthyr Tydfil and Rhymney	505	78	583
Monmouth	271	53	324
Mongomeryshire	98	20	118
Neath	331	53	384
Newport East	479	96	575
Newport West	588	102	690
Ogmore	306	56	362
Pontypridd	391	57	448
Preseli Pembrokeshire	585	125	710
Rhondda	488	71	559
Swansea East	452	44	496
Swansea West	501	92	593
Torfaen	349	56	405
Vale of Clwyd	381	69	450
Vale of Glamorgan	439	104	543
Wrexham	303	73	376
Ynys Mon	816	175	991
Total	17,092	3,097	20,189

Source:

Office for National Statistics.

Note:

[1] Claimant unemployed for 52 weeks or over. These figures are not seasonally adjusted.

Mr. Barry Jones: To ask the Secretary of State for Wales how many unemployed persons under the age of 25 years there are in each constituency of Wales. [25315]

Mr. Hain: The requested information on unemployment is given in the table (it relates to people under the age of 25 who are claiming unemployment-related benefits). The data are also available from the NOMIS database, which can be accessed by the staff of the Library.

Unemployed persons under the age of 25 (claimant count), October 1997 [1]

Constituency	*Number*
Aberavon	514
Alyn and Deeside	372
Blaenau Gwent	618
Brecon and Radnorshire	299
Bridgend	522
Caernarfon	553
Caerphilly	780
Cardiff Central	773
Cardiff North	295
Cardiff South and Penarth	813
Cardiff West	721
Carmarthen East and Dinefwr	366
Carmarthen West and South Pembrokeshire	606
Ceredigion	414
Clwyd South	382
Clwyd West	364
Conwy	606
Cynon Valley	567
Delyn	347
Gower	457
Islwyn	367
Llanelli	665
Meirionnydd Nant Conwy	294
Merthyr Tydfil and Rhymney	737
Monmouth	356
Montgomeryshire	198
Neath	560
Newport East	567
Newport West	655
Ogmore	527
Pontypridd	612
Preseli Pembrokeshire	645
Rhondda	691
Swansea East	680
Swansea West	678
Torfaen	555
Vale of Clwyd	509
Vale of Glamorgan	656
Wrexham	419
Ynys Mon	618
Total	21,358

Source:

Office for National Statistics.

Note:

[1] These figures are not seasonally adjusted.

Additional Education Funding Guidance

Mr. Barry Jones: To ask the Secretary of State for Wales what guidance he has given local education authorities on spending the extra moneys allocated to them; and if he will make a statement. [25318]

Mr. Hain: Copies of Welsh Office letters dated 11 and 19 December to local authority Chief Executives setting out the arrangements for the £50,267 million additional revenue funding for schools have been placed in the Library of the House. The advice follows discussions with the Welsh Local Government Association. We expect to see the bulk of the funding included in delegated school budgets, and I will be monitoring the outcome.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Wales what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other Departments and *(c)* have come from other departments. [26022]

Mr. Ron Davies: The information regarding staff in the Senior Civil Service grades within my Department is as follows:

(a) proportion who have spent entire civil service in Welsh Office—49.3 per cent.

(b) proportion who have had secondments:-

(i) in private sector—7.5 per cent.

(ii) in other Government Departments—2.9 per cent.

(c) proportion who have come from other Government Departments—50.7 per cent.

64.2 per cent. of staff in Senior Civil Service grades have experience of work in other public sector organisations or the private sector prior to their joining the Civil Service.

CABINET OFFICE

EU Ministerial Meetings

Mr. Wilkinson: To ask the Minister without Portfolio if he will list those occasions since 1 May when he has met Ministers from other European Union countries and who these Ministers were. [25943]

Mr. Mandelson: In June 1997, I met Mr. Per Nuder, State Secretary in the office of the Swedish Prime Minster.

I met the French Minister for European Affairs, M Pierre Moscovici, on separate occasions in July, September, and November 1997. Also in July in Paris I met M Daniel Vaillant, French Minister for Relations with Parliament, and Mme Catherine Trautmann, Minister for Culture.

In September in Bonn I met the German Minister of State Herr Friedrich Bohl of the Bundeskanzleramt.

In Rome in October I met Onorevole Walter Veltroni, Deputy Prime Minister, Onorevole Giorgio Napolitano, Minister of the Interior, and Onorevole Pierol Fassino, Minister of State at the Ministry of Foreign Affairs.

I also met several Italian Ministers at a dinner given by the British Ambassador in Rome; and a number of senior Spanish Ministers attended the British-Spanish Tertulias in Cambridge in November, which I also attended.

AGRICULTURE, FISHERIES AND FOOD

Ministerial Meetings

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list for 4 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21287]

(2) if he will list for 5 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21286]

(3) if he will list for 8 December *(a)* which organisations he met; *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21284]

(4) if he will list for 11 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21281]

(5) if he will list for 3 December *(a)* which organisations he met; *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21288]

(6) if he will list for 10 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21282]

(7) if he will list for 6 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21285]

(8) if he will list for 12 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21280]

(9) if he will list for 2 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers; [21289]

(10) if he will list for 9 December *(a)* which organisations he met, *(b)* which organisations and companies he visited and where they are located, *(c)* what regional visits have been made and whom he saw and *(d)* which Council of Ministers meetings were attended; which individuals had meetings with Ministers and officials; and if he will provide this information for each of his Ministers. [21283]

Dr. John Cunningham *[holding answer 16 December 1997]:* Set out below are relevant details from my diary and those of my ministerial team for the days requested. This does not include purely internal MAFF meetings.

MINISTER

1 DECEMBER 1997 TO 12 DECEMBER 1997

Tuesday 2 December 1997

16.00 Meeting: Professor Anderson

17.30 Pre-Presidency bilateral and dinner with Mr. Henrik Dam Kristensen, Danish Agriculture Minister

Wednesday 3 December 1997

09.00 Meeting: Weekly Team Meeting

09.30 Meeting: Donald Dewar, Lord Sewel, Lord Dubs: Fisheries

11.00 Pre-Presidency bilateral and lunch with Mr. Stephanos Tzoumakas, Greek Agriculture Minister

16.30 House of Commons Statement on Dorsal Root Ganglion

18.00 Press Briefing with Professor Pattison

19.30 Meal: Leaders of the Food Industry

Thursday 4 December 1997

15.30 Meeting: Mr. Joe Walsh, Irish Agriculture Minister

Monday 8 December 1997

12.00 Meeting: Ann Davison, Secundo Tarditi (ESC)

15.00 Meeting: Peter Davis, RSPCA

16.00 Meeting: Paul Tyler MP and the All Party Group on Organophosphates

17.30 Meeting: Agricultural Press

Tuesday 9 December 1997

08.00 Meeting: Chief Secretary

10.00 Meeting: Seminar and lunch at St. James's Palace on CAP reform

14.30 Meeting: Pre-Presidency bilateral with Commissioner Fischler

Wednesday 10 December 1997

08.30 Meeting: Chief Secretary

09.30 Meeting: Weekly Team Meeting

16.30 Meeting: MPs on hill farming issues

20.00 Private dinner

Thursday 11 December 1997

09.30 Meeting: Don Curry and Colin Maclean (Meat and Livestock Commission)

10.10 Meet FAC with Jeff Rooker.

MINISTER OF STATE

1 DECEMBER TO 12 DECEMBER 1997

Wednesday 3 December 1997

09.00 Meeting: Weekly Team Meeting

12.30 Adjournment Debate: MBM storage

17.00 Reception with Milk Marque

Thursday 4 December 1997

18.10 TV Interview with Richard Bath of West Country: SEAC advice on bone-in beef

Monday 8 December 1997

16.00 Ministers Meeting: Paul Tyler's All-Party OP Group

Tuesday 9 December 1997

15.00 Meeting with Abattoir owners

Wednesday 10 December 1997

09.30 Meeting: Weekly Team Meeting

10.30 Debate: Agenda 2000—Reform of the CAP

Thursday 11 December 1997

10.10 Look into FAC meeting with Jack Cunningham

14.30 Meeting with Robin Turner and Roger Derryman, National Milk Records: Cattle Traceability System

16.30 Meeting with BMMA

MINISTER FOR FISHERIES AND THE COUNTRYSIDE

1 DECEMBER TO 12 DECEMBER 1997

Tuesday 2 December 1997

16.00 Meeting: British Poultry Breeders: BPBHA Awards Ceremony

Wednesday 3 December 1997

09.00 Weekly Team Meeting

09.30 Meeting with Secretary of State for Scotland, Lord Sewel, Lord Dubs

11.30 Meeting with Stephanos Tzoumakas

14.00 Meeting with Ministerial Committee on Economic Affairs: Improving the regulation of Utility Industries

15.00 Meeting with Bob Blizzard, Lowestoft FPO, John Robbs, Dr. Horwood: TACs and Quotas

17.00 Reception with Milk Marque

Thursday 4 December 1997

07.00 Visit (UK): Tour and Breakfast

10.00 RNMDSF: Fish and Chip Shop Award

11.00 Meeting with British Trust for Ornithology, Jeremy Greenwood: Conservation Issues

16.00 Meeting with Patrick Gordon-Duff-Pennington: Deer Management

Monday 8 December 1997

12.00 Lunch with Regional Flood Defence Chairmen

15.00 Meeting with Peter Davies, RSPCA

Tuesday 9 December 1997

11.00 Meeting with Farming Collaboration: Hill Farming

17.00 Meeting with David Bowles, RSPCA and DG and Peter Davies, RSPCA: Eurogroup

Wednesday 10 December 1997

09.30 Weekly Team Meeting

10.30 Meeting with Rare Breeds Survival Trust

11.30 Meeting with PLP Agriculture Committee

Thursday 11 December 1997

09.30 Meeting with David Bowles (RSPCA) and Peter Stevenson, Andrew Turnbull: Vehicle Standards

11.00 Meeting with East Midlands NFU.

MINISTER FOR FARMING AND THE FOOD INDUSTRY

1 DECEMBER TO 12 DECEMBER 1997

Tuesday 2 December 1997

Visit: Crops Conference [Speech]

Wednesday 3 December 1997

09.00 Weekly Team Meeting

10.30 Pre-Presidency bilateral and lunch with Stephanos Tzoumakas (Greek Minister)

13.15 Meeting with Robin Hanbury Tennison—Countryside Alliance

15.00 Meeting with young farmers

17.00 Milk Marque reception

Monday 8 December 1997

16.00 Meeting with Minister and Paul Tyler's All Party Group on OPs

Tuesday 9 December 1997

10.00 Meeting: Genetically Modified Crops

11.00 Meeting: Horticulture Export Bureau

14.30 Pre-Presidency bilateral with Commissioner Fischler

Wednesday 10 December 1997

09.30 Weekly Team Meeting

15.15 Meeting with Tesco—Export Promotion, Terry Leahy (Chief Executive)

16.00 Introductory meeting with Jim Reed (UKASTA).

Meat and Livestock Commission

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what was the total cost to the industry of the Meat and Livestock Commission in the last year for which figures are available. [23705]

Mr. Rooker: Financial information on the Meat and Livestock Commission is contained in its Annual Report and Accounts 1997 which were laid before the House on 17 November 1997. Copies are available in the Library.

Cattle Herd

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the estimated number of cattle in England and Wales aged over 30 months. [24874]

Mr. Rooker: The 1997 June Agricultural Census showed 3.8 million cattle aged over two years in England and Wales. Separate information on the number of cattle aged over 30 months was not collected.

Coastal Defences

Dr. Kumar: To ask the Minister of Agriculture, Fisheries and Food if he will give a regional breakdown of resources expended on shoreline management and coastal defence work in England in each of the last five years. [24812]

Mr. Morley: The Department provides grant aid in response to proposals from the Environment Agency and local authorities for capital sea defence and coast protection works, and studies leading to the preparation of shoreline management plans, provided they meet technical, economic and environmental criteria. The breakdown of the amount of grant expended on such works in each of the last five financial years, by reference to regions of the Environment Agency, is in the table.

£ million

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
North East	0.5	2.7	0.8	6.1	6.1
North West	1.2	2.1	2.2	0.8	7.1
Anglia	10.2	11.5	16.6	21.0	22.9
Southern	11.1	9.9	15.8	20.2	22.9
South West	4.8	3.8	5.4	6.3	3.7
Total	27.8	30.0	40.8	54.4	62.7

Dr. Kumar: To ask the Minister of Agriculture, Fisheries and Food when the current work on compiling shoreline management plans will be completed for England; and how this work will relate to the disbursement of funds for shoreline management and coastal defence works. [24813]

Mr. Morley: This Department has encouraged coastal defence groups to develop shoreline management plans to cover the whole coastline of England. The jointly agreed target is for plans to be completed by the end of 1998. Where shoreline management plans are in place it is expected that proposed works will be consistent with them. The disbursement of Ministry funding for flood and coastal defence works, and related studies, is made on the basis of the priority score arrangements, which take account of Ministerial priority, urgency and benefit cost ratio.

Exchange Rate

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the current exchange rate on United Kingdom agriculture. [25117]

Mr. Rooker: The Government recognise the impact of currency movements on agriculture, but it is difficult to assess these effects precisely. UK farmers received a substantial degree of protection from the impact of currency movements for their receipts under the CAP through the EU agri-monetary system.

Seaweed

Mr. Llew Smith: To ask the Minister of Agriculture, Fisheries and Food what information he has as to the amounts of seaweed used as a fertiliser in the United Kingdom; what assessment his Department has made of the extent to which there has been bio-accumulation of toxic and radiotoxic materials in the seaweed feedstock. [25064]

Mr. Rooker: I have no information on the amount of seaweed used as a fertiliser in the United Kingdom. The Ministry does not have information on the bio-accumulation of toxic materials in seaweed. Radioactivity concentrations in seaweed sampled from around the coasts of the British Isles are given in the annual Radioactivity in Food and the Environment report published by the Ministry. The bio-accumulation or concentration factors for various radionuclides in seaweed have been published by the International Atomic Energy Authority in Technical Report No. 247 (1985).

Relative Stability Principle

Mr. Townend: To ask the Minister of Agriculture, Fisheries and Food if he will define the method of application of the principle of relative stability *(a)* from 1983 to 2002 and *(b)* from 2003 onwards. [24983]

Mr. Morley: The purpose of relative stability is to maintain the percentage share of total allowable catches which each Member State receives although, in the case of stocks covered by Hague Preference, the percentage shares can be adjusted when total allowable catches fall below predetermined levels. Relative stability has taken this form since 1983. It will continue in this way from 2003 unless the Council of Ministers decides otherwise.

Mr. Townend: To ask the Minister of Agriculture, Fisheries and Food when the principle of relative stability was established; and by which Article in which Regulation and under which Article in which Regulation the principle is presently established. [24984]

Mr. Morley: The principle of relative stability in the allocation of fishing quotas under the Common Fisheries Policy was given effect in 1983 by Article 4 of Council Regulation (EEC) No. 170/83. Relative stability is currently applied by virtue of Article 8 of Council Regulation (EEC) No. 3760/92.

Quarantine Regulations

Mr. Amess: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the proposals contained in the Reform of Quarantine Regulations Bill. [25264]

Mr. Rooker: The proposal contained in the Reform of Quarantine Regulations Bill is similar to one of the alternatives to quarantine currently being assessed by the Advisory Group on Quarantine under the chairmanship of Professor Kennedy. It would be premature to alter the present system until Professor Kennedy has reported on whether alternative arrangements would give equal or better protection against the importation of rabies.

BSE

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food when he estimates BSE will be eliminated from the national herd. [25268]

Mr. Rooker: I refer my hon. Friend to the reply given to him on 6 November 1997, *Official Report*, column *331*.

Anglo-Indonesian Agreement

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on new developments in the Anglo-Indonesian Agriculture Co-operation agreement following recent economic developments in the region. [25593]

Mr. Rooker *[holding answer 27 January 1998]:* The hon. Member will be pleased to hear of some of the positive developments under the UK-Indonesian Memorandum of Understanding on Agricultural Co-operation.

My noble friend the Parliamentary Secretary held useful talks with the Indonesian Minister of Agriculture last autumn and reaffirmed our willingness to continue to explore ways to co-operate. Three working groups set up under the Memorandum of Understanding met and looked at ways of advancing projects. A seminar looked at new areas for co-operation.

We recognise that the region is currently experiencing extreme economic difficulties; but we believe that we should take the long-term view. There remain opportunities for the UK agri-business sector, and it is now that we should seek to strengthen our ties, continue co-operation, and encourage Indonesia on the road to recovery.

The Memorandum of Understanding is one means of maintaining that contact and its programme will continue.

Dairy Farmers

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with representatives of small-scale dairy farmers; and if he will make a statement. [25858]

Mr. Morley: Ministers in the Department regularly meet representatives of agriculture, including those organisations whose members include small-scale dairy farmers.

Raw Milk

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what plans he has to ban the sale of raw sheep and goat's milk. [25860]

Mr. Rooker: I have no such plans at present. However, the public health risks associated with drinking such milk are likely to be similar to those associated with drinking raw cows' milk. With this in mind, the Advisory Committee on the Microbiological Safety of Food has recommended that surveillance on the microbiological status of raw sheep and goats' drinking milk be undertaken, and this is currently being taken forward.

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the cost to farmers of *(a)* a ban on the sale of raw cows' milk and *(b)* the cost of enforcement of a ban. [25838]

Mr. Rooker: I recognise the importance of assessing the likely costs and savings. If we do proceed to legislate in this area, assessments would accompany the consultation document on the proposals for draft Regulations, as part of the regulatory appraisal process.

Food Labelling

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what is his policy on proposed European food labelling legislation. [25668]

Mr. Rooker *[holding answer 27 January 1998]:* Food labelling must be clear, accurate and informative, giving consumers the opportunity to make informed choices about the food they buy, without being unduly prescriptive or costly. Wherever possible, we prefer to have general rules which are applicable to all types of

food rather than special provisions for specific types of product. Commission proposals to meet this end will be considered favourably.

Bovine Tuberculosis

Mrs. Ann Winterton: To ask the Minister of Agriculture, Fisheries and Food what investment his Department plans for the development of an effective vaccine to protect herds against outbreaks of bovine TB; and within what time scale he estimates a vaccine will be developed. [25665]

Mr. Rooker *[holding answer 27 January 1998]:* The report, published in December, by Professor Krebs and the Independent Scientific Review Group estimates that a vaccine for field trials could be available within 10 years. It recommends that research towards the development of a cattle vaccine should be a high priority for MAFF. The Government have indicated that they are disposed to accept the report's recommendations subject to further consideration of public expenditure, legal and practical implications. We are currently reviewing bovine TB research expenditure, including work towards a cattle vaccine, in the light of the Krebs report. Public consultation on how the report's recommendations should be implemented ends on 27 February.

Animal Welfare (European Union)

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what measure he intends to take to improve animal welfare in the European Union under the British presidency. [26012]

Mr. Morley: Improving farm animal welfare is a priority for our presidency. We have already restarted negotiations on proposals for a general Directive concerning welfare of livestock on farms, stalled since 1994. We have also obtained an undertaking from Commissioner Fischler that he will urgently bring the long overdue proposals to update the EU rules on the welfare of laying hens and the welfare of animals at slaughter. We intend to start negotiations on these two proposals as soon as possible.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Minister of Agriculture, Fisheries and Food what proportion of Civil service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26021]

Mr. Morley: Of the Senior Civil Service staff in this Department and its Agencies:

(a) 54 have spent their entire civil service career in this department;

(b)(i) 3 have had secondments (of over 3 months) to the private sector,

(ii) 36 have had secondments to other departments; and

(c) 21 have come from other departments.

In addition, 15 staff including some from each of the above categories have had private sector experience prior to joining the department.

Non-organophosphorus Sheep Dips

Mr. Gareth Thomas: To ask the Minister of Agriculture, Fisheries and Food what is the outcome of the review of non-organophosphorus sheep dips carried out by the Veterinary Products Committee; and if he will make a statement. [26466]

Mr. Rooker: The Committee's report to the Licensing Authority (Agriculture and Health Ministers) is today being placed in the Library.

Following its review last year of the effectiveness of the Certificate of Competence Scheme for the purchase of organophosphorus (OP) sheep dips, the Veterinary Products Committee (VPC) has reviewed the use of non-OP sheep dips. The Committee has advised that the Certificate of Competence Scheme should be extended to all sheep dips and we are already consulting on the necessary changes to the legislation to bring this into effect as quickly as possible.

The Committee reaffirmed its earlier advice that the Scheme should apply to the use of sheep dips as well as to their purchase and, as for OP dips, this will be achieved by strengthening measures to secure compliance with existing statutory duties. New guidance is being prepared by the Health and Safety Executive about the duties of farmers under the Health and Safety at Work Act and related legislation. The guidance will also emphasise the importance of the Certificate of Competence Scheme operated by the National Proficiency Tests Council (NPTC).

The Committee was very concerned about reports of the environmental effects of synthetic pyrethroid (SP) sheep dips. We endorse this concern and are pleased to note that the NPTC has already completed a revision of the Certificate of Competence Scheme. In future, the Scheme will include practical training in the proper use and disposal of dips. The questions in the test for the Certificate will be arranged in specific sections relating to, for example, environmental issues and operator safety, and a certain level of knowledge will be required in each section to achieve a pass mark. In addition, questions will relate to all forms of sheep dip and will include reference to the dangers to aquatic life from use and disposal of SP dips.

We endorse the Committee's advice that those who have already obtained Certificates of Competence should be encouraged to take a further test on new areas of the Certificate not previously covered.

The Committee has recommended that product literature warnings about toxicity to aquatic life should be based on risk not hazard; that advice about the protection of the environment should be simple, concise, clearly set out and cross-referenced; that there should be reference to specific problems that may arise such as spillage, contamination from sheep to water, and improper disposal; and that product labels should be amended to refer to the Environment Agency (EA), the Scottish Environment Protection Agency (SEPA), and the Department of the Environment for Northern Ireland (DOENI). We accept these recommendations and will pursue them with marketing authorisation holders, in the light of the Committee's further consideration of the labelling of sheep dips.

We accept the Committee's advice that there should be a mechanism for informing water regulators about dipping and for consulting them about proposed methods of disposal. Proposed new Groundwater Regulations recently issued for consultation by the Department of the Environment, Transport and the Regions, the Scottish Office and the Welsh Office include provisions which would address these issues.

The Committee has advised that the sheep dipping leaflet (AS29) should be revised to include comprehensive and up to date advice on the proper use and disposal of sheep dips to prevent contamination of water and this is being done.

We accept the Committee's advice that there should be new requirements for toxicity data for SP dips. The Veterinary Medicines Directorate (VMD) has been asked to ensure these changes are made and that data on flumethrin are obtained as quickly as possible.

Finally, the Committee has asked for an up to date data base on the use of sheep dips. It has previously been found difficult to obtain accurate information on this but officials of the VMD will pursue the question further with marketing authorisation holders.

I should like to thank Professor Aitken and the Committee for the thoroughness of their review and for their clear and helpful advice.

Written Answers to Questions

Thursday 29 January 1998

PRIME MINISTER

Departmental Publicity

Mr. Bercow: To ask the Prime Minister what has been the cost of media presentations and press conferences given by the Prime Minister, other than those held at No. 10 Downing Street. [25184]

The Prime Minister *[holding answer 23 January 1998]:* The Prime Minister has held press conferences outside Downing Street at a number of international events—the Summit of the Eight in Denver, European Councils, the launch of the UK Presidency and the Anglo French Summit, for example. Information about the cost of these events could only be provided at disproportionate cost to the taxpayer.

Afghanistan

Mrs. Fyfe: To ask the Prime Minister if he will make it Government policy that no *(a)* assistance, *(b)* trade deals and *(c)* armament sales, be provided to Afghanistan while it remains in the control of the Taliban regime. [23982]

The Prime Minister *[holding answer 28 January 1998]:* In view of the continued fighting between the Taliban and the Northern Alliance trade between the UK and Afghanistan is negligible. There is an EU arms embargo on sales of military equipment to Afghanistan. At the instigation of the UK Presidency, the EU adopted a new Common Position on Afghanistan on 26 January which calls on Afghanistan's neighbours to halt the supply of arms to the factions and support the UN's peace efforts.

MI5 Files

Mr. Gordon Prentice: to ask the Prime Minister by what means an individual can establish whether he is the subject of an MI5 file in cases where the category of the file is no longer the subject of security service interest. [26228]

The Prime Minister: In order to safeguard the operational effectiveness of the Security Service it has been the policy of successive Governments not to disclose information about the operations of the Security Service including about whether the Service holds or has held files on any individual.

Pay Review Bodies

Dr. Moonie: To ask the Prime Minister if he will make a statement on the reports and recommendations of the pay review bodies. [26729]

The Prime Minister: The 1998 reports of the five pay review bodies have been published today. Copies are available in the Vote Office and the Library of the House. I am grateful to the Chairmen and Members of the pay review bodies for the work they have put into them.

The Government have twin objectives: to run a stable economy in which inflation is low and there is long-term prosperity; and to reward the effort and dedication of those working in many of our most important public services, including schools, hospitals and the Armed Forces, while leaving as much money as possible for front line services.

In the evidence the Government submitted to the pay review bodies, we stressed the need for their recommendations to be affordable to ensure that Departments can maintain the delivery of services within their agreed spending plans. We also made it clear that pay increases throughout the economy should be compatible with the Government's overriding economic objective of stable growth and long-term prosperity. Responsible decisions now on pay, in both the private and the public sectors, will help to secure jobs and prosperity in the future.

Against this background, in considering the recommendations of the independent pay review bodies, the Government have sought to strike a balance between ensuring that the pay settlements for these important public sector groups are fair; that they are affordable within Departments' existing spending plans; that they are consistent with the Government's inflation target of 2.5 per cent; and that they are responsible in terms of the long-term stability of our economy.

The main pay recommendations average some 3.9 per cent. The Government believe that this is high in relation to inflation, both the headline rate (3.6 per cent.) and the underlying rate (2.7 per cent.). It is also significantly higher than the average of 3.3 per cent. for last year's recommendations, which were introduced in stages by the previous Administration to accommodate the public expenditure costs.

After careful consideration the Government have decided to accept this year's main pay recommendations in full. However, to ensure that Departments can accommodate the costs without damaging front line services and to ensure that these awards do not lead to unwelcome increases in pay pressures throughout the economy more generally, we have decided that it is essential to stage their introduction. Full implementation will therefore be achieved by December this year following a first-stage increase of two per cent. for each group from April.

The main pay recommendations are as follows:

The Armed Forces Pay Review Body (AFPRB) has recommended increases of 3.75 per cent. in the basic military salary for all ranks and classes except Privates Classes I, II and III and Lance Corporals Class III, for whom they recommend increases of 4.2 per cent.

The Review Body on Doctors and Dentists Remuneration (DDRB) has recommended general increases of 4.2 per cent. except for General Medical Practitioners, for whom they recommend increases of 5.2 per cent.

The Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine (NPRB) has recommended increases of 3.8 per cent. in national pay scales.

The School Teachers Review Body (STRB) has recommended increases of 3.8 per cent. in teachers' pay.

The Review Body on Senior Salaries (SSRB) has recommended:

(a) increases of 3.5 per cent. in the minimum and maximum values of each of the pay ranges for the senior civil service. Within the ranges, Departments will determine individual salaries on the basis of performance.

(b) new pay ranges for senior military officers within which the pay of individual officers will be determined according to job weight.

(c) increases of 3.5 per cent. in judicial salaries.

The effect of staging is that, on average, the rates to be paid from April 1998 are 3.3 per cent. higher than those paid from April last year, and the rates to be paid from December 1998 will be 3.9 per cent. higher than those paid from last December. The average first-year increase will be 2.7 per cent. in 1998–99, compared with the rates of pay in force at the end of 1997–98. But since those rates did not apply throughout the year, the more appropriate comparison is between the pay received in the corresponding months of each year. The Government believe this represents a fair deal for these hard working and dedicated public sector staff, on whom the whole country depends.

In addition, the Government are separately taking action to improve training and development, and address concerns about recruitment and retention, in nursing and other professions allied to medicine. We are providing for an extra 1,300 training places for nurses this year, launching a national recruitment campaign and implementing more family-friendly employment policies.

The staging arrangements will apply to all groups. They will extend to the recommended increases in the minima and maxima of the senior civil service pay ranges and the awards departments will determine for the senior civil service and senior military officers within the framework set by the SSRB recommendations.

Pay increases for MPs and Ministers are linked to the pay ranges for the senior civil service, which means their awards will be treated in the same way as other groups. They will, therefore, receive an increase of 2 per cent. on 1 April. The balance of the 1998 recommendation will be paid on 1 April 1999; in the same way, 0.75 per cent. is due on 1 April 1998, resulting from the staging of last year's awards, which other groups received in December 1997.

As agreed last year, Cabinet Ministers will in 1998–99 forgo, for a second year, the substantial increases recommended by the SSRB in 1996 to which they would be entitled.

The Reports are substantial wide-ranging documents. This response addresses the main pay recommendations. Many other detailed recommendations will also be accepted, although some will require further consideration and discussion as necessary. In particular the NPRB recommendation for additional discretionary increments will need to be addressed as part of wider NHS pay discussions; and the DDRB recommendation for the enhancement of GMP's net remuneration will need to be considered and discussed as proposed.

The Government have asked the SSRB to resume work, which had been temporarily deferred, on the pay of Lords Ministers outside the Cabinet.

The following table summarises the main pay recommendations of the Review Bodies.

	Main pay recommendations per cent.	*Paybill costs £ million*
AFPRB — Armed Forces		
Privates Classes I, II and III and Lance Corporals Class III basic military salary	4.2	45
	3.75	179
Total		224
DDRB–Doctors and Dentists		
General medical practitioners	5.2	80
Other doctors and dentists	4.2	202
Total		282
NPRB–Nursing staff, midwives, health visitors and professions allied to medicine	3.8	351
STRB–School teachers	3.8	446
SSRB–Senior Salaries		
Senior civil service	[1]3.5	—
Senior military	0 to 3.5	—
Judiciary	3.5	6
Total—all groups	3.9	1,309

[1] Increases in pay band minima and maxima. Recommendations for the senior civil service affect the pay framework within which Departments will set individual pay rates.

Foreign Secretary's Private Office

Mr. Maclean: To ask the Prime Minister if *(a)* he or *(b)* his office were consulted by the Foreign and Commonwealth Office on the possible appointment of Ms Regan to the Foreign Secretary's Private Office. [26308]

The Prime Minister: No.

Mr. Maclean: To ask the Prime Minister if his office was consulted by the Foreign and Commonwealth Office on the terms of the agreement which terminated Miss Bullen's appointment. [26317]

The Prime Minister: No.

Ministerial Visits

Mr. Redwood: To ask the Prime Minister what was the purpose of the Minister without Portfolio's recent visit to a coal mine. [25428]

Mr. Mandelson: I have been asked to reply.

I refer the right hon. Member to the reply I gave the right hon. Member for Horsham (Mr. Maude) on 16 January 1998, *Official Report*, column *351*.

TREASURY

Civil Service Staff

Mr. Rhodri Morgan: To ask the Chancellor of the Exchequer what proportion of Civil Service staff of grade 5 and above within his Department, *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26023]

Mrs. Liddell *[holding answer 28 January 1998]:* Of civil service staff at the equivalent of Grade 5 and above within the Treasury, 30 per cent. have spent their entire civil service career within the department, 19 per cent. have had secondments to the private sector, 52 per cent. have gone on loan to other departments and 45 per cent. have come from other departments.

Asia

Mr. Rendel: To ask the Chancellor of the Exchequer what discussions he has had with ministerial colleagues regarding the financial crisis in Asia; and if he will make a statement. [23871]

Mrs. Liddell *[holding answer 28 January 1998]:* The financial turbulence in Asia was discussed at length by European Finance Ministers at the ECOFIN meeting on 19 January, which the Chancellor chaired. HM Treasury, the Foreign and Commonwealth Office and the Bank of England continue to monitor developments in the region very closely.

Finance Ministers and Central Bank Governors of the potential participants in the supplemental finance assistance package for Korea—the UK, Australia, Belgium, Canada, France, Germany, Italy, Japan, New Zealand, the Netherlands, Sweden, Switzerland, and the United States—issued a statement on 24 December 1997, welcoming the Korean authorities' announcement of additional measures to strengthen macroeconomic policy and accelerate structural reforms, and the disbursement of US$5 billion by the World Bank and the Asian Development Bank.

The potential participants stated that they would be prepared to support action to advance by early January existing commitments of official finance, including the acceleration of IMF disbursements, and the disbursement of a substantial portion (US$8 billion) of the supplemental financial commitments made bilaterally—in the context of a significant voluntary extension of the maturities of existing claims by international banks on Korean financial institutions. The UK's share of this US$8 billion would be US$440 million.

Following discussions between the major commercial banks involved, the IMF and the Korean authorities, I understand major commercial banks are generally rolling over their short term lending to Korea. Discussions are under way on a medium term agreement providing for a significant extension of the maturity of this debt. Bilateral official finance, including the UK's facility, has not yet been disbursed.

The IMF also released a statement on 24 December, which welcomed Korea's intensification and acceleration of its macroeconomic policy adjustments and structural reforms, and indicated the IMF's intention to accelerate the resources available to Korea under the existing stand-by credit.

Since these statements were made, the IMF disbursed US$2 billion on 30 December 1997, and a further US$2 billion on 7 January 1998. This brings the total IMF disbursement to US$13.1 billion.

The financial turbulence in Asia is of global concern and requires a global response. As an open economy, the UK is deeply interested in economic prosperity in Asia. The UK has worked closely with other G7 colleagues, especially Japan, and will work with the IMF and the World Bank to help resolve the current crisis.

Her Majesty's Government are confident in Asia's long-term economic prospects. The factors which have led to the tremendous growth in the region are still there. Now what is needed is a strong commitment from countries throughout the region to necessary policy reforms in conjunction with IMF and World Bank, to restore confidence.

Incomes

Mr. Winnick: To ask the Chancellor of the Exchequer if he will estimate the percentages of those in receipt of annual incomes of (i) between *(a)* £5,000 and £10,000, *(b)* £10,000 and £15,000, *(c)* £15,000 and £20,000, *(d)* £20,000 and £25,000, *(e)* £25,000 and £30,000, *(f)* £30,000 and £35,000, *(g)* £35,000 and £40,000, *(h)* £40,000 and £45,000, *(i)* £45,000 and £50,000, *(j)* £50,000 and £55,000, *(k)* £55,000 and £60,000, *(l)* £60,000 and £100,000 and (ii) over £100,000. [24740]

Mrs. Liddell *[holding answer 29 January 1998]:* The percentage of taxpayers in 1998–99 by range of annual total income is given in the table.

Range of annual total income (£)	*Percentage of taxpayers*
5,000—10,000	28
10,000–15,000	23
15,000–20,000	17
20,000–25,000	11
25,000–30,000	6
30,000–35,000	4
35,000–40,000	2
40,000–45,000	1
45,000–50,000	under 1
50,000–55,000	under 1
55,000–60,000	under 1
60,000–100,000	1
Over 100,000	under 1

Welfare Spending

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what percentage of government spending is allocated to the welfare state in *(a)* the United Kingdom, *(b)* each European Union country and *(c)* each G7 country. [23359]

Mr. Darling *[holding answer 19 January 1998]:* The Organisation for Economic Co-operation and Development (OECD) regularly publishes the available statistics for member states. The latest edition of the OECD book "National Accounts", published in 1997, contains separate sections on each country to a consistent format. In each, Table 5 covers total government outlays by function and type. A copy is available in the Library of the House.

Non-UK Resident Discretionary Trusts

Mr. Lilley: To ask the Chancellor of the Exchequer if he will make a statement on the tax treatment of a United Kingdom resident beneficiary in respect of capital payments received by the beneficiary in the United

Kingdom from a non-UK resident discretionary trust of which the settlor has never been resident or domiciled in the United Kingdom. [25283]

Mr. Gordon Brown *[holding answer 26 January 1998]:* I refer the right hon. Member to the last of my answers given to him on 10 December 1997, *Official Report* column *576.*

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department when he will reply to the letters of 18 September, 23 June and 30 July 1997 from the hon. Member for Twickenham. [25219]

Mr. Hoon: The hon. Gentleman should by now have received a reply, dated 28 January, from my right hon. and learned Friend the Lord Chancellor to his letter of 18 September which referred to letters to the Lord Chancellor from his constituent of 23 June and 30 July. The officials involved in handling correspondence are aware how seriously the Lord Chancellor regards complaints against the judiciary, and the consequent need to deal promptly and properly with such correspondence. Steps have been taken to avoid such delays in future.

Solicitors (Negligence)

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the Law Society's ability to ensure that when a solicitor acting as a trustee has been negligent, those concerned will be compensated for resulting losses whenever they occur; and if he will make a comment. [24806]

Mr. Hoon: I have not made such an assessment. This is a matter for the Law Society. If the negligence or the quantum of the negligence is disputed, it would be a matter for the courts.

Court Leaflets and Forms

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department in what languages small claims leaflets and county court forms are printed. [24961]

Mr. Hoon: At present the small claims leaflets are available only in English and Welsh. By April 1998 they will also be available in Arabic, Bengali, Chinese, Gujarati, Hindi, Punjabi and Urdu. Court forms are available only in English.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps have been taken following the National Audit Office report, "Handling Small Claims in the County Courts" (HC 271, of Session 1995–96), to make the small claims procedure more accessible for *(a)* non-English speaking litigants and *(b)* the disabled. [24872]

Mr. Hoon: *(a)* A contract has been let to translate all seven small claims leaflets into the following languages: Arabic, Bengali, Chinese, Gujarati, Hindi, Punjabi and Urdu. It is expected they will be available to court users from April 1998. *(b)* Court users are now asked to let the court know if they need special facilities so that arrangements can be made to accommodate them. Some courts have installed Minicom and loop systems and the Court Service will pay the cost of interpreters for deaf litigants and witnesses in civil hearings. A review will also commence in April 1998 which will look at disabled provision in all the courts to identify what needs to be done to improve access and facilities in line with the Disability Discrimination Act.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of county courts provide *(a)* wheelchair access, *(b)* disabled toilet facilities and *(c)* facilities for persons with seeing and hearing disabilities. [24960]

Mr. Hoon: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department what interpreting facilities are provided in county courts for non-English speaking litigants. [24962]

Mr. Hoon: There is a National Register of Public Service Interpreters, which provides a list of qualified interpreters who adhere to a code of conduct and a standard of service delivery. Civil courts do not however, provide interpreters. It is for the parties to obtain, and pay for, any such requirements.

Fixed -costs Regime

Ms Walley: To ask the Parliamentary Secretary, Lord Chancellor's Department when he plans to announce his decision on the issue of fixed costs in personal injuries claims; and if he will make a statement. [25002]

Mr. Hoon: I intend to issue a consultation paper about costs in the fast track after Easter.

Ms Walley: To ask the Parliamentary Secretary, Lord Chancellor's Department what representations he has received in respect of the piloting of the fast track regime prior to any introduction of fixed costs; and if he will make a statement. [25003]

Mr. Hoon: Some support for the idea of piloting the fast track was expressed in response to the Working Paper "Judicial Case Management", published in July 1997. In line with Lord Woolf's recommendations hypothetical case studies are in hand but no final decision about the basis for a fixed-costs regime has yet been taken.

Withheld Records

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the titles of those files from 1967 which were not released on the 1 January for public scrutiny *(a)* in whole and *(b)* in part. [26276]

Mr. Hoon: The documentation of withheld records kept by the Public Record Office, and in particular of withheld extracts from documents, is not in a form which would enable a listing of unavailable records from 1967 to be produced by their titles, within the time available and without disproportionate cost.

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will establish which common law jurisdictions have abolished the institution of Queen's Counsel. [25621]

Mr. Tony Lloyd: I have been asked to reply.

Detailed information is not readily available. But in general terms, only Her Majesty's Realms retain the institution of Queen's Counsel.

CULTURE, MEDIA AND SPORT

Millennium Commission

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport by what procedures the Millennium Commissioners are accountable to him with respect to those millennium projects experiencing financial problems. [24447]

Mr. Chris Smith: As Chairman of the Millennium Commission, I, in conjunction with my fellow Commissioners, have overall responsibility for monitoring the flow of grant to projects to ensure continued cost effectiveness and value for money. The Commission submits its annual report and accounts for Parliamentary scrutiny.

As Secretary of State I am responsible to Parliament for funds made available to the Commission, and have to satisfy myself that financial and other management controls applied by the Commission conform with the requirements of propriety, regularity and good financial management. The Accounting Officer of the Commission is accountable to the Accounting Office of my Department for the proper stewardship of the Commission's share of the National Lottery Distribution Fund.

Cannes Film Festivals

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what plans Ministers in his Department have to visit the Cannes Film Festival in May. [25552]

Mr. Chris Smith *[holding answer 26 January 1998]:* There are as yet no firm plans for a Minister from my Department to visit the Cannes Film Festival, but Ministerial attendance at this event is customary.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Housing (Voluntary Transfers)

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions how many local authorities have completed large-scale voluntary transfers of their housing stocks; and if he will list *(a)* those authorities and *(b)* those other authorities which have now expressed an interest in this process. [24818]

Mr. Raynsford: Sixty-one local authorities in England have completed sixty-five transfers comprising over 252,000 properties since 1988. All but one of those transfers was to a Registered Social Landlord. A list of the authorities who have completed a full or partial stock transfer is at table A. Thirty-two authorities have either expressed an interest in transferring all or part of their stock or are in the process of completing a transfer. They are listed at table B.

Table A

Chiltern DC
Sevenoaks DC
Newbury DC
Swale BC
Broadland DC
Bedford BC
Medina DC (now part of Isle of Wight Unitary Authority)
Rochester upon Medway CC
South Wight (now part of Isle of Wight Unitary Authority)
Mid Sussex DC
East Dorset DC
Tonbridge and Malling BC
Ryedale DC
South Bucks DC
Christchurch BC
Suffolk Coastal DC
Tunbridge Wells BC
London Borough of Bromley
London Borough of Lambeth
Surrey Heath BC
Breckland DC
East Cambridgeshire DC
Hambleton DC
West Dorset DC
Havant BC
Epsom and Ewell BC
Hart DC
South Shropshire DC
Leominster DC
South Ribble BC
Hertsmere BC
Penwith DC
North Dorset DC
Wychavon DC
Mid Bedfordshire DC
Thanet DC
Vale of White Horse DC
Cherwell DC
Basingstoke and Deane BC
Malvern Hills DC
Maldon DC
Royal Borough of Windsor and Maidenhead
Kennet DC
Rushmoor BC
North Wiltshire DC
Spelthorne BC
East Hampshire DC
Hastings BC
Eastleigh BC

Wyre BC
Walsall MBC
Manchester CC[1]
Stratford DC
West Wiltshire DC
Cotswold DC
South Staffordshire DC
Lichfield DC
South Oxfordshire DC
Eden DC.

[1]Denotes partial transfer.

Table B

Allerdale BC
Bath and North-East Somerset Unitary Authority
Basildon DC
Bradford CC
London Borough Brent
London Borough Bexley
Congleton BC
Coventry CC
East Lindsey BC
London Borough Hackney
London Borough Hammersmith and Fulham
Hyndburn BC
Kerrier DC
London Borough Lambeth
Manchester CC
London Borough Merton
Oldham MBC
Rother DC
Sheffield CC
St. Helens BC
Stoke on Trent CC
South Hams DC
South Somerset DC
Tameside MBC
Tewkesbury BC
London Borough Tower Hamlets
West Devon BC
West Somerset DC
Winchester CC
Wokingham DC
Worthing BC
Wrekin DC.

Street Trees

Ms Jenny Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on guidance given by his Department to utility companies which engage in trenching in urban areas, to encourage the preservation of mature street trees; and what monitoring takes place of the impact of trenching activities on mature trees. [24871]

Angela Eagle: The *Specification for the Reinstatement of Openings in Highways,* issued under the New Roads and Street Works Act 1991, advises utility undertakers executing street works to avoid damage to tree roots, where practicable. Practical guidance on how to minimise damage to trees by utilities' works was issued subsequently by the National Joint Utilities Group in *Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees* (NJUG 10).

No central monitoring of the impact of trenching activities on mature trees is undertaken.

Business Rates

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has of the numbers of *(a)* village stores and *(b)* sub-post offices in Lancashire which are likely to benefit from the 50 per cent. reduction in business rates. [24845]

Mr. Raynsford: We have insufficient data on which to make a reliable estimate of the numbers of general stores and post offices in Lancashire that will benefit from the 50 per cent. mandatory rate relief under the village shop rate relief scheme. Nationally we expect about 6,000 businesses to qualify for the new mandatory relief.

Personal Files (Access)

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from local authorities about the cost of satisfying requests for access under legislation relating to access to personal files; and if he will make a statement. [25448]

Mr. Raynsford: None.

The Access to Personal Files (Housing) Regulations 1989 allow local authorities to charge a fee—of no more than £10—to respond to requests for access to information. Circular advice from my Department is that the amount charged in each case should reflect the costs incurred.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from local authorities about the cost of compliance with the Data Protection Act 1984; and if he will make a statement. [25447]

Mr. Raynsford: I have received no representations. I am aware that the Home Office have prepared a Compliance Cost Assessment estimating the financial implications to local authorities, amongst others, of the Data Protection Bill currently before Parliament. This estimates that there will be recurring costs of £29 million and non-recurring costs of £104 million for local government. The Government took all pressures on councils into account in the provisional local government finance settlement for 1998–99.

Opencast Coal

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions how many responses his Department received to the consultation paper on the review of policy towards opencast coal; if he will list the respondents; and if he will place copies of the responses in the Library. [25330]

Mr. Raynsford: My Department has received 396 responses to the consultation paper. I have placed a list of the respondents in the Libraries of the House. Copies of the responses will be available in my Department's library on Monday 9 February.

Sewage Waste

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the discharge of sewage waste into coastal waters so as to make secondary treatment a mandatory minimum. [25256]

Angela Eagle: This matter is already under review. The Urban Waste Water Treatment Directive sets secondary treatment as the norm for coastal discharges, unless it can be shown, through "comprehensive studies", that primary treatment only can be provided without any adverse environmental impact. The Environment Agency is responsible for certifying comprehensive studies. We have asked the Agency to ensure that the scientific basis for these studies is rigorously tested. We have also asked the Agency to keep us in touch with developments.

Bridleways

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made for each relevant local authority in England of the number and length of bridleways *(a)* recorded on the definitive map, *(b)* under consideration for registration on the definitive map and *(c)* eligible for consideration for registration. [25324]

Angela Eagle: Information is available only on the length of bridleways, as follows:

Highway authority	*Bridleways (km)*
Avon	200
Bedfordshire	1,400
Berkshire	260
Bolton	2
Buckinghamshire	649
Calderdale	—
Cambridgeshire	430
Cheshire	124
Cleveland	200
Cornwall	522
Cumbria	1,878
Derbyshire	494
Devon	570
Dorset	1,600
Durham	573
East Sussex	678
Enfield	—
Essex	680
Gloucestershire	360
Hampshire	850
Herefordshire	358
Worcestershire	648
Harrow	—
Hertfordshire	576
Humberside	453
Isle of Wight	266
Kent	694
Kingston on Thames	—
Kirklees	—
Lancashire	388
Leeds	148
Leicestershire	584
Lincolnshire	770
Norfolk	443
Northamptonshire	600
Northumberland	1,295
North Yorkshire	1,609
Nottingham	799
Oxfordshire	970
Shropshire	795
Solihull	7
Somerset	927
Staffordshire	355
Suffolk	553
Surrey	1,045
Tameside	6
Warwickshire	460
Waltham Forest	—
West Sussex	1,006
Wiltshire	1,540
Wirral MBC	30
Total	28,795 (17,882 miles)

Countryside Commission data from 1991 and 1996 surveys; data for Cambridgeshire and Dorset are for 1998.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what level of funding he has allocated to *(a)* the maintenance of existing bridleways and *(b)* the creation of new bridleways and new bridleway links; and if he will make a statement. [25321]

Angela Eagle: A specific figure for the funding of the bridleway network is not available. Revenue expenditure for local authorities on public rights of way, including bridleways, is taken into account in the calculation of local authorities' standard spending assessments (SSAs), as used in the distribution of revenue support grant. It is not covered by a distinct SSA component, but is included together with expenditure on many other services within the district level sub-block—"All Other Services".

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on modification of the definitive map of bridleways; when this is planned to be completed; and if he will make a statement. [25323]

Angela Eagle: The Wildlife and Countryside Act 1981 requires highway authorities to prepare and maintain a definitive map for their areas, showing all classes of public rights of way, including bridleways. They must keep their definitive maps under continuous review and modify them when appropriate.

Cycle Routes

Mr. Pike: To ask the Secretary of State for the Environment and the Regions what is the current number of *(a)* exclusive cycle routes, *(b)* cycle routes combined with bridleways and *(c)* canal towpaths combined with bridleways in England and Wales; and what plans he has to increase that number. [25322]

Angela Eagle: I regret that information on the numbers of routes is not readily available. I will write to my hon. Friend about what is available. Local authorities should consider the provision of recreational facilities (including cycle routes) in drawing up their structure and local plans.

Climate Change

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions how the Government plan to ensure that the matter of global warming is addressed by the *(a)* WTO, *(b)* IMF, *(c)* G7 and *(d)* OECD. [25480]

Mr. Meacher: Global warming, or climate change, is already discussed at Ministerial and official meetings of the OECD, and was a feature of the G7 discussions in Denver last year. The Government are committed to taking forward further discussions regarding action arising from the Kyoto Protocol in these fora.

The WTO Committee on Trade and Environment held useful and informative discussions with the secretariats of a number of multilateral environmental agreements last summer, and intends to repeat the exercise this year; we hope very much that the secretariat to the UN Framework Convention on Climate Change will be able to participate.

The IMF aims for sustainable development for all of its members. It does not, however, have a specific mandate to deal with global warming.

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the contribution of the draft European Union Energy Products Directive to the United Kingdom climate change strategy; and if he will make a statement. [25757]

Angela Eagle: The Energy Products Directive is still under discussion within Europe, and its final form, if agreed, is unlikely to be identical to the draft. It is, however, clear that the measures in the directive would make a small but significant contribution towards delivering the UK's climate change objectives.

Environment Agency

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure that the Environment Agency levies charges that recover fully the costs of its services to companies. [25519]

Angela Eagle: The Environment Agency's charges to companies are subject to annual Ministerial review. The Agency will shortly be submitting to Ministers charging proposals for 1998–99, following consultation with companies and their representatives. Ministers will examine the charges to see that they recover relevant costs in accordance with the legislation.

Disabled Tenants

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions what amounts were allocated to housing associations for aids and adaptations for disabled tenants in each of the last five years; and what will be the funding for 1998–99. [25803]

Mr. Raynsford: Allocations to housing associations for aids and adaptations for disabled tenants are made from the Housing Corporation's overall budget for works to existing properties, which is part of their Approved Development Programme. Eventual out-turn of both the overall works budget and the component for aids and adaptations may vary from initial allocations.

Initial allocations and out-turn figures for the last five years, where available, are:

£ million

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Initial allocations	11.76	13.51	19.57	13.69	8.93
Out-turn	n/a	12.36	20.61	16.75	[1]7.06

[1] Figures to end December 1997.

The Approved Development Programme for 1998–99 will be announced shortly.

Squirrels

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to permit the use of Warfarin for the control of grey squirrels in areas where there are populations of reds; and if he will make a statement. [25640]

Angela Eagle: There are no plans to permit the use of Warfarin for the control of grey squirrels in any further areas than those which are currently being assessed as part of carefully controlled scientific research. I am aware of no plans to request a change to the current controls on the use of Warfarin for grey squirrel control.

Builders

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what action he intends to take to tackle the problem of unreliable and ineffective builders. [25649]

Mr. Raynsford: I intend to work with all sections of the construction industry, its customers and consumer bodies, to develop a coherent package of measures aimed at improving consumer protection in this areas. I shall be issuing a discussion document shortly.

Cemfuel

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the percentage of the ingredients of cemfuel which have their source in *(a)* Lancashire, *(b)* the rest of the United Kingdom and *(c)* overseas. [25620]

Angela Eagle: None. It is the role of the Environment Agency, rather than the Secretary of State, to regulate the import and use of waste for secondary liquid fuels. The Agency does this through the Waste Management Licensing and Integrated Pollution Control regimes, and also through UK and EC legislation on the transboundary movement of waste.

The Agency has advised that it does not have the information to provide a breakdown of the geographical origins of secondary liquid fuels.

Cattle Bones

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many tonnes of crushed and carbonised cattle bones for use in water treatment plants were imported from South Asia in the last year for which figures are available. [25834]

Angela Eagle: During 1997, 243 tonnes of charcoal derived from carbonised cattle bones were used as filter media at water treatment plants in England and Wales.

The charcoal is made from certified processed cattle bones imported only from India and Pakistan. It has been approved for use in the treatment of drinking water under the Water Supply (Water Quality) Regulations 1989.

Sanctuary Housing

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions if he will commission an inquiry into the running of Sanctuary Housing, with particular relevance to its administration and financial controls; and if he will consult residents currently living in its West Country sheltered housing developments on the conduct of the present management. [25341]

Mr. Raynsford *[holding answer 26 January 1998]:* As a registered social landlord, Sanctuary Housing Association is regulated by the Housing Corporation which monitors compliance with its regulatory standards.

The Housing Corporation is investigating some matters relating to sheltered housing schemes in North Devon. I have asked the Chairman of the Housing Corporation to write to the hon. Member on completion of these investigations.

Departmental Fuel Costs

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how much *(a)* oil, *(b)* gas powering of accommodation occupied by his Department within the United Kingdom in each year since 1989–90; and what was the total cost in real terms for *(a)* to *(c)* in each year. [25790]

Angela Eagle: The answer is as follows:

	Oil		*Gas*		*Electricity*	
	MWh	*£000*	*MWh*	*£000*	*MWh*	*£000*
1990–91	67,967	658	94,776	1,126	86,566	4,976
1991–92	52,543	594	95,086	1,370	85,902	5,712
1992–93	29,393	419	101,132	1,334	86,907	5,860
1993–94	24,971	265	100,918	1,185	84,615	5,248
1994–95	17,528	282	83,549	911	65,774	4,531
1995–96	18,667	260	83,063	847	67,686	4,422
1996–97[1]	17,729	259	69,571	833	66,362	3,963

[1] Provisional outturn.

The information covers former Departments of Environment and Transport and the Health and Safety Executive.

Staff Travel Costs

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what is the total real terms value of *(a)* staff car mileage claims paid and *(b)* staff rail fares paid by his Department; for what amount of staff car mileage reimbursement was made, and what was the percentage change over the previous year for each year since 1989–90. [25789]

Angela Eagle: I regret that this information is not available.

Departmental Staff

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions how many staff were employed by his Department; and what percentage of them were eligible to claim a care mileage allowance on 31 March in each year since 1990. [25792]

Angela Eagle: The Department of the Environment, Transport and the Regions came into existence on 16 June 1997. Figures for the numbers of staff employed by the former Departments since 1990 are not available, although a breakdown for each year covering the then structures of the former departments was set out in the Departmental Reports, which are available in the Library. All staff may claim car mileage allowance if they are required to travel on official business and otherwise meet the criteria.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25936]

Angela Eagle: The overarching Terms of Reference for DETR's CSRs include a requirement to take particular account of the policy aim of sustainable development. Individual CSRs are reflecting that, and other policy aims, in their work. One of the Department's CSRs is also looking specifically at environment policy.

Green Ministers

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions which Government Departments were not represented at Ministerial level at the last meeting of the Green Ministers. [25939]

Mr. Meacher: All Government Departments were represented at the last meeting of Green Ministers on 18 December. Most were represented at Ministerial level, but because of unavoidable other commitments the Lord Chancellor's Departments, the Home Office, the Departments of Trade and Industry and of Social Security and the Ministry for Agriculture, Fisheries and Food were represented by officials.

Countryside (Access)

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions when the consultation paper on measures to increase public access to the countryside will be published. [25930]

Mr. Meacher: I refer my hon. Friend to the reply I gave to my hon. Friends the Members for Wirral, West (Mr. Hesford) and for Pendle (Mr. Prentice) on 22 January 1998, *Official Report*, column *614*.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 20 January 1998, *Official Report*, column *465*, (1) when discussions began in his Department concerning

the non-statutory agreement with the Scottish Executive; on what dates discussions took place; and who was present at such meetings; [25581]

(2) if he will publish the most recent drafts of non-statutory agreements with the Scottish Executive; when he proposes to publish the final document; and if the agreement will operate in the first instance for a trial period; [25582]

(3) in what areas a non-statutory agreement between his Department and the Scottish Executive will give the lead role in policy formation to his Department; to what extent it will include mechanisms to harmonise policy between Scotland and his Department on devolved matters; and if he will make a statement; [25583]

(4) what representations he has received from other government departments concerning the format and aims of a non-statutory agreement between his Department and the Scottish Executive; if he will list the number of representations from each department; and if he will make a statement. [25584]

Mr. Prescott *[holding answer 27 January 1998]:* Discussions are being held between departments, both at official level and Ministerial level, on all matters relating to non-statutory agreements between the UK Government and the Scottish Executive. In most cases, these discussions are in their early stages in the light of the fact that such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

Sewage Outfall (Yaverland)

Dr. Brand: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has evaluated on, and with which bodies his Department has discussed, the high dispersal classification of the proposed Yaverland, Isle of Wight, long raw sewage outfall. [25478]

Angela Eagle *[holding answer 28 January 1998]:* Under the terms of the EC Urban Waste Water Treatment Directive, Areas of High Natural Dispersion (HNDAs) were identified by the Secretary of State in 1994, on the basis of recommendations by the then National Rivers Authority, using criteria agreed following public consultation.

The Environment Agency has recently reviewed HNDA designations, as required by the Directive and has submitted preliminary recommendations to the Department.

The proposed outfall at Yaverland will receive a minimum of primary treatment, subject to the outcome of a comprehensive study into the impact of the discharge on the receiving waters. The Environment Agency is responsible for assessing the comprehensive study. This process includes consultation with the Isle of Wight Council, Bembridge Harbour Company, Southern Sea Fisheries Committee, English Nature and MAFF/CEFAS. Copies of the study are available for public inspection at the Environment Agency's Isle of Wight office. We have asked the Agency to ensure that the scientific basis for these studies is rigorously tested. We have also asked the Agency to keep us in touch with developments.

Nursery Education

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each local authority with responsibility for education the amount by which the increase in revenue support grant adjusted for changes in nursery voucher funding and increased NNDR differs from the amount that has been passported through the capping regime to raise standards in schools; and what is the total figure for all local authorities. [25981]

Mr. Raynsford *[holding answer 28 January 1998]:* I have placed the figures requested in the Library of the House. It is not possible to adjust revenue support grant in isolation from national non domestic rates, so the figures are expressed in terms of the sum of revenue support grant and non domestic rates, adjusted for changes in nursery voucher funding.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department or its predecessor Departments, *(b)* have had secondments to (i) the private sector and (ii) other Departments and *(c)* have come from other Departments. [26024]

Angela Eagle *[holding answer 28 January 1998]:* There are currently 264 staff in the Senior Civil Service (grade 5 and above) in the DETR and its Agencies. Of these, fewer than 10 per cent. have spent their entire careers in the Departments or its predecessors. Some 63 per cent. have had experience outside the civil service either before they joined the Department or as a secondment. In addition, some 70 per cent of the staff in the senior civil service have had loans to, or have worked in, other Government Departments. There are currently two senior civil servants on loan to DETR from other Government Departments.

Lake Windermere

Mr. Dawson: To ask the Secretary of State for the Environment, Transport and the Regions what measures he intends to take in relation to speed limits on Lake Windermere. [26221]

Angela Eagle: I refer my hon. Friend to the answer I gave to the hon. Member for Tewkesbury (Mr. Robertson) on 12 January 1998, *Official Report*, column *14*.

Passenger Ships

Mr. Gale: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the compliance cost assessment and the EU Fiche D'impact relating to the intended proposal for a council directive for the registration of persons sailing on passenger ships. [26311]

Ms Glenda Jackson: A Fiche D'impact was included in the European Commission's document 12395/96 which proposed a Council Directive on the registration of persons sailing on board passenger ships. A copy of this Document has already been placed in the House Library.

A copy of the UK's draft compliance costs assessment will be placed in the House Library.

Wychavon Local Plan

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions if he will call in the Wychavon Local Plan for determination; and if he will make a statement. [26217]

Mr. Caborn: The Wychavon Local Plan has already been determined. It was adopted by the Council on 21 January 1998 and the Secretary of State cannot now intervene. We gave careful consideration to the plan proposals throughout each stage of the process leading to adoption and we are satisfied that there was no justification for intervention by the Secretary of State.

Mr. Luff: To ask the Secretary of State for Environment, Transport and the Regions how many recent representations he has received from residents of Fernhill Heath, Worcestershire concerning the Wychavon Local Plan; and if he will make a statement. [26216]

Mr. Caborn: Recently, one representation, dated 23 December 1997, was received from the hon. Member on behalf of one of his constituents in respect of Fernhill Heath. Prior to this, eight representations have been received, all during 1996. The Wychavon Local Plan was adopted by the district Council on 21 January 1998. We gave careful consideration to the plan proposals throughout each stage of the process leading to adopt and we are satisfied that there was no justification for intervention by the Secretary of State.

Leasehold Valuation Tribunal Service

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what the cost of the Leasehold Valuation Tribunal Service has been in each year since its establishment, at 1997 prices. [25778]

Mr. Raynsford: The cost of Leasehold Valuation Tribunals is not separately identifiable within the overall cost of Rent Assessment Panels. The estimated cost of the Panels in 1997–98 is £5.5 million.

Leasehold Enfranchisement

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on the rated enfranchisement of the establishment of the Leasehold Enfranchisement Advisory Service. [25779]

Mr. Raynsford: It is difficult to assess what impact the Leasehold Enfranchisement Advisory Service, and its successor organisation, the Leasehold Advisory Service have had on the rate of enfranchisement. In many cases enfranchisement is achieved by agreement, even where statutory rights are invoked, and no central record of such transactions exists. However, in the period from February 1994 until June 1997 the Leasehold Advisory Service responded to 11,399 queries relating to enfranchisement.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what has been the cost of the Leasehold Enfranchisement Advisory Service in each year since its inception. [25780]

Mr. Raynsford: The Leasehold Enfranchisement Advisory Service received funding from my Department through the special grants programme from April 1993 to December 1996. Grant paid to them in each year was as follows:

	£
1993–94	27,575
1994–95	75,000
1995–96	78,711
1996 (April–December)	83,748

In January 1997 the Leasehold Enfranchisement Advisory Service was relaunched as the Leasehold Advisory Service with a remit extended to providing advice on any aspect of residential long leasehold. Since January 1997 they have received grant of £269,537 under section 94 of the Housing Act 1996.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to evaluate the effectiveness of the Leasehold Enfranchisement Advisory Service; and if he will make a statement. [25781]

Mr. Raynsford: A programme of work, with performance indicators where appropriate, is agreed with the Leasehold Advisory Service each year to assist in evaluating their effectiveness against their objectives.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on Government policy towards leasehold enfranchisement. [25782]

Mr. Raynsford: We are committed to simplifying the rules governing the purchase of freeholds by leaseholders and we intend to bring forward a new package of reforms to assist leaseholders. We are currently considering the scope and practicability of possible new measures. We expect to make an announcement about our proposals and invite comments from interested parties in the Spring.

Sellafield

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what is his present estimate of the limit of capacity for storage of intermediate level nuclear waste at Sellafield; and what criteria are used to assess this capacity. [25065]

Mr. Battle *[holding answer 23 January 1998]:* I have been asked to reply.

The current capacity of intermediate level waste storage facilities at Sellafield is 45,000m^3 of modern store and 46,000m^3 of other stores.

I understand that BNFL does not expect to need storage facilities in addition to those currently in existence or for which planning permission currently exists.

MINISTER WITHOUT PORTFOLIO

Disney World

Mr. Baker: To ask the Minister without Portfolio how many journalists accompanied him on his recent visit to Disney World in the United States; and what was the total cost to public funds of their accompanying him. [26179]

Mr. Mandelson: My recent visit was covered by a number of journalists. They were not invited by me, and there was no cost to public funds.

DUCHY OF LANCASTER

Freedom of Information

Mr. Cohen: To ask the Chancellor of the Duchy of Lancaster if he will list the costs over the last year, for each Government Department, of satisfying requests for access by the public to information under the Code of Practice on Access to Government Information; what estimate he has made of the costs for each Department over the same length of time of satisfying such requests under his freedom of information proposals; and if he will make a statement. [25444]

Dr. David Clark: Costs of dealing with requests under the Code of Practice on Access to Government Information are not monitored centrally. Based on experience in my Department an the total number of registered Code requests for 1996 (2033), I estimate that the total cost to Government Departments of operating the Code is in the order of £2 million per annum.

There is no precise method of quantifying the estimated cost of FOI—it will clearly be dependent on the number of requests—but using comparators such as the costs of FOI overseas, the costs of the Code of Practice and the estimated costs of the new Data Protection regime, I estimate that the total public sector costs (including provision for an appeals mechanism) would be £26.5 million 'start-up' costs, and an annual cost of £23.5 million thereafter.

The factual and background information on the development of the White Paper, which I intend to publish shortly, will contain a more detailed account of how these estimates were arrived at.

Sustainable Development

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25897]

Dr. David Clark: The Comprehensive Spending Review for the Office of Public Service is being conducted within terms of reference that were announced by the Chief Secretary to the Treasury on 24 July 1997. A set of the Terms of Reference for all departmental spending reviews may be found in the Libraries of the House.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Chancellor of the Duchy of Lancaster what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other Departments and *(c)* have come from other Departments. [26034]

Dr. David Clark *[holding answer 28 January 1998]:* Eighteen per cent. of Civil Service staff of grade 5 and above have spent their entire civil service within my Department and seventy four per cent. have come from other Government Departments. Figures detailing secondments by staff of grade 5 and above to either the private sector or other Departments are not centrally held.

Public Services

Mr. Corbett: To ask the Chancellor of the Duchy of Lancaster when he will reach a decision on the establishment of a panel for consulting people about pubic services; and if he will make a statement. [26914]

Dr. David Clark: I have today decided to set up a Panel to consult people about public services, and appointed MORI and the School of Public Policy at the University of Birmingham to set up and run it. The People's Panel will be used to find out what members of the public think about the services for which they pay for and use every day.

We want to put people first as we develop our Better Government programme to modernise public services. The Panel will be consulted on a range of matters relating to public services, such as service delivery, the use of IT, awareness of the Charter programme, and complaints handling procedures. We will make the results public.

This is a unique development, and one which underlines the Government's commitment to providing better government through listening to the views of people in all walks of life about their experiences of public services.

Civil Service Statistics 1997

Mr. Pike: To ask the Chancellor of the Duchy of Lancaster when Civil Service Statistics 1997 will be published. [26915]

Dr. David Clark: Civil Service Statistics 1997 was published today and copies have been placed in the Library. This publication highlights key trends in Civil Service staffing for the period up to 1 April 1997.

Agenda Database

Mr. Forth: To ask the Chancellor of the Duchy of Lancaster what will be the level of public access to the contents of the database Agenda. [26220]

Dr. David Clark: The Agenda system, which is designed to replace the existing CAB-E-NET, will be an inter-Departmental strategic media information tool. The system will handle and store information based upon confidential communications between Departments; it will not, therefore, be available for access by the public.

CABINET OFFICE

Club of Three Meetings

Mr. Wilkinson: To ask the Minister without Portfolio in what capacity he attended Club of Three meetings in September; what public expenditure was incurred by his participation; and if he will make a statement. [25928]

Mr. Mandelson: I attended the Club of Three meetings in Munich in my Ministerial capacity following an official visit to Bonn. The cost to public funds of my visit to Germany was approximately £535.

WALES

Farm Incomes

Mr. Barry Jones: To ask the Secretary of State for Wales when he last met representatives of the farming industry to discuss income levels; and if he will make a statement. [25317]

Mr. Win Griffiths: My right hon. Friend and I, either together or individually, met farmers' leaders in Wales on several occasions last month and this month, most recently on 20 January, to discuss matters of mutual interest concerning agriculture in Wales, including farm incomes.

Environmental Health Officers

Mr. Barry Jones: To ask the Secretary of State for Wales how many environmental health officers *(a)* are in post currently and *(b)* were in post in each year since 1990. [25311]

Mr. Win Griffiths: This information is not held centrally. Chief Environmental Health Officers are listed in the Municipal Yearbook. Copies of the 1990 edition onwards are available in the Library of the House.

School Standards

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has taken to raise standards in schools in Wales. [25310]

Mr. Hain: Our broad and vigorous standards agenda was set out in "Building Excellent Schools Together" (BEST), the Education White Paper for Wales, published in July last year.

We have introduced legislation to realise our objectives. The Schools Standards and Framework Bill proposes the legislative measures necessary to raise standards at primary and secondary level in both Wales and England. Amongst other things it provides for smaller infant classes, places a duty on local education authorities to support schools in raising educational attainment standards and secures the basis upon which these authorities will act to support schools in setting and meeting targets for continuous improvement. The Teaching and Higher Education Bill (currently in the House of Lords) will give teachers scope to lift professional standards through a General Teaching Council for Wales. The legislation proposed will also allow local education authorities LEAs and further education institutions to make provision for post-16 students jointly to better meet students' needs and to reduce duplication of courses.

We have set out a range of challenging new all-Wales targets through BEST aimed at raising standards in schools in Wales across the board. Working in partnership with ACCAC and OHMCI the Welsh Office is also implementing an all-Wales strategy to raise levels of achievement in literacy and numeracy. We are providing additional resources to support schools in this work—£50.267 million for recurrent costs in schools within the 1998–99 local government revenue settlement, and £65 million of capital funding over the lifetime of this Parliament for much needed school renovation and repair work. We will also be making nearly £30 million available in 1998–99 through the Grants for Education Support and Training (GEST) programme.

Long-term Care

Ms Drown: To ask the Secretary of State for Wales what assessment he has made of the yearly costs to the NHS of meeting the nursing costs of long-term care. [25912]

Mr. Win Griffiths: None, but the costs of long term care are a matter of concern to this Government and one of our manifesto commitments was the establishment of a Royal Commission to work out a fair system for funding long term care of the elderly across the UK. The Commission was established last December and will report in 12 months.

NORTHERN IRELAND

Voluntary Grammar Schools

Mr. Donaldson: To ask the Secretary of State for Northern Ireland when the proposed changes to the formula funding arrangements for voluntary grammar schools in Northern Ireland were subjected to a policy appraisal and fair treatment analysis; and what were the results. [22252]

Mr. Worthington: Before reaching decisions on the changes to be introduced next year, the implications for each school of a number of models were examined, and I am satisfied that there is no unjustified re-distribution of resources. The longer-term objective of full commonality will ensure equity of treatment in funding for all schools, regardless of the area or the school sector in which they are located, and is therefore in line with policy appraisal and fair treatment principles.

Pigmeat

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will make a statement on the impact on pig prices of the importation of pigmeat from countries where *(a)* meat and bone meal is not banned as pig food and *(b)* sow stalls and tethers will be legal after 1 January 1999. [22904]

Mr. Paul Murphy: It is not possible to calculate the impact on pig prices of the importation of pigmeat from countries where *(a)* meat and bone meal is not banned as pig food and *(b)* sow stalls and tethers will be legal after 1 January 1999.

Bone Meal

Mr. Trimble: To ask the Secretary of State for Northern Ireland if she will list the number of inspections of plants of manufacturers of animal meal to detect the use of banned bone meal, the results of these inspections and the number of prosecutions. [25019]

Mr. Paul Murphy: The inclusion of the mammalian meat and bone meal in livestock feed has been prohibited since 29 March 1996, and since that date a total of 2,430 visits have been made to feedmills for the purpose of taking samples of ruminant feed for testing for the presence of mammalian protein.

Of a total of 3,394 samples taken, five samples have given apparently positive results. On further investigation, one positive sample was in material imported from another member state, and the authorities were informed. It was established that the positive results in three samples were not due to the presence of mammalian protein, and the other positive sample proved negative on retesting.

There have therefore been no prosecutions.

Nursery Units

Mr. Trimble: To ask the Secretary of State for Northern Ireland what criteria are used in approving the establishment of nursery units to new or existing primary schools. [25021]

Mr. Worthington: Recent expansion of nursery provision has occurred under the aegis of the "making Belfast work" and Londonderry regeneration initiatives and, more recently, the EU special support programme for peace and reconciliation. Nursery provision approved by the Department of Education under these initiatives must:

be sited where it will have maximum educational impact, through targeting areas of greatest social and educational need;

create access for as many children as possible; and

represent good value for money.

Under the Government's planned expansion of pre-school education provision, new nursery provision will only be approved if it is included in an education and library board's pre-school education development plan. These plans will target places initially on children from socially disadvantaged circumstances and the oldest four-year-olds—those with July and August birthdays.

HOME DEPARTMENT

Crime and Disorder Bill [*Lords*]

Liz Blackman: To ask the Secretary of State for the Home Department when he will place in the Library a paper summarising the responses to the consultation exercise on the Drug Treatment and Testing Order provisions in the Crime and Disorder Bill [*Lords*]. [26730]

Mr. George Howarth: The paper summarising the responses to the consultation exercise has now been placed in the Library.

Immigration and Nationality Directorate

Mr. Allan: To ask the Secretary of State for the Home Department what estimates for staff reductions were included in the business case for the new computer system at the Immigration and Nationality Directorate; and what revisions have been made to take account of the delays in the programme for installation. [26074]

Mr. Mike O'Brien: The estimated savings projected in the business case were based on staff reductions of 898 by 2001–2002. The business case estimated the benefit of the Programme to the Immigration and Nationality Directorate by balancing the savings against the charges which would be payable to Siemens Business Services. The majority of these charges are directly geared to the savings and do not become payable until the new computer system is operational. No revision to the business case will be made until revised dates for the installation and piloting of the solution have been agreed.

Mr. Allan: To ask the Secretary of State for the Home Department, pursuant to his answer of 22 January 1998, *Official Report*, column *633*, on the Immigration and Nationality Directorate, how many compulsory redundancies he expects to be required at the Directorate offices at Croydon in the years 1998–99 and 1999–2000. [26075]

Mr. Mike O'Brien: I do not expect any in the sense that they are planned. While it is not possible at this stage to rule out the need for compulsory redundancies, present indications are that compulsory redundancies are very unlikely.

Security Service

Mr. Baker: To ask the Secretary of State for the Home Department what steps he is taking to ensure that the destruction of files by MI5 will not *(a)* destroy material of historical importance and *(b)* prevent instances of error by MI5 from emerging. [26277]

Mr. Straw: I rely on the Director General of the Security Service to ensure the proper operation of the Service's record management system, including the system for reviewing files in accordance with the criteria described in my reply to the hon. Member for New Forest, East (Dr. Lewis) on 20 January 1998, *Official Report*, column *519-20*.

Mr. Baker: To ask the Secretary of State for the Home Department when he expects to complete his review into providing information relating to the number of individuals on whom MI5 holds files. [26280]

Mr. Straw: I have nothing to add to my letter of 23 December 1997 in which I informed the hon. Member

that, for the present, I proposed to continue the practice of successive Governments in not disclosing such information but that I was reviewing the matter and that it might be that we should, in due course, feel able to provide some information on the subject. I shall keep the matter under review and, if there are to be any changes to the present arrangements, I shall make an announcement.

Telecommunications (Interception)

Mr. Baker: To ask the Secretary of State for the Home Department if he will amend Section 10(1) of the Interception of Communications Act 1985 to require a separate warrant for each line intercepted. [26279]

Mr. Straw: I refer the hon. Member to my reply to his question on 4 December 1997, *Official Report*, column *299*, where I said that the question whether to amend the legislation relating to Interception of Communications beyond the measures required to comply with the judgment of the European Court of Human Rights, and if so what the amendments should comprise, was under consideration. That remains the case.

Ethnic Minorities

Mr. Gerrard: To ask the Secretary of State for the Home Department if he will make a statement on the future of Section 11 funding to support the teaching of English. [24215]

Mr. Mike O'Brien: I refer my hon. Friend to the reply which my right hon. Friend gave my hon. Friend the Member for Leicester, South (Mr. Marshall) on 16 December 1997, *Official Report*, columns *86-87*.

Asylum Seekers

Mr. Corbyn: To ask the Secretary of State for the Home Department how many Roma people from the Czech and Slovak republics have sought asylum in the United Kingdom in each month since January 1996; and of these *(a)* how many have been granted asylum, *(b)* how many were held in detention and *(c)* how many have been removed from the United Kingdom. [26018]

Mr. Mike O'Brien *[holding answer 28 January 1998]:* Czech and Slovak Roma are not separately identifiable in the statistics. The available information on all asylum applications lodged in the United Kingdom by nationals of Slovakia and the Czech Republic, and on removals of such persons, is given in tables 1 and 2. Information on the number of Czech and Slovak asylum seekers detained, as at selected dates during 1996, 1997 and 1998, is given in table three.

Table 1: Asylum applications[1] received in the United Kingdom, excluding dependants, initial decisions[1,2,3] on applications, and removals[1,4], 1996 and 1997 by month, nationals of Czech Republic[5]

	Applications	*Decisions*				*Removals*
		Total decisions	*Grants of asylum*	*Grants of ELR*	*Total refusals*[6]	
1996						
January	*	*	—	—	*	5
February	5	5	—	—	5	*
March	10	—	—	—	—	*
April	10	*	—	—	*	5
May	*	5	—	—	5	5
June	5	5	—	—	5	5
July	—	*	—	—	*	5
August	5	5	—	—	5	5
September	5	5	—	—	5	10
October	5	5	—	—	5	5
November	5	5	—	—	5	5
December	5	5	—	—	5	5
Total (1996)	55	50	—	—	50	55
1997						
January	5	5	—	—	5	*
February	10	10	—	—	10	5
March	5	10	—	—	10	*
April	*	*	—	—	*	*
May	5	5	—	—	5	*
June	15	15	—	—	15	15
July	30	20	—	—	20	5
August	30	35	—	—	35	15
September	15	5	—	—	5	*
October	85	20	—	—	20	30
November	20	60	—	—	60	15
December	15	25	—	—	25	10
Total[p] (1997)	240	210	—	—	210	100

[1] Figures rounded to nearest five with * = 1 or 2. 1997 data are provisional.
[2] Information is of initial decisions and excludes the outcome of appeals or other subsequent decisions.
[3] Decisions do not necessarily relate to applications made in the same time period.
[4] Includes voluntary departures apart from those made by in-country applicants prior to the initiation of enforcement action.
[5] Removals data include persons recorded as nationals of the former Czechoslovakia.
[6] Includes safe third country refusals and refusals made on grounds of non-compliance.

Table 2: Asylum applications[1] received in the United Kingdom, excluding dependants, initial decisions[1 2 3] on applications, and removals[1 4], 1996 and 1997 by month, nationals of Slovakia

Principal applicants

	Applications	Decisions				Removals
		Total decisions	Grants of asylum	Grants of ELR	Total refusals[5]	
1996						
January	*	*	—	—	*	—
February	*	*	—	—	*	—
March	10	15	—	—	15	—
April	5	15	—	—	15	—
May	—	5	—	—	5	*
June	5	10	—	—	10	—
July	*	5	—	—	5	—
August	5	10	—	—	10	*
September	5	*	—	—	*	—
October	5	20	—	—	20	*
November	10	15	—	—	15	5
December	10	10	—	—	10	5
Total (1996)	55	110	—	—	110	15
1997						
January	*	*	—	—	*	5
February	*	5	—	—	5	*
March	5	15	—	—	15	5
April	5	10	—	—	10	10
May	15	15	—	—	15	10
June	25	25	—	—	25	5
July	20	25	—	—	25	5
August	50	45	—	—	45	15
September	55	10	—	—	10	5
October	85	75	—	—	75	10
November	20	120	—	—	120	25
December	15	30	—	—	30	20
Total (1997)	305	375	—	—	375	105

[1] Figures rounded to nearest 5 with * = 1 or 2. 1997 data are provisional.
[2] Information is of initial decisions and excludes the outcome of appeals or other subsequent decisions.
[3] Decisions do not necessarily relate to applications made in the same time period.
[4] Includes voluntary departures apart from those made by in-country applicants prior to the initiation of enforcement action.
[5] Includes safe third country refusals and refusals made on grounds of non-compliance.

Table 3: Number of persons recorded as detained, who have sought asylum at some stage, as selected dates in 1996 and 1997[1], nationals of the Czech Republic and Slovakia[2]

Detained as at	Number detained
31 January 1996	4
29 February 1996	[3]
29 March 1996	10
30 April 1996	12
31 May 1996[4]	6
27 June 1998	6
31 July 1996[5]	6
4 September 1996	5
1 October 1996	—
5 November 1996	5
11 December 1996	3
31 January 1997[6]	—
27 March 1997	—
30 April 1997	—
31 May 1997	—
30 June 1997	3
31 July 1997	[3]
29 August 1997[7]	11
30 September 1997	14
31 October 1997	39
28 November 1997	38
5 January 1998[8]	25

[1] No figures are available for August 1996, February 1997 or December 1997.
[2] Includes persons recorded as nationals of the former Czechoslovakia.
[3] Indicates 1 or 2 because in order to protect confidentiality we cannot disclose individual numbers.
[4] Ports figures obtained 7 June 1996. After entry figures obtained 31 May 1996.
[5] Ports figures obtained 2 August 1996. After entry figures obtained 30 July 1996.
[6] Ports figures obtained 3 February 1997. After entry figures obtained 31 January 1997.
[7] Ports figures obtained 29 August 1997. After entry figures obtained 3 September 1997.
[8] Ports figures obtained 6 January 1998. After entry figures obtained 5 January 1998.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate how many asylum seekers are at addresses not known to the authorities. [25947]

Mr. Michael: Approximately 14,000 asylum applicants, excluding dependants, are currently recorded as having breached the conditions of their temporary admission, temporary release, or restriction order, or having lost contact with the Home Office.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the current weekly cost to the Exchequer of those in the United Kingdom whose asylum appeals are outstanding. [25950]

Mr. Mike O'Brien: Information on the costs to the Exchequer during 1997 of all asylum seekers is not yet available. I refer the hon. Member to the reply I gave to

the hon. Member for Eastbourne (Mr. Waterson) on 13 November 1997, *Official Report*, columns *652–53*, which gave the available information for 1996.

I regret, however, that it is not possible to separate the cost sof specific groups of asylum seekers.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the number of asylum seekers whose addresses are unknown to the authorities who are claiming and receiving state benefits. [25949]

Mr. Michael: I regret that it is not possible to establish the number of these persons who may be in receipt of state benefits.

Mr. Malins: To ask the Secretary of State for the Home Department what steps he proposes to take to discover the whereabouts of asylum seekers whose whereabouts in the United Kingdom are not known to the authorities. [25948]

Mr. Mike O'Brien: Measures being taken to deal with the problem of absconding include the use of dedicated enforcement teams throughout the country; working in co-operation with the police and other government agencies; the use of intelligence for the effective targeting of resources; the establishment of a full time Port Absconder Tracing Team working in the Metropolitan Police Area; and the speeding up of Home Office procedures to reduce the potential for absconding.

Immigration (Carriers Liability)

Mr. Malins: To ask the Secretary of State for the Home Department what steps he is taking to recover the sums outstanding under the Immigration (Carriers Liability) Act 1987. [25945]

Mr. Mike O'Brien: Sums due as a result of charge liabilities under the Immigration (Carriers' Liability) Act 1987 (ICLA) are public moneys owed to the Consolidated Fund of Her Majesty's Treasury. The Ports Directorate of the Immigration Service is responsible for recovering amounts owed by carriers under the ICLA and pursues a pro-active debt recovery strategy aimed at reducing the amounts outstanding as quickly as possible.

Mr. Malins: To ask the Secretary of State for the Home Department if he will list the amount of charges *(a)* levied and *(b)* recovered under the Immigration (Carriers Liability) Act 1987 in relation to offences under that Act at each airport in the United Kingdom for each of the last 10 years. [25952]

Mr. Mike O'Brien: These figures are available only for 1997 and are set out in the table. Figures before 1997 could be produced only at disproportionate cost. It must be made clear that some of the incurred charges may have been paid since these statistics were compiled or may be about to be paid under an agreement negotiated with the Home Office.

Airport	*Incurred (£)*	*Paid (£)*
Aberdeen	4,000	0
Belfast	14,000	16,000
Birmingham	60,000	14,000
Bournemouth	0	0
Bristol	8,000	10,000
Brize Norton	0	0
Cambridge	0	0
Cardiff	0	0
East Midlands	4,000	4,000
Edinburgh	28,000	20,000
Gatwick North	728,000	1,090,000
Gatwick South	1,720,000	1,103,000
Glasgow	54,000	42,000
Heathrow 1	1,388,000	1,358,000
Heathrow 2	2,004,000	1,544,000
Heathrow 3	3,250,000	2,642,000
Heathrow 4	1,358,000	1,442,000
Humberside	20,000	32,000
Leeds/Bradford	2,000	2,000
Liverpool	0	0
London City	92,000	50,000
Luton	108,000	50,000
Manchester 1	194,000	172,000
Manchester 2	112,000	130,000
Mildenhall	0	0
Newcastle	18,000	18,000
Norwich	4,000	4,000
Plymouth	0	0
Prestwick	0	0
Southend	0	0
Stansted	142,000	192,000
Swansea	0	0
Teeside	0	0

Mr. Malins: To ask the Secretary of State for the Home Department if it is his policy to allow airlines which owe charges under the Immigration (Carriers Liability) Act 1987 to continue to use United Kingdom airports. [25944]

Mr. Mike O'Brien: There is no power under the Immigration (Carriers Liability) Act 1987 to refuse or prevent carriers who owe moneys under the Act from continuing to use United Kingdom airports.

There is, however, an active debt recovery programme operated by the Carriers' Liaison Section of Immigration Service Headquarters and litigation is considered in cases where a carrier unduly procrastinates or refuses to pay any debt, or where a carrier is in default of any agreement to settle charges.

Mr. Malins: To ask the Secretary of State for the Home Department what charges were outstanding under the Immigration (Carriers Liability) Act 1987 on 1 January in each of the past 10 years. [25946]

Mr. Mike O'Brien: The figures requested are as follow:

Date	*Outstanding debt £*
1 January 1988	2,361,000
1 January 1989	4,368,000
1 January 1990	10,170,000
1 January 1991	15,653,000
1 January 1992	19,440,000
1 January 1993	25,775,000
1 January 1994	22,003,000
1 January 1995	24,527,000
1 January 1996	18,746,000
1 January 1997	15,065,996
1 January 1998	11,399,073

Firemen

Mr. Amess: To ask the Secretary of State for the Home Department what recent representations he has received about the pay and conditions of service and age of retirement for firemen; and what is his Department's policy on these matters. [25277]

Mr. George Howarth: My right hon. Friend has received three such letters from individual members of the public. Matters relating to pay and conditions of service (including age of retirement) are dealt with by the National Joint Council for Local Authorities' Fire Brigades. It is for the employers to ensure that pay settlements are affordable through improvements to efficiency and other economies.

Naltrexone

Mr. Malins: To ask the Secretary of State for the Home Department what plans he has to introduce the compulsory taking of naltrexone for criminals who are drug addicts; and if he will make a statement. [25951]

Mr. George Howarth: None. Deciding which drugs to prescribe in the treatment of drug misuse is a matter for the clinical judgement of the medical staff providing the treatment.

Witness Protection Scheme

Dr. Cable: To ask the Secretary of State for the Home Department how many people sought relocation in 1997 under the Metropolitan Police's witness protection scheme; and how many were successfully rehoused, by borough. [25261]

Mr. Michael: The Commissioner of Police of the Metropolis informs me that 158 people sought relocation under the Metropolitan Police's witness protection scheme. He tells me that due to the sensitivities of those seeking assistance it is not the policy of the Metropolitan Police to publish more detailed information. This is an operational matter for the Commissioner.

Young Remand Prisoners

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list the adult prisons used for the accommodation of 15 and 16 year olds on remand. [25512]

Ms Quin: The following establishments hold both adult prisoners and young offenders and can be used to hold 15 and 16-year-olds on remand. However, young offenders are normally accommodated separately from adults.

Altcourse
Cardiff
Chelmsford
Doncaster
Dorchester
Exeter
Gloucester
Hull
Low Newton
Norwich
Parc
Rochester
Swansea

15 or 16-year-old females cannot normally be remanded to prisons. However, in the exceptional circumstance of being committed from a Magistrates' Crown to a Crown Court for sentence, a 15 or 16 year old female young offender would be remanded to a female prison. In such a case, allocation to a prison would be made on the basis of the individual's circumstances.

Data Protection

Mr. Cohen: To ask the Secretary of State for the Home Department if, in respect to the Compliance Cost Assessment associated with the Data Protection Bill [*Lords*], he will *(a)* place in the Library, in the form which respects commercial confidentiality, copies of the questionnaire telephone scripts used to assess the costs of compliance and all the responses used to assess the costs of compliance and all the responses received, *(b)* indicate the total number of individuals contacted during the consultation process, and the number of respondents with specialist knowledge of data protection matters, *(c)* list the organisations involved in providing information for the Assessment and *(d)* publish an updated version of the 1994 paper, "Costs of Implementing the Data Protection Directive". [25450]

Mr. George Howarth: I am placing in the Library a copy of the questionnaire, which we sent to 84 organisations. We received responses from six local authorities; one representative educational organisation; five charities; four large manufacturers; three small manufacturers; ten financial and other service organisations; eight large organisations involved in marketing; and nine retailers. We assured participants of anonymity and it would not be appropriate to make the individual returns available, or list names. We did not ask about the depth of their data protection knowledge.

Estimated costs to Government Departments were assessed separately.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the practice of enforced subject access in respect of the provisions of the Data Protection Bill (*Lords*). [25600]

Mr. George Howarth: The Government have made public their opposition to the practice of enforced subject access. We are considering how best to deal with the matter in the context of the Data Protection Bill.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the purpose of the First Data Protection Principle in Part 1, Schedule 1 to the Data Protection Bill (*Lords*). [25599]

Mr. George Howarth: The purpose of the first data protection principle is to ensure that personal data are processed fairly and lawfully. The principle, as elaborated in Part II of Schedule 1 and Schedules 2 and 3 gives effect to articles 6.1, 7, 8, 10 and 11 of the 1995 European Communities Data Protection Directive (95/46/EC).

Mr. Cohen: To ask the Secretary of State for the Home Department what representations he has received from the Data Protection Commissioner with respect to

(a) enforcement of the right of data subjects under Article 12(c) of the Data Protection Directive and *(b)* serving of information notices; and if he will make a statement. [25601]

Mr. George Howarth: We have received no representations from the Data Protection Registrar about the enforcement of article 12(c) of the 1995 European Communities Data Protection Directive (95/46/EC). The Registrar has written welcoming the new power for the Commissioner to issue information notices but expressing a preference for the power to be modelled on those in other regulatory legislation.

Mr. Cohen: To ask the Secretary of State for the Home Department what plans he has for regulations relating to the processing of personal data which *(a)* contain a general identifying number and *(b)* are subject to Clause 28(4) of the Data Protection Bill [*Lords*]. [25451]

Mr. George Howarth: No firm decisions have yet been made about the use of the Secretary of State's power under paragraph 4 of Part II of Schedule 1 to the Data Protection Bill to prescribe conditions applying to general identifiers; or of that in clause 28(4) to make exemptions from the subject information and non-disclosure provisions.

Police Road Blocks

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the circumstances in which the police can carry out a road block. [25047]

Mr. Michael: Police powers to carry out road checks are set out in legislation. The Police and Criminal Evidence Act 1984 provides that the police may establish a road check to deal with persons unlawfully at large or where there is a serious arrestable offence involving those travelling or considered to be travelling in a vehicle. Section 13A of the Prevention of Terrorism (Temporary Provisions) Act 1989, as inserted by section 81 of the Criminal Justice and Public Order Act 1994, also created a new power for the police to stop and search vehicles for the purposes of preventing terrorism.

In addition, section 163 of the Road Traffic Act 1988 (as amended) provides that a person driving a mechanically propelled vehicle on a road must stop the vehicle on being required to do so by a constable in uniform.

Crown Servants

Mr. Beith: To ask the Secretary of State for the Home Department on how many occasions his Department has consulted competitors of an employer making an offer of employment to an official from his Department, for the purpose of compliance with the Civil Service Management Code rules on the acceptance of outside appointments by Crown servants, in each year for which the rules have applied; and if he will make a statement. [25862]

Mr. Straw: Since the introduction of the revised Business Appointment Rules with effect from 1 April 1996, there has been no occasion for the Department to consult competitor companies in these circumstances. Information for each of the years preceding for which the rules have applied could be obtained only at disproportionate cost.

Mr. Beith: To ask the Secretary of State for the Home Deparment if he will publish the information collected for the purpose of compliance with the Civil Service Management Code rules on the acceptance of outside appointments by Crown Servants, in each year for which the rules have applied; and if he will make a statement. [25896]

Mr. Straw: Since 1 April 1996, when the Business Appointment Rules in their current form came into effect, 24 members of staff across the Department and its agencies have reported offers of employment. These resulted in 19 applications for approval under the Rules.

Staff are made aware, on appointment, of their obligations under the Business Appointment Rules and again, on leaving. General reminders are issued from time to time but it is the responsibility of the individual to comply with the requirements.

There is no fully effective comprehensive mechanism for monitoring compliance with the Rules once individuals have left Crown employment. The emphasis is on ensuring that staff are fully aware of their obligations under the Rules before they leave, and on giving the individual the opportunity to discuss the matter and, if they wish, to make representations in cases where conditions are imposed.

Any failure to comply with the Rules could come to the Department's notice in any number of ways. Any condition which prohibits a former member of staff from dealing with the Department on behalf of an outside employer would, of course, be monitored.

Animal Experiments

Mr. Cohen: To ask the Secretary of State for the Home Department what is his Department's policy on maximum time allowable for journeys of non-human primates to United Kingdom laboratories; and if he will make a statement. [25751]

Mr. George Howarth: The Home Office does not currently specify maximum journey times. Information collected by the Home Office on the transportation of non-human primates from overseas sources, including the total journey times between centres of origin and receiving establishments, is currently being analysed. The results will be presented to the primate sub-committee of the Animal Procedures Committee for their advice on future policy concerning the suitability of overseas breeding and supplying centres.

Fire Rescue Unit (Euston)

Ms Ryan: To ask the Secretary of State for the Home Department how many incidents in the London Borough of Enfield the Fire Rescue Unit based at Euston has attended since the Fire Rescue Unit based at Finchley was removed. [25837]

Mr. George Howarth: This information is not available in the form requested. The London Borough of Enfield is served by three fire stations which collectively cover the whole borough (except the Hadley Wood area) and small parts of the boroughs of Barnet and Haringey.

Information on fire calls is collected on a fire station basis. The Fire Rescue Unit at Finchley was removed on 1 February 1997. I understand from the London Fire and Civil Defence Authority that, for the period from that date until 31 December 1997, the Unit based at Euston was mobilised to the relevant area on 164 occasions.

CS Gas

Mr. Cox: To ask the Secretary of State for the Home Department how many times during 1997 CS gas was used by police in the Metropolitan Police area. [25435]

Mr. Michael: I understand from the Commissioner of Police of the Metropolis that during 1997 the Metropolitan Police used CS incapacitant spray on 190 occasions.

Police Complaints

Dr. Tonge: To ask the Secretary of State for the Home Department what proportion of complaints about the police in *(a)* Kingston upon Thames and *(b)* Richmond upon Thames have been (i) upheld, (ii) dismissed and (iii) dropped by the complainant during the last year for which figures are available. [25526]

Mr. Michael: The Commissioner has provided the following provisional figures for the period 1 January 1997 to 31 December 1997.

	Upheld	*Dismissed*	*Dropped*[1]
Twickenham Division	0	43	51
Kingston Division	6	58	53

[1] Includes complaints resolved informally.

DEFENCE

Atomic-Weapons Establishment, Aldermaston

Mr. Matthew Taylor: To ask the Secretary of State for Defence when the chemical technology division at the Atomic Weapons Establishment, Aldermaston, was set up; what is the purpose of this division; how many series of technical papers or reports are currently being produced by this division; and what are the names of each series. [24509]

Mr. Spellar: The chemical technology division of the Atomic Weapons Establishment, Aldermaston, was set up in about 1959. It ceased to exist as a separate division in 1991. Its purpose was to develop materials for use in warheads, to conduct research into the chemical properties of such materials and to design chemical engineering processes for their manufacture. It also operated certain associated chemical plant. During its existence two largely classified series of reports were produced dealing with materials and technical matters entitled, (i) Reports/Laboratory Reports/Materials Reports and (ii) Technical Memoranda 1959–90.

Armed Forces (Allowances and Charges)

Mr. Key: To ask the Secretary of State for Defence what changes have been made since February 1997 to the armed forces allowances and charges package which indicate progress towards greater equity of treatment between married and single personnel; and if he will make a statement. [25759]

Dr. Reid: The previous Government published on 20 February 1997, *Official Report*, column *721*, an information document "The Armed Forces of the Future—a Personnel Strategy", which included outline details of changes to the allowances and charges package for personnel in the armed forces. These changes were implemented on 1 December 1997.

The rationale underpinning the changes was, and continues to be, predicated on targeting these allowances where they are most needed to assist with recruitment and retention, and to compensate for the extra costs and disadvantages of Service life.

We have no plans at present to make further changes, although the situation is, of course, kept under review.

Aircraft Requirements

Mr. Hoyle: To ask the Secretary of State for Defence, pursuant to his answer of 19 January 1998, *Official Report*, column *415*, for what reasons Airbus has been invited to tender for the RAF's heavy lift requirements; and when the competition will commence for this project. [25624]

Mr. Spellar: As my right hon. Friend the Secretary of State for Defence announced on 31 July 1997, *Official Report*, column *466*, we will join partners in issuing a request for proposals to Airbus Military Company for the future large aircraft. We are also inviting our partners to join us in seeking bids from other aircraft manufacturers. The request for proposals has been issued to Airbus, Turkish Aerospace Industries, Alenia and FLABEL on a provisional basis pending the formation of Airbus Military Company. We are still discussing with our partners when requests for proposals will be issued to other potential suppliers. A procurement decision will be made in the light of the conclusions of the Strategic Defence Review and responses to requests for proposals.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Defence what proportion of civil service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other Departments and *(c)* have come from other Departments. [26033]

Mr. Spellar *[holding answer 28 January 1998]:* Of civil service staff of grade 5 and above currently within the Department:

(a) 53.3 per cent. have spent their entire Civil Service Career within the Department.

(b)(i) 7.6 per cent. have had secondments to the private sector.

(ii) 34.4 per cent. have had secondments to other Government Departments.

(c) 7.6 per cent. have come to the MOD from other Government Departments.

Submariners (Exposure to Radiation)

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many former and serving submariners on nuclear submarines have been diagnosed as suffering from exposure to harmful radiation. [26284]

Mr. Spellar: The Ministry of Defence conforms with national legislation on ionising radiation and holds all those records which it is required to keep on classified radiation workers, including submariners. With regard to mortality from cancer among submariners, an examination conducted under the auspices of the Medical Research Council has concluded that working in submarines was not associated with any increased cancer mortality.

Tornados (Gulf Military Operations)

Mr. Dalyell: To ask the Secretary of State for Defence what is the role of the RAF Tornados based in Saudi Arabia in respect of military operations in the Gulf. [26283]

Mr. George Robertson: RAF Tornados based in Saudi Arabia contribute to coalition operations over the southern no fly zone above Iraq, monitoring Iraqi compliance with UN resolutions.

Meat

Charlotte Atkins: To ask the Secretary of State for Defence what criteria are used to determine the source of the meat eaten by British armed forces in the United Kingdom [25112]

Mr. Spellar: I refer my hon. Friend to the answer given to the hon. Member for Salisbury (Mr. Key) on 19 January *Official Report*, columns *415–16*.

AGRICULTURE, FISHERIES AND FOOD

Swine Fever

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what additional steps he has taken to protect pigs in the United Kingdom from swine fever in Germany. [25270]

Mr. Rooker: The potential problems associated with classical swine fever in Germany are not new. There has been an on-going problem with CSF in the Community for 10 years, but the disease has not spread to the UK.

European Community legislation lays down control measures, including movement restrictions, to prevent the spread of CSF. The situation is kept under continuous review by the EC Standing Veterinary Committee on which the UK is represented. The SVC may adopt additional controls on an ad hoc basis as and when the need arises. In the past few days, the SVC has imposed a prohibition on exports of pigs and pig semen from specified areas in the region of MecklenburgVorpommern in Germany.

In the UK, those connected with the pig industry have been alerted to keep a careful watch for any sign of the disease spreading to the UK from the continent. There are some requirements laid down in Community legislation for the cleansing and disinfection of vehicles used for the transport of pigs in infected countries. Hauliers and those involved in the export of pigs and also other livestock and horses to the continent from Great Britain have been reminded of the need to follow good practice by properly cleaning and disinfecting all empty vehicles to minimise the risk of introducing the disease to Great Britain.

European Funding

Miss McIntosh: To ask the Minister of Agriculture, Fisheries and Food what action the Government will take to ensure those sectors of the British economy previously benefitting from European Structural Funding will continue to benefit under the new Agenda 2000 and CAP reform proposals, with particular reference to objective 5b funding. [25764]

Mr. Rooker *[holding answer 27 Janaury 1998]:* The European Commission has yet to put forward formal proposals for regulations implementing the ideas contained in its Agenda 2000 documents. In the negotiations on those proposals, which we expect to be published shortly, we will seek to achieve the best possible outcome for the United Kingdom.

Compensation

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* by sector and *(b)* in total, the maximum amount of compensation the Government are empowered to distribute to the agriculture sector in the United Kingdom in the current financial year in respect of the appreciation of the pound; what percentage of each available amount would by paid by (i) the EU and (ii) the United Kingdom; what percentage of the total amount available for each sector will be paid to farmers in the current financial year; and if he will make a statement. [26001]

Mr. Rooker *[holding answer 28 January 1998]:* The maximum total aid which could currently be paid in the UK this year is £464 million. The breakdown of the maximum which could be paid to each eligible sector is as follows: cereals £143.5 million; dairy £221.5 million; beef and veal £77 million; sugar beet £22 million. The UK can reclaim in full from the EU budget any spending up to half the £464 million maximum aid. In practice, however, the UK Exchequer would bear around 71 per cent. of the cost of the EU reimbursed expenditure.

My right hon. Friend the Minister of Agriculture, Fisheries and Food announced on 22 December a package of aid to the livestock sector worth £85 million.

BSE

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food if he will extend the remit of the BSE inquiry to include events up to 31 December. [25614]

Mr. Rooker *[holding answer 28 January 1998]:* No. BSE and nvCJD are on-going problems. Current events are less suitable for study by an inquiry. Any extension of the period would add greatly to the inquiry's scope and the time it would take.

Agri-monetary Compensation

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what factors govern the limits set in agri-monetary compensation. [25670]

Mr. Rooker *[holding answer 28 January 1998]:* Council regulation 724/97 lays down common rules for establishing the maximum levels of agrimonetary compensation which may be paid in member states which have undergone "appreciable" revaluations of their green rate.

Sugar Beet Research and Education Committee

Mr. Peter Bradley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the future of the Sugar Beet Research and Education Committee. [26806]

Mr. Morley: The Sugar Beet Research and Education Committee has been the subject of a non-departmental public body prior options review. Departments are asked to look at the functions the body carries out; to assess whether they are still needed; and to decide whether the current arrangements provide the best way of carrying them out.

The SBREC has carried out its functions well, and I am very grateful to its past and present chairman and members, who have given valuable service to the industry over the years. Although the committee has no statutory basis, its work is linked to certain statutory arrangements which date back to 1938 and require my Department to be closely involved with the research programme. I believe there is no need for the Government to be so closely involved in these arrangements, but that there is a case for industry-funded research and education to continue, and that it would be more appropriate, if the industry agrees, for these to be under the aegis of a development council for sugar beet. My Department is therefore consulting interested parties on a proposal to establish such a council to take on the functions currently undertaken by the SBREC.

In deciding whether to establish a development council, Ministers have to follow the procedures in the Industrial Organisation and Development Act 1947. In particular, they need to be satisfied that its establishment is desired by a substantial number of persons engaged in the industry.

Cattle Cull

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 15 January 1998, *Official Report*, column *294*, in what circumstances firms would be permitted to contract privately with farmers to incinerate over thirty month cattle carcases without reference to the Intervention Board executive agency. [26246]

Mr. Rooker: Compensation for farmers disposing of cattle over thirty months old, apart from those suspected of having BSE for which separate arrangements apply, is available only through the over-30-months scheme run by the Intervention Board. Incineration of OTMS carcases is permissible only under the control and supervision of the board at premises contracted for the purpose.

The Intervention Board has terminated the restricted stage of its tender as far as the incineration only element is concerned so that it can pursue options more likely to meet its large scale disposal requirements. However, it will continue to contract, as and when the need arises, with incinerator operators who have properly authorised and licensed facilities for the disposal of carcases of animals slaughtered on farm and offered to the scheme as casualties, usually via the helpline run for the board by the Licensed Animal Slaughterers and Salvage Association.

Mink Farming

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food when he intends to set a date for the prohibition of the farming of mink for their fur. [26278]

Mr. Morley: The Government remain committed to implementing their pre-election pledge to prohibit fur farming as soon as practicable. Last year, I reviewed the various options available to achieve this objective and a public consultation letter seeking comments on the way I proposed to proceed was issued on 5 August 1997. I am currently considering how the intention to prohibit fur farming can best be implemented and an announcement will be made as soon as possible. There will be public consultation on any proposals for legislation to ban fur farming.

Beef Imports

Mr. Menzies Campbell: To ask the Minister of Agriculture, Fisheries and Food if he will list by weight the countries from which beef has been imported into the United Kingdom since 1 January. [25677]

Mr. Rooker: Official overseas trade statistics on the quantities and country of origin of beef imported into the United Kingdom are available only for complete calender months. Statistics for January 1998 are not yet available.

Imported Meat

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food what tests are carried out on imported meat to ensure that substances banned for use on United Kingdom meat are identified. [25043]

Mr. Rooker: Member states are required to test meat for a wide range of veterinary drugs, including banned substances and are responsible for implementing and policing the relevant directives in respect of their own national production. Veterinary experts from the Commission may make on-the-spot checks to ensure that they are being uniformly applied in all member states.

Any third country wishing to export fresh meat to the European Union must submit residue testing plans to the Commission. These describe the residue testing programme to be undertaken in respect of their meat production and must provide guarantees which are at least equivalent to the requirements of the Community on EC producers in respect of the banned substances.

Any third country which permits the use of growth promoting hormones, banned in the European community since 1988, is required to guarantee that no animals and no meat coming from animals to which they have been administered will be exported to the Community. Imports must be certified accordingly, and Commission inspectors verify compliance with all the requirements when they carry out periodic checks on third-country slaughterhouses authorised to produce meat for export to the Community.

Port health authorities, or local authorities in their absence, are responsible under directive 90/675/EEC for checking 1 per cent. of all imported meat and meat products for residues of veterinary medicines and the banned substances.

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food what checks have been carried out on imported beef and sheep meat to ensure it meets United Kingdom health standards since 1 January; how much imported meat has been denied access; and what was its origin. [25041]

Mr. Rooker: All consignments of animal products imported directly into the United Kingdom from outside the European Union are subject to checks at designated border inspection posts, including checks on the certification requirements on specified risk materials introduced under the Specified Risk Materials Order 1997. Single market rules only permit random spot checks at destination on animal products traded within the Community. Consistent with those rules, a daily sample of randomly selected consignments fro EU member states are subject to documentary checks by Ministry officials for conformity with the new unilateral controls relating to specified risk material.

Data on the number, type and results of veterinary checks on beef consignments at border inspection posts, most of which are operated by local authorities, and the number of outcome of the random documentary spot-checks on beef consignments arriving from or via other EU member states are being collated on a monthly basis from 1 January 1998, the date when the Specified Risk Materials Order came into force. No data are yet available. They will be published in the Ministry's BSE enforcement bulletin which is placed in the Library of the House.

Bull Calves (Identity Tags)

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food what is the present backlog on the production of secondary yellow plastic tags for bull calves; and what is the deadline set by the Intervention Board for acceptance of bull calves wearing only one identity tag. [25042]

Mr. Rooker: Information from eartag manufacturers suggest that supply is likely to take around six weeks. Because of the supply difficulties, the Intervention Board has not currently set a deadline for acceptance of bull calves wearing only one identity tag.

HOUSE OF COMMONS

Environmental Implications

Mr. Matthew Taylor: To ask the President of the Council what mechanisms have been established since 1 May to ensure that the environmental implications of new legislation are considered before being presented to Parliament. [25909]

Mrs. Ann Taylor: The Government are committed to integrating environmental considerations into decision-making at all levels across Government. Thus the policy on which any new legislation is based takes into account environmental considerations. Proposals for new legislation have to include details of significant costs or benefits to the environment. Since 1 May 1997, the Government have set up a Cabinet Committee on the Environment, a network of Green Ministers and a Sustainable Development Unit within the Department for the Environment, Transport and the Regions. The House has also agreed to the Government's proposal to establish a select committee on Environmental Audit, which met for the first time on 25 November 1997.

HEALTH

Republic of Ireland Patients

Mr. John D. Taylor: To ask the Secretary of State for Health how many patients from the Republic of Ireland had operations in the United Kingdom paid for by the Irish Department of Health in each of the last three years; and how many of these were transplant operations. [22538]

Ms Jowell: Under European Community Social Security Regulations 1408/71 and 574/72 there were 263 (1994), 225 (1995) and 199 (1996) patient referrals to National Health Service hospitals in England, Scotland and Wales, from the Republic of Ireland.

The Republic of Ireland participates in the same organ sharing scheme as the United Kingdom. Data from the UK Transplant Support Service Authority show there were 3 (1994), 8 (1995) and 17 (1996) residents of the Republic of Ireland who had solid organ transplants carried out in hospitals in the UK.

Information from the Hospital Episode Statistics for England shows there were 204 (1993–94), 218 (1994–95) and 216 (1995–96) finished consultant episodes, in which an operation or procedure was recorded and where the patient's address was shown to be within the Irish Republic. These figures include patients who paid privately for their treatment in NHS hospitals. Information about residents of the Irish Republic who had operations carried out in NHS hospitals in Scotland, Wales or Northern Ireland would be for my right hon. Friends the Secretaries of State for Scotland, for Wales and for Northern Ireland.

Cosmetic Surgery

Ann Clwyd: To ask the Secretary of State for Health how many cosmetic surgery operations performed on the NHS were to rectify damage resulting from cosmetic surgery procedures performed by the private sector in the last year for which figures are available. [23006]

Mr. Milburn: We do not hold data centrally. A survey carried out in 1995 by the British Association of Plastic Surgeons concluded that there were only a very small number of occasions when National Health Service hospitals had to deal with patients presenting with complications arising from private cosmetic surgery.

NHS Boards

Dr. Kumar: To ask the Secretary of State for Health if he will list the names of *(a)* new and *(b)* existing members of (i) Tees Health, (ii) South Tees Acute Hospital NHS

Trust, (iii) Cleveland Ambulance NHS Trust and (iv) South Tees Community and Mental Health NHS Trust, stating their terms of office in each case. [24515]

Mr. Milburn: The current non-executive board members of the different bodies and their terms of office are as follows:

Position	Name	From	To
Tees Health Authority:			
Chairman	Thomas O'Connor	1 April 1996	31 March 1998
Member	Mark Roy Williamson	1 April 1996	31 March 1998
Member	Graham Prest	1 April 1996	31 March 1998
Member	Kathleen Taylor	1 April 1996	31 March 2000
Member	Helen Pickering	1 April 1996	31 March 2000
Member	Ann O'Hanlon	1 April 1996	31 March 2000
Cleveland: Ambulance National Health Service Trust:			
Chairman	Alistair Thomson	1 December 1996	31 October 1998
Director	Susan Bush	1 December 1994	30 November 1998
Director	Terry Weastell	1 December 1994	30 November 1998
Director	Elizabeth O'Donnell	1 December 1997	30 November 2001
Director	Kenneth Hall	1 December 1997	30 November 2001
South Tees Community and Mental Health NHS Trust:			
Chairman	Robert Murray	1 November 1996	31 October 1998
Director	Elizabeth Hutchison	1 November 1996	31 October 2000
Director	Eleanor Young	1 November 1996	31 October 2000
Director	Geoffrey Crispin	1 November 1996	31 October 2000
Director	David Becker	24 November 1997	31 October 2000
Director	Michael John Carr	24 November 1997	31 October 2001
South Tees Acute Hospitals NHS Trust:			
Chairman	John Robert Foster	16 December 1997	30 November 2001
Director	Sheila Argument	16 December 1997	30 November 2001
Director	Dorothy Sigsworth	16 December 1997	30 November 2001

There are currently three vacancies for non-executive directors at the South Tees Acute Hospitals NHS Trust which will be filled as soon as possible.

Funding (Leeds)

Mr. Truswell: To ask the Secretary of State for Health what additional funding, above that planned by the previous Government, the Government have allocated to Leeds Health Authority for the years 1997–98 and 1998–99. [25027]

Mr. Milburn: For 1997–98 we have allocated £3.1 million winter pressure moneys and an additional £145,000 for breast cancer services to the Leeds Health Authority over the allocation made by the previous administration.

The increase in funding for 1998–99 of £1 billion for the National Health Service in England more than doubles the increase planned by the previous Government. Leeds HA were allocated £339.9 million. This represents an increase of £15.9 million (£4.90 per cent). This is above the England average increase of 4.70 per cent.

GPs (Pharmaceutical Dispensing)

Mr. Quentin Davies: To ask the Secretary of State for Health if he will make a statement on differences in practice between *(a)* England and Wales and *(b)* Scotland in respect of the capacity of general practitioners to dispense pharmaceuticals directly to their patients; and if he will assess the advantages of adopting the Scottish regime in England and Wales. [25441]

Mr. Milburn: Pharmaceutical services are provided to patients in both England and Wales and in Scotland mainly by pharmacists. However, general medical practitioners in all three countries may dispense medicines to patients who would otherwise have difficult access to them. In England and Wales patients must be resident in a designated rural area more than one mile from a community pharmacy, otherwise they must satisfy the health authority that they would have serious difficulty obtaining medicines. In Scotland, Health Boards instruct doctors to provide such services where they conclude that patients would not have access to a pharmacy. It is not clear that the Scottish system offers any major advantages over that operating in England and Wales.

Mr. Quentin Davies: To ask the Secretary of State for Health what representations he has received about the use of regulations providing for general practitioners to dispense drugs directly in rural areas, by practices in market towns to dispense to patients in surrounding villages. [25811]

Mr. Milburn: The National Health Service (Pharmaceutical Services) Regulations 1992 allow dispensing doctors to dispense to patients living more than a mile from the nearest pharmacy, within a controlled locality (designated by the health authority). We have received a number of representations from pharmacists about doctors dispensing medicines to patients in outlying areas from a surgery located in a market town or adjacent to a community pharmacy.

Hospital Consultants (Distinction Awards)

Dr. Harris: To ask the Secretary of State for Health (1) what steps his Department is taking to increase the number of non-white hospital consultants who receive distinction awards; [25406]

(2) if he will make a statement on the criteria used to decide which hospital consultants receive distinction awards. [25326]

Mr. Milburn: Officials have recently had discussions with the Commission for Racial Equality (CRE) regarding the disparity in the numbers of awards granted to consultants from ethnic minorities. A number of measures are being introduced in the 1998 awards round to secure better data, monitoring of outcomes, and representation of ethnic minority consultants on awards committees. Some changes to the criteria for awards were also suggested by the CRE, and accepted for implementation in the 1998 awards round. The revised criteria are set out in the published Guide to the NHS Consultants' Distinction Awards Scheme, copies of which are available in the Library. These measures have been welcomed by the CRE. We are considering what further action might be taken to assist in addressing this issue.

NHS Staff

Dr. Tonge: To ask the Secretary of State for Health what is the ratio of women to men among *(a)* medical students, *(b)* house officers, *(c)* senior house officers, *(d)* registrars, *(e)* senior registrars, *(f)* consultants, *(g)* full-time general practitioners and *(h)* part-time general practitioners in the NHS. [25527]

Mr. Milburn: The latest available information is shown in the table:

	Male	*Female*	*Ratio Male : Female*
(a) Medical Student	11,330	11,540	1.0 : 1
(b) House Officer	1,670	1,550	1.1 : 1
(c) Senior House Officer	8,160	5,620	1.5 : 1
(d) Registrar	3,520	1,680	2.1 : 1
(e) Senior/Specialist Registrar	3,770	1,870	2.0 : 1
(f) Consultant	15,520	3,750	4.1 : 1
(g) full-time GPs	18,710	5,990	3.0 : 1
(h) part-time GPs	1,120	3,130	0.4 : 1

Notes:
All figures are rounded to the nearest ten.
Ratios are calculated on unrounded figures.
(a) Undergraduate Medical students studying in 1995–96.
Data source: Higher Education Statistics Agency.
(b) to (f) Hospital medical staff in England by grade as at 30 September 1996.
Data source: Department of Health's Medical and Dental Census.
(g) to (h) These figures exclude 175 London Initiative Zone (LIZ) assistants for which commitments are unavailable.
Data source: Department of Health General Medical Services Census 1 October 1996.

Health Screening (Men)

Dr. Tonge: To ask the Secretary of State for Health what plans he has for health screening for men, with particular reference to high blood pressure, coronary artery disease and prostate cancer. [25520]

Ms Jowell: The National Screening Committee, chaired by the Chief Medical Officer, advises the Government about implementing national population screening programmes and reviewing the effectiveness of new and existing population screening programmes in the light of emerging evidence. After taking its advice, we decided that the National Health Service should not routinely offer screening for prostate cancer as the risks outweigh the benefits.

The National Screening Committee will be considering a number of new research studies this year, and it is likely these will include one about selective screening for stroke and the treatment of high blood pressure.

We are aware that, compared to women, men are often reluctant to use health care services. Our aim is to increase awareness amongst men of the health and lifestyle factors that can affect their health and encourage them to access medical services.

Long-term Care

Ms Drown: To ask the Secretary of State for Health what assessment he has made of the yearly cost to the NHS in *(a)* England and *(b)* Great Britain of meeting the nursing costs of long-term care. [25914]

Mr. Milburn: We have made no separate assessment centrally of the nursing costs of long term care in England. My right hon. Friends the Secretaries of State for Wales, for Scotland and for Northern Ireland will reply on behalf of their respective parts of Great Britain. As part of our evidence to the Royal Commission we have identified this issue for their consideration on the funding of long term care.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Health what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25901]

Mr. Milburn: The Comprehensive Spending Review in the Department is considering how best to contribute to all the Government's commitments and objectives including the promotion of sustainable development.

TRADE AND INDUSTRY

Official Functions

Mr. Redwood: To ask the President of the Board of Trade on what occasions she has held official receptions in her Admiralty flat; and at what cost to public funds. [23707]

Mrs. Beckett: Since May 1997 I have held official receptions at my Admiralty House Flat for the General Council of the TUC, the President's Council of the CBI and other businessmen, and regional businesses at a cost of some £3,350.

Official Engagements

Mrs. Gillan: To ask the President of the Board of Trade if she will list, *(a)* the official engagements undertaken by the Minister with responsibility for small and medium businesses between 1 December 1997 and 15 January 1998 and *(b)* the number of days she has been in the Department between 1 December 1997 and 12 January 1998. [24375]

Mrs. Roche *[holding answer 20 January 1998]:* During the period in question I undertook an extensive programme of official engagements.

Nuclear Waste (Reprocessing)

Mr. Llew Smith: To ask the President of the Board of Trade what quantities of spent nuclear fuel, from which *(a)* countries and *(b)* utilities, is stockpiled at Sellafield awaiting reprocessing; and what information she has received from British Nuclear Fuels in regard to when it will be reprocessed. [25062]

Mr. Battle: The Thermal Oxide Reprocessing Plant (Thorp) has a total of 7,000 tonnes of fuel to be reprocessed during the Baseload (first ten year) period. I understand that, as at end of 1996–97, there were over 6,000 tonnes of spent nuclear fuel awaiting reprocessing at Thorp and approximately 550 tonnes of spent magnox fuel, awaiting reprocessing at the magnox reprocessing plant. This fuel is owned by utilities in the United Kingdom and in overseas countries, including Germany, Italy, Japan, Netherlands, Spain, and Switzerland. Decisions relating to the timing of reprocessing of the contracted quantities of spent nuclear fuel owned by individual utilities are an operational matter for BNFL.

Nuclear Reactors

Mr. Baker: To ask the President of the Board of Trade if she will list the occasions since 1980 when nuclear reactors have been shut down for safety reasons,

indicating in each case the date of shut down, the reason for the shut down and the date on which power generation recommenced. [24775]

Mr. Battle *[holding answer 22 January 1998]:* Information on the occasions since 1980 when civil nuclear reactors have been shut down for safety reasons, their dates and reasons for shut down and the dates when power generation recommenced is not recorded centrally. To provide the information requested for 35 currently operating civil power reactors in England and Wales and Scotland and nine which are now under-going decommissioning over a 18 year period could be obtained only at disproportionate cost.

In addition to outages ie. a shutdown for re-fuelling, maintenance and repair on a schedule agreed by the regulator—the Health and Safety Executive's Nuclear Installations Inspectorate (NII)—there are other occasions when reactors have to shut down ("trip"). The substantial in-built redundancy of safety systems at all nuclear generating sites ensure a trip if there is a fault in one of the many back-up systems on the reactor. Also, a significant proportion of the trips are not related to the safety of the reactor, but to failure in the ancillary equipment for example turbines or National Grid transmission faults.

However, any incidents of significance or potential significance for the health and safety of the workforce or the public at all UK civil nuclear installations, including nuclear electricity generating sites, are reported in the Health and Safety Executive's "Quarterly Statement of Incidents at Nuclear Installations" published since 1976. Copies of the most recent statements are available in the Library of the House. I am asking HSE to ensure copies of all statements, dating back to 1976, are placed there.

In addition, civil nuclear operators are also required by their nuclear site licence conditions to keep records of all incidents, events and other deviations from normal operations, thee are reviewed carefully by the NII. Since 1987, details of all such incidents have also been published in site newsletters, copies of which are circulated to Local Members of Parliament, Local Liaison Committees, the local media and to the Library of the House.

Political Advisers (Support Staff)

Mr. Bercow: To ask the President of the Board of Trade how many secretarial and support staff work full-time in support of his political advisers. [25188]

Mrs. Beckett *[holding answer 23 January 1998]:* Two.

Overseas Visits

Mr. Bercow: To ask the President of the Board of Trade how many overseas visits have been made by her Department's political advisers at public expense since 1 May. [25164]

Mrs. Beckett *[holding answer 23 January 1998]:* Six.

Dietary Supplements

Dr. Iddon: To ask the President of the Board of Trade when she received the letter dated 22 December 1997 from two United States of America senators concerning the relationship between MAFF's proposed universal ban on the general sales of dietary supplements containing more than 10 mg of vitamin B6 and international agreements; what consultations she had with other Government Departments; and what reply she plans to make. [25618]

Mr. Battle: The letter was received on 16 January: a reply will be sent shortly. The proposed controls on the level of vitamin B6 in dietary supplements sold under food law are being formulated by the Ministry of Agriculture, Fisheries and Food in consultation with other interested Government Departments. They are based on recommendations made by two UK committees of independent experts following a review of the scientific data on the safety of vitamin B6: MAFF will be issuing a consultation paper on their proposals in the near future. Measures designed to protect human health are permitted under EC and international trade rules.

Gas Industry

Mr. Brake: To ask the President of the Board of Trade what representations she has received on selling techniques within the gas industry. [25802]

Mr. Battle: My Department has received a number of representations from consumers and companies operating in the gas industry. I welcome the introduction of a new gas suppliers' licence condition, expected to come into force this week, which will enhance consumer protection in this area.

National Scientific Achievements

Dr. Gibson: To ask the President of the Board of Trade if she will list the action taken by the Minister for Science, Energy and Industry to ensure that the Treasury takes full account of national scientific achievements in determining the level of support for the scientific base. [25606]

Mr. Battle: The future level of support for the Science and Engineering Base will be determined through the Comprehensive Spending Review. This review is taking full account both of the nation's past scientific achievements and our future capability for supporting research of world class standing.

Foreign Shareholder Limits

Mr. Jack: To ask the President of the Board of Trade (1) if she will make a statement on the linkage between recent applications made by Rolls-Royce and British Aerospace for launch aid and the outstanding decision on the foreign shareholder limits as they affect these two companies; [25666]

(2) what assessment she has made of the impact on British Aerospace and Rolls-Royce of the restrictions placed on potential overseas investors by the present foreign shareholder limits; and when she expects to be able to announce her decisions on the adjustment of those limits; [25497]

(3) when she received representations from British Aerospace and Rolls-Royce about changes to foreign shareholder limits; what requirements have still to be met before she is able to make a decision on this matter; and when an announcement will be made; [25496]

(4) from which Government Departments she is awaiting views on the proposals relating to foreign shareholder limits affecting British Aerospace and Rolls-Royce. [25495]

Mr. Battle *[holding answer 27 January 1998]:* I received a request from British Aerospace and Rolls-Royce last July for the Government's consent to certain changes to the companies' articles of association. These proposals are being considered carefully by the relevant Government Departments, and this has included an assessment of the present foreign shareholder limits on the activities of those companies. I hope that the Government will be able to respond to this request relatively soon.

Minister for Trade and Competitiveness in Europe

Mr. Bercow: To ask the President of the Board of Trade when she will reply to the letter of 5 January from the hon. Member for Buckingham regarding the sale of the Minister for Trade and Competitiveness in Europe's BP shareholding. [25824]

Mrs. Beckett *[holding answer 27 January 1998]:* I replied on 27 January, having been overseas from 10 until 21 January.

Emergency Telephone Calls

Mr. Hoyle: To ask the President of the Board of Trade (1) what measures she is taking to improve the percentage of emergency calls answered by electricity companies; [26239]

(2) if she will list the regulations which govern the answer of emergency telephone calls by electricity companies. [26238]

Mr. Battle: Under Condition 9A of the new Public Electricity Supply Licence, the Licensee shall establish and operate an inquiry service for use by any person for the purpose of receiving reports and offering information, guidance or advice about any matter or incident that causes danger or requires attention or affects the maintenance of the security, availability and quality of service of the licensee's Distribution System.

The inquiry service shall ensure that all reports and enquiries are processed in a prompt and efficient manner and be available to receive and process telephone reports and inquiries at all times on every day of each year and be operational no later than 31 March 1998.

OFFER is currently looking at the steps taken by the Public Electricity Suppliers (PES) to deal with the aftermath of the recent storms. The investigation includes the difficulties that customers experienced when trying to contact the PES to report loss of supply and obtain information about likely restoration times, and see what lessons can be learned. I have asked to see their conclusions.

Electricity Cables

Mr. Hoyle: To ask the President of the Board of Trade if she will introduce measures to require the annual inspection of electricity cables. [26240]

Mr. Battle: Inspections of a sample of electric lines and plant belonging to each Public Electricity Supplier are carried out annually under the provisions of section 30(2)(a) of the Electricity Act 1989 by the Department's Engineering Inspectorate.

The last annual inspection of electric lines and plant belonging to NORWEB plc took place in the Bolton/Wigan/Skelmersdale area on 26 and 27 August 1997.

Mr. Hoyle: To ask the President of the Board of Trade if she will introduce legislation to penalise electricity companies that fail to repair damaged cables within 24 hours. [26241]

Mr. Battle: Under Sections 39 and 40 of the Electricity Act 1989 the Director General of Electricity Supply has powers to set standards of performance in connection with the provision of electricity supply services by public electricity suppliers to tariff customers in individual cases and standards of overall performance by public electricity suppliers. He has used these powers to introduce in July 1991 Guaranteed Standards of Performance which cover a wide range of services, including one on restoring electricity supplies after faults. These Standards were revised in 1993 and 1995. Currently the Guaranteed Standard of Performance for restoring electricity supplies after faults lays down that customers are entitled to claim a payment if the electricity supply is not restored within 24 hours of a fault being reported. The payment is £40 for domestic customers and £100 for non-domestic customers for the first 24 hours and a further £20 for every additional 12 hour period during which the supply remains off. Customers are required to submit a claim in writing. The Director is currently consulting on a number of further changes which could lead to increased payments.

Football World Cup

Mr. Nigel Jones: To ask the President of the Board of Trade what assessment she has made of the position under European competition law of the ticket allocation system for the 1998 Football World Cup; and if she will make a statement. [26265]

Mr. Nigel Griffiths: The investigatory body for European competition cases is the Competition Directorate of the European Commission (DGIV), which has the powers to gather the information necessary to assess a particular case, and to terminate infringements. It is to open parties which claim a legitimate interest in an alleged breach of the rules to make a formal complaint to the Commission. In addition DGIV, on being made aware of an alleged breach, may launch an investigation at its own initiative.

Press Conferences

Mr. Redwood: To ask the President of the Board of Trade if she will list those who are allowed to attend her Department's press conferences. [25825]

Mrs. Beckett *[holding answer 28 January 1998]:* It is the normal practice to invite only the media to DTI press conferences.

Gas and Electricity Deregulation

Mr. Boswell: To ask the President of the Board of Trade what steps she has taken to ensure that the deadline for the introduction of a competitive market in domestic electricity supply of 1 April is met. [24324]

Mr. Battle *[holding answer 21 January 1998]:* This Government have made clear their full commitment to the successful delivery of supply competition in electricity. I have sought and obtained three reports from the Director General of Electricity Supply on the programme's progress and held meetings with industry chief executives. As a result companies are now committed having spent resources to ensuring that competition is a success and have agreed to licence modifications binding them to deliver their parts of their programme.

The Director General has now reported that market opening should commence in the middle of September 1998. However customers will benefit not only from the new price controls which are due to come into effect on 1 April 1998 but also from penalties which will take effect from the end of April.

Mr. Boswell: To ask the President of the Board of Trade what estimate she has made of the level of commercial losses to private sector firms arising from the delay in implementation of electricity deregulation; and if they will be compensated. [26181]

Mr. Battle: None. Customers including commercial customers will benefit from new price controls to take effect from 1 April 1998 and from penalties which the public electricity suppliers will incur after the end of that month.

Mr. Boswell: To ask the President of the Board of Trade if she intends to implement simultaneous and reciprocal deregulation of domestic gas and electricity supplies; and if she will make a statement. [26180]

Mr. Battle: The proposed timetables for the deregulation of domestic gas and electricity supply markets have been published by OFGAS and OFFER respectively.

Anti-competitive Practices

Mr. Livingstone: To ask the President of the Board of Trade what assessment she has made of the impact of the Competition Bill [*Lords*] on the examination of anti-competitive practices within the newspaper industry. [24433]

Mr. Nigel Griffiths: The Competition Bill introduces general prohibitions against anti-competitive agreements and abuses of market dominance. These prohibitions will apply to the newspaper industry as to other sectors of the economy. Under the Bill it is the responsibility of the Director General of Fair Trading, the Competition Commission, and ultimately the courts, to examine whether particular behaviour is caught by the prohibitions. The purpose of the Bill is to set in place a new framework of law against which the competition effects of individual cases may be assessed by these bodies.

SCOTLAND

Prisoners (Drug Testing)

Mr. Beith: To ask the Secretary of State for Scotland if he will list the results of random mandatory drug testing of prisoners for April to June 1997 and July to September 1997, showing for each establishment the number of tests done, the number of prisoners testing positive for opiates and the number of prisoners testing positive for cannabis for the nine Scottish prisons at which willing anonymous salivary HIV/Hepatitis B surveillance studies were conducted during 1991 to 96. [25054]

Mr. McLeish: The information is as follows:

	April to June 1997			*July to September 1997*		
Prison	*Tests done*	*Opiate positive*	*Cannabis positive*	*Tests done*	*Opiate positive*	*Cannabis positive*
Aberdeen	64	13	19	60	4	22
Barlinnie	376	44	30	368	39	26
Cornton Vale	46	3	1	49	4	2
Edinburgh	226	30	91	222	22	62
Glenochil	125	30	30	125	26	12
Glenochil YOI	49	1	4	50	0	4
Low Moss	117	13	23	106	14	25
Perth	135	19	45	140	17	49
Polmont	153	10	39	146	3	33

These figures include prisoners who tested positive for both opiates and cannabis in the one test.

Nutrition Standards

Mr. Sarwar: To ask the Secretary of State for Scotland what plans the Government have for improving nutrition standards in Scotland. [25642]

Mr. Galbraith: "Eating for Health: A Diet Action Plan for Scotland" was published in July 1996. The Plan, which covers a 10 year period, makes 71 recommendations for action by those interests who most influence our diet—from those who produce, manufacture and retail food and food products through to central and local Government. Implementation of the Plan is now being taken forward in the Government's drive to improve Scotland's diet.

Long-term Care

Ms Drown: To ask the Secretary of State for Scotland what assessment he has made of the yearly cost to the NHS of meeting the nursing costs of long-term care. [25913]

Mr. Galbraith: The cost to the NHS in Scotland of nursing people in long-term care was £286.6 million in 1996–97.

Medical Records

Mr. Swinney: To ask the Secretary of State for Scotland how many representations he has received on extending patients' rights of access to medical records held by hospitals and general practitioners. [25678]

Mr. Galbraith: The Scottish Office Department of Health receives many inquiries from patients about rights of access under the provisions of the Access to Health Records Act 1990.

It is not possible to distinguish those which are concerned with extending rights of access, since a clear explanation of current rights usually satisfies the correspondent.

Mr. Swinney: To ask the Secretary of State for Scotland if he will make a statement on the rights of patients to gain access to medical records held by hospitals and general practitioners. [25679]

Mr. Galbraith: Under the provisions of the Access to Health Records Act 1990 individuals have the right to access personal health information in health records kept on manual files recorded after November 1991. The 1990 Act does not prevent access to records made before 1991 but it is for the relevant health professional to decide to allow access on an informal, voluntary basis. The Data Protection Act 1984 gives an individual the right of access to personal information in health records which are held on computer. With both of these Acts access can be denied or restricted only in certain specified circumstances such as where access to the information may cause serious physical or mental harm to the individual.

INTERNATIONAL DEVELOPMENT

EU Development and Assistance Programme

Ms Walley: To ask the Secretary of State for International Development if she will take action during the United Kingdom Presidency to ensure that the EU development assistance programme procedures include full consultation with and participation of those involved throughout the project cycle. [25887]

Clare Short: Stakeholder participation and involvement in the planning and implementation of programmes is central to sustainable development. The European Commission's own internal project cycle management guidance stresses the importance of adequate stakeholder consultation and involvement in the project cycle, but continuing efforts are required to ensure this is always fully reflected in the design and implementation of projects and programmes. During the UK Presidency, we will continue to promote the greater use and development of adequate stakeholder participation through dialogue with Commission officials in Brussels and in delegations, and through our participation in the Commissions Management Committees. We have also seconded a Social Development adviser to work in the Commission to use his expertise to assist the Commission in this area.

Cameroon

Ms Walley: To ask the Secretary of State for International Development if she will commission during the United Kingdom Presidency an environmental and social impact assessment of the EC decision to fund the upgrading of roads in the rainforests of Cameroon. [25886]

Clare Short: The EC will be assessing the environmental and social aspects of the proposed road maintenance project as part of its standard project preparation procedures. The project will be considered by the European Development Fund Committee on which my Departments sits. There are no plans to commission a separate assessment.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for International Development how many non-career civil servants have been appointed to her Department since 1 May 1997. [25851]

Clare Short: The number of people appointed to the Department for International Development on fixed term contracts or as casuals since 1 May 1997 is 88.

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for International Development what proportion of Civil Service staff of grade 5 and above within her Department *(a)* have spent their entire civil service career within her Department or its predecessor Departments, *(b)* have had secondments to (i) the private sector and (ii) other Departments and *(c)* have come from other Departments. [26038]

Clare Short: Of the 52 Senior Civil Service staff currently employed by DFID:

(a) Approximately 10 per cent. have spent their entire civil service career within the Department;

(b) (i) approximately 8 per cent. have had secondments to the private sector;

(ii) over 70 per cent. to other Government Departments or institutions;

and

(c) over 30 per cent. joined DFID from other Departments.

Non-governmental Organisations

Mr. Flight: To ask the Secretary of State for International Development how many projects funded under the UK aid programme are administered by non-governmental organisations. [23781]

Clare Short: About 1,800 UK NGO development projects are funded through the Joint Funding Scheme. A list giving details of these projects by country is available in the Library.

Indonesia

Mr. Flight: To ask the Secretary of State for International Development if she will make a statement on assistance given by her Department to Indonesia. [23780]

Clare Short: I refer the hon. Member to my answer given to the right hon. Member for Eddisbury (Sir A. Goodlad) on 21 January 1998, *Official Report*, columns *560–61*.

Kenya

Mr. Drew: To ask the Secretary of State for International Development what training has been provided to the Kenyan military, security and police units in riot control or internal security; and which private companies have been licensed to provide such training in the last three years. [25130]

Clare Short: A project to provide training from UK development assistance to the Kenyan Police was approved in 1995. The project has funded the training of trainers and helped to develop the syllabus for a Senior Command Course which is being delivered by Kenyan police trainers in Kenya. The syllabus includes a section on the management of civil disturbances based on the philosophy of minimum force and the rule of law. The first course was evaluated by an independent consultant in September 1997. Course participants were invited to submit recommendations to the Commissioner of Police following the course. A key theme identified by the trainees was the need to change from a police 'force' to a police 'service'. This was reinforced by recommendations for the wider introduction of community policing and a less confrontational approach to the management of civil disturbances.

In 1996, as part of the International Commanders Programme, three Kenyan Police Officers attended the Hounslow training centre for half a day to observe UK training methods in public order management. The objective was for the overseas officers to observe how the police response in this country is governed by the principles of minimum use of force within the context of policing by consent. This visit was complemented by a presentation by Bramshill Police Training College on the UK's approach to conflict resolution by peaceful means.

In 1997, an Assistant Commissioner of Police from Kenya attended the Strategic Command Course at Bramshill. This course focuses on the strategic management and leadership of a police service including a component dealing with the management of public order and civil disasters.

No training in riot control or internal security has been provided under development assistance to the Kenyan military or security units. No new financial commitments for police training in Kenya have been made under the development assistance programme since 1 May 1997.

International Development Association

Mr. Coaker: To ask the Secretary of State for International Development what steps have been taken to lift the procurement restrictions placed on the International Development Association Interim Trust Fund following the US Administration's clearance of their arrears to the tenth replenishment of the IDA. [26916]

Clare Short: Under the arrangements agreed by the International Development Association (IDA) Deputies in February 1997, it was agreed that the use of uncommitted resources of SDR700 million ($1 billion) under the Interim Trust Fund would be determined following consideration of decisions by the United States authorities on the payment of the amount needed to clear the United States' arrears to the IDA tenth replenishment, and the first tranche of its pledge to the IDA eleventh replenishment.

The United States Foreign Appropriations Act, which became law on 26 November 1997, provides $1,034.5 million for IDA to clear IDA-10 arrears and for the first tranche of IDA-11 contributions. IDA Executive Directors therefore approved, on 23 December 1997, a recommendation from the World Bank's President to amend the Resolution establishing the Interim Trust Fund to lift the procurement restrictions against SDR700 million ($1 billion) of uncommitted ITF funds. Any credits funded from the SDR700 million will now be open to procurement from countries with the IDA contributors (including the US) and eligible borrowers.

EDUCATION AND EMPLOYMENT

New Deal Pathfinders

19. **Mr. Hutton:** To ask the Secretary of State for Education and Employment what assessment he has made of the progress of the new deal pathfinder in Barrow and Furness. [24200]

Mr. Andrew Smith: It is, of course, early days for this ambitious undertaking, but I am encouraged by the impressive start to New Deal Pathfinders including the one in Cumbria. In the first three weeks, 3,000 young people have had Gateway interviews including 166 in Cumbria. The response from young people and employers alike has been extremely positive and over 440 employer agreements have been signed in the Pathfinder Districts.

34. **Mr. Rammell:** To ask the Secretary of State for Education and Employment if he will make a statement on the progress of the New Deal in Pathfinder areas. [24216]

Mr. Blunkett: I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson).

Ms Atherton: To ask the Secretary of State for Education and Employment what stage preparations have reached for the private sector-led New Deal Pathfinder areas. [24187]

Mr. Andrew Smith: Private sector lead organisations have been selected for each area. Detailed delivery arrangements are now being developed in discussion with local partners, including the Employment Service. New Deal delivery will commence shortly in both of the localities involved.

Learning Disabilities

20. **Mr. Rhodri Morgan:** To ask the Secretary of State for Education and Employment what steps will be taken to ensure that young people with learning disabilities will be able to take advantage of the New Deal. [24201]

Mr. Alan Howarth: We are committed to ensuring that the New Deal meets the individual needs of all young people including those with learning and other disabilities. They are eligible for early entry, specialist help through tailored Gateway provision and support throughout the New Deal option of their choice.

Young Unemployed

21. **Dr. Cable:** To ask the Secretary of State for Education and Employment what assistance New Deal participants aged over 25 years and unemployed for more than two years will receive during the period before their six month placement begins. [24202]

Mr. Andrew Smith: My right hon. Friend and I are currently considering arrangements to ensure that long term unemployed people receive help to prepare for the New Deal. We will announce details as soon as possible.

22. **Dr. Brand:** To ask the Secretary of State for Education and Employment how many people aged between 18 and 24 years and unemployed for over six months, will benefit from the new deal. [24203]

Mr. Andrew Smith: It is not possible to provide precise estimates of the total numbers of young people who will require help from the New Deal. We will offer help to every 18 to 24-year-old who becomes eligible for the New Deal, and sufficient places will be available to meet this commitment. In October 1997, just over 120,000 18 to 24-year-olds had been claimant unemployed for six months or more; every month about 15,000 to 20,000 young people reach six months' unemployment.

Grammar Schools

23. **Mr. Mitchell:** To ask the Secretary of State for Education and Employment if consultations about grammar school status will include those parts of the schools catchment area outside the education authority area. [24204]

Mr. Byers: Under the School Standards and Framework Bill, the detail of the mechanisms for ballots on the future admission arrangements of grammar schools, including which parents will be eligible to vote in any ballot, are to be set out in regulations which we will be preparing later this year.

Literacy and Numeracy

24. **Mrs. Brinton:** To ask the Secretary of State for Education and Employment what support he will give local authorities to meet literacy targets. [24205]

33. **Ms Stuart:** To ask the Secretary of State for Education and Employment what support he will give to local authorities to meet literacy targets. [24214]

Mr. Byers: Local Education Authorities have already been advised of the level of expenditure which has been approved in the Standards Fund for 1998–99 to support the implementation of the National Literacy Strategy. The level of support across LEAs totals £59 million for all literacy–connected grants.

In addition we have appointed Regional Directors to work with LEAs, and are funding the development of distance leaning materials to support teachers professional development.

26. **Mrs. Anne Campbell:** To ask the Secretary of State for Education and Employment what steps he plans to take to ensure that newly qualified teachers are properly trained in literacy and numeracy. [24207]

Mr. Byers: From this September all primary trainees, on all courses of Initial Teacher Training (ITT), must follow a core national training curriculum in English and mathematics. The curriculum specifies the essential core of knowledge, understanding and skills which all trainees must be taught in relation to primary English and mathematics.

We have also asked the Teacher Training Agency (TTA) to develop a national training curriculum in ITT for secondary English and mathematics. The TTA will shortly be undertaking a widespread consultation on these documents.

Truancy

27. **Mr. Bradshaw:** To ask the Secretary of State for Education and Employment what measures he is taking to tackle truancy in schools. [24208]

Ms Estelle Morris: I refer my hon. Friend to oral answer I gave earlier to my hon. Friend the Member for Dartford (Dr. Stoate).

Tertiary Education Funding

28. **Rev. Martin Smyth:** To ask the Secretary of State for Education and Employment what assessment he has made of the impact of proposed changes in funding for tertiary education on students from outside the United Kingdom attending United Kingdom establishments. [24209]

Dr. Howells: Overseas students from outside the European Union generally pay the full cost of their tuition and will be unaffected by the proposed new arrangements for the payment of tuition fees. Students from other EU countries will continue to be treated on the same basis as home students as far as fees are concerned.

Class Sizes (Macclesfield)

29. **Mr. Nicholas Winterton:** To ask the Secretary of State for Education and Employment if he will make a statement on the average class sizes of *(a)* primary schools and *(b)* secondary schools in the Macclesfield constituency. [24210]

Mr. Byers: In January 1997 the average class size of primary schools in the Macclesfield constituency was 27.9; the corresponding figure for secondary schools was 21.0.

National Year of Reading

31. **Ms Moran:** To ask the Secretary of State for Education and Employment if he will make a statement on his objectives for the National Year of Reading; and if he will make a statement. [24212]

Mr. Byers: The National Year of Reading starts in September 1998. The aim of the Year is to transform the nations's attitude to reading. The Secretary of State today launched the logo for the year and guidance on the planning of local activities around the country. Tomorrow I will host a National Year of Reading conference involving local authorities, major publishers and booksellers, librarians, the media, special needs groups and literacy organisations.

Scottish Devolution

32. **Mr. Dalyell:** To ask the Secretary of State for Education and Employment what discussions he has had with the Scottish Office on the impact of the Government's devolution proposals on the higher education sector. [24213]

Dr. Howells: Officials of the Department are in regular touch with their colleagues in the Scottish Office on a wide range of matters, including the implications of the Government's devolution proposals for the higher education sector.

Student Loans

35. **Mr. Edward Davey:** To ask the Secretary of State for Education and Employment what plans he has to allow students involved with non-graduate performing arts courses to have access to student loans. [24217]

Dr. Howells: The Department for Education and Employment is currently working with the Department for Culture, Media and Sport to develop funding arrangements for talented dance and drama students from autumn 1999. All options for funding will be considered as part of that process.

Long-term Unemployed

36. **Mr. Barry Jones:** To ask the Secretary of State for Education and Employment what is his estimate of the number of the New Deal places; and what percentage he estimates will be available to the long-term unemployed. [24218]

Mr. Andrew Smith: It is not possible to provide precise estimates of the numbers of young people aged 18 to 24 or the numbers of long-term unemployed people aged 25 and above who will benefit from the New Deal. We will offer help to everyone who becomes eligible for the New Deal. We will announce detailed arrangements for long-term unemployed people aged 25 and over as soon as possible.

Tuition Fees

30. **Mr. Bob Russell:** To ask the Secretary of State for Education and Employment if students who decided to defer entry to university to 1998, by notifying the institution itself and not UCAS prior to 1 August 1997, will have to pay tuition fees in 1998. [24211]

Dr. Howells: The gap year exemption scheme will apply to all students who made the necessary deferment arrangements on or before 1 August 1997, irrespective of whether they made them through UCAS or direct with the institution.

Class Sizes

Mr. Truswell: To ask the Secretary of State for Education and Employment if he will make a statement on progress to date on achieving maximum class sizes of 30 for five to seven-year-olds; and what steps will be taken over the next six months. [25026]

Mr. Byers: The Government are on course to deliver its class size pledge to the electorate by the end of this Parliament. The Education (Schools) Act 1997, which phases out the Assisted Places Scheme, received Royal Assent in July last year. The first £22 million savings from the Scheme will become available from April to reduce class sizes in authorities from September. The School Standards and Framework Bill at present before Parliament, includes a range of provisions to give effect to our policy.

Higher Education (Agency Staff)

Mr. Hancock: To ask the Secretary of State for Education and Employment what plans he has to allow the extension of the use of agency staff to higher education institutions; and if he will make a statement. [24190]

Dr. Howells: Higher education institutions are independent bodies and it is for them to appoint staff and determine their pay and conditions of service in the light of their own particular needs and requirements. The Government have no role in such matters.

English Teachers

Helen Jones: To ask the Secretary of State for Education and Employment what estimate he has made of the number of teachers currently teaching English in secondary schools who do not have a first degree in that subject. [26076]

Mr. Byers: There were about 14,600 full and part-time teachers in secondary schools teaching English to years 7-13 at November 1996 who did not have a first or higher degree (excluding PGCE) which included English.

SOCIAL SECURITY

Rural Poverty

Mr. Kidney: To ask the Secretary of State for Social Security what indices the Government intend to use to measure poverty in Britain, with particular reference to rural poverty. [21894]

Mr. Keith Bradley: Our priority is a national programme to tackle benefit dependency and worklessness. We have also set up a Social Exclusion Unit to co-ordinate action across Government to find new and more integrated ways of tackling the worst problems. Various indicators are used in considering issues of low income and social exclusion.

After School Clubs

Mr. Chope: To ask the Secretary of State for Social Security what funds are available under the Government's welfare to work programme for the establishment and maintenance of after school clubs for under eights. [22592]

Mr. Keith Bradley: We will invest an extra £300 million in childcare over the next five years. this will provide an out of school childcare place for up to one million children.

This is a crucial step towards fulfilling our manifesto commitment to a National Childcare Strategy to enable parents to balance their work and family responsibilities.

Cold Weather Payments

Mr. Viggers: To ask the Secretary of State for Social Security what is *(a)* the total administrative cost, *(b)* the administrative cost for each £50 payment and *(c)* the administrative cost for each £20 payment, under the Winter Fuel Payment Scheme. [23349]

Mr. Denham: The administration of Social Security Benefits is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Peter Viggers, dated 28 Janaury 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what is (a) the total administrative cost, (b) the administrative cost for each £50 payment and (c) the administrative cost for each £20 payment, under the Winter Fuel Payment Scheme.

The information is not yet available in the detail requested. It is estimated that almost ten million payment will be made with a total value of around £200 million.

The planning assumptions are that the total administrative cost of this winter's payments is to be in the region of £20 million which compares well with similar exercises.

I am sorry that I cannot be more helpful at this stage.

Interest Rate Calculation

Barbara Follett: To ask the Secretary of State for Social Security if she will change the way the standard interest rate used to make mortgage payments for unemployed home-owners is calculated to include large mortgage lenders which have converted to banks. [24399]

Mr. Keith Bradley: I refer my hon. Friend to the reply I gave to the my hon. Friend the Member for Eltham (Mr. Efford) on 30 October 1997, *Official Report*, column *856*.

Disability Benefits

Mr. Cousins: To ask the Secretary of State for Social Security what advice, and in what form, on the possibility of therapeutic earnings is provided to new claimants of disability and incapacity benefits. [24351]

Mr. Denham: Specific advice about therapeutic work is provided to all new Incapacity Benefit recipients by leaflet IB40 "Notes About Incapacity Benefit". Advice is also provided on request by leaflet IB202 "Incapacity Benefit" which is available from Social Security offices.

New Severe Disablement Allowance recipients are advised to let their Social Security office know if they intend to undertake any work by leaflet SDA28 "Information about Severe Disablement Allowance" and leaflet NI252 "Severe Disablement Allowance". The local Social Security office will then advise the recipient of the therapeutic work provisions. The Severe Disablement Allowance leaflets will be reviewed to consider bringing the information provided into line with the Incapacity Benefit versions.

Disability Living Allowance

Mrs. May: To ask the Secretary of State for Social Security if she will make a statement on the consultation process to be followed in the review of disability benefits, with particular reference to *(a)* the groups to be consulted and *(b)* the timetable for consultation. [24654]

Mr. Denham: When we have identified specific proposals for disability benefits we will consult disabled people, their organisations and others with an interest. At that point we will make decisions about the details of the consultation exercise, including the timetable. We will not make any changes without consulting on them.

Mr. O'Hara: To ask the Secretary of State for Social Security (1) if she will make a statement on the amount spent on disability living allowance for people aged 65 years or over; [24868]

(2) if she will make a statement on the number of those aged 65 years or over who have received disability living allowance for each year since 1992. [24865]

Mr. Denham: The information requested is given in the tables.

People aged 65 or over in receipt of disability living allowance (DLA)

Thousands

Year	*Number*
1992–93[2]	226
1993–94[2]	258
1994–95[2]	294
1995–96[2]	333
1996–97[2]	373

Source

1. Analytical Services Division: 5 per cent. data.

Notes:

[1] Figures relate to people being paid the benefit and exclude those where payment is suspended.

[2] Figures relate to the end of February.

Estimated proportion of disability living allowance expenditure going to those aged 65 or over

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Proportion of DLA expenditure going to those aged 65 or over (per cent.)	17	17	19	19	20	21
Amount (cash terms £ million)	340	480	580	730	870	1,020
Amount (real terms 1997–98 prices £ million)	380	530	630	770	900	1,020

Source:
1. The Government's Expenditure Plans 1997–98 to 1999–2000, DLA caseload statistics (5 per cent. sample) for the end of August in each year except 1992–93. February 1993 caseload data are the earliest available.

Notes:
1. Expenditure rounded to nearest ten million, percentages to nearest one per cent.

Child Benefit

Mr. Wyatt: To ask the Secretary of State for Social Security what estimate she has made of the savings in *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 from *(a)* discontinuing with and *(b)* taxing child benefit for those single parents or couples with salaries of (1) £20,000, (2) £25,000 and (3) £30,000 and over. [24440]

Mr. Keith Bradley: No such estimate has been made.

Child Support Agency

Mr. Wyatt: To ask the Secretary of State for Social Security what is the current media strategy of the Child Support Agency; what is its *(a)* current and *(b)* planned budget; who is responsible for the current strategy; and which media companies the Agency has employed in the strategy. [24471]

Mr. Keith Bradley: All children are entitled to the support of both parents wherever they live. We are looking closely at all aspects of the child support scheme to see where improvements can be made. We aim to bring forward proposals by the summer. The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Mr. Derek Wyatt, dated 28 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the media strategy of the Child Support Agency.

As Chief Executive of the Agency, I am responsible for Agency's media strategy. This strategy uses the most cost effective means to:

provide a prompt, accurate and responsive service to media requests for information;

correct inaccurate or misleading information which appears in the media;

and promotes a better understanding of Child Support matters.

Total expenditure on media activity for 1997–98 is £149,384. £83,472 of this expenditure relates to the staff who are delivering the strategy. The budget for 1998–99 has yet to be agreed.

No media companies have been employed in developing and implementing the current strategy. However, some services such as the provision of press cuttings and the distribution of press releases are provided by outside contractors. The costs of these services are met from the media budget.

I hope this is helpful.

War Pensions

Mr. Cox: To ask the Secretary of State for Social Security what is the number of *(a)* men and *(b)* women who are at present in receipt of a war pension. [24526]

Mr. Denham: The information is set out in the table.

Number of war pensions in payment at 31 December 1997

	Total	*Men*	*Women*
War Disablement Pensions	261,560	[1]252,300	[1]9,260
War Widows Pensions	58,211	—	—
War Widowers Pensions	7	—	—

[1] Estimate based on a 5 per cent. sample.

National Insurance

Mr. Gibb: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Vauxhall (Kate Hoey) of 16 January 1998, *Official Report*, column 344, what is the cost to the Exchequer of the measures announced regarding the level of national insurance contracting-out rebates. [25123]

Mr. Denham: The cost of increasing the age related rebates for holders of Appropriate Personal Pensions for the tax year 2000/2001 is £140 million[1].

Note:
1. Figure rounded to the nearest 10 million.

Attendance Allowance

Mr. O'Hara: To ask the Secretary of State for Social Security (1) if she will make a statement on the number of those who have received attendance allowance in each year since 1992; [24864]

(2) if she will make a statement on the amount spent on attendance allowance in each year since 1992. [24869]

Mr. Denham: The information requested is given in the tables.

Thousands

Year	*Number*
1992–93[2]	890
1993–94[2]	962
1994–95[2]	1,046
1995–96[1]	1,108
1996–97[1]	1,166

Source:
1. 5 per cent. data and figures relate to end of February.
2. 100 per cent. data with adjustments to reflect the extent to which live cases were overstated. Figures relate to end of March.

Notes:
1. Figures relate to people being paid the benefit and exclude those where payment is suspended.

Attendance allowance expenditure 1992–93 to 1997–98

£ million

	1992–93 (outturn)	*1993–94*	*1994–95*	*1995–96*	*[1]1996–97*	*[2]1997–98*
AA expenditure in cash prices	1,553	1,795	1,963	2,194	2,421	2,704
AA expenditure in real terms (1997–98 prices)	1,760	1,977	2,129	2,317	2,487	2,704

Source:
1. The Government's Expenditure Plans 1997–98 to 1999–2000.
Notes:
1. Estimated outturn.
2. 1997–98 plan.

Mr. O'Hara: To ask the Secretary of State for Social Security what proportion of claims for attendance allowance resulted in (i) an award at *(a)* the lower rate and *(b)* the higher rate, and (ii) no award in each year since 1992. [24815]

Mr. Denham: The information requested is given in the table.

Claims for attendance allowance[1]

Thousands

Year	*All decisions made*	*Decisions made: Percentage awarded lower rate*	*Percentage awarded higher rate*	*Percentage not awarded*
1992–93	498,753	44	32	24
1993–94	456,281	39	31	29
1994–95	481,330	37	32	31
1995–96	465,971	37	34	29
1996–97	457,060	37	33	30

Source:
Analytical Services Division: 100 per cent. data.
Note:
Due to rounding the percentages do not always sum to 100.

Mr. O'Hara: To ask the Secretary of State for Social Security what proportion and number of claimants whose claim for attendance allowance had been refused asked for a review; what proportion and number were successful for each year since 1992; and what proportion and number of those who were unsuccessful at review successfully appealed. [24968]

Mr. Denham: The information is not available in the form requested.

Statistics collected for Attendance Allowance reivews do not distinguish between customers who ask for reviews because their claims were refused and those seeking reviews of existing awards because, for example, of deteriorating conditions. Similarly, the statistics collected for appeals do not distinguish between customers who appeal following unsuccessful reviews where claims have been refused and those appealing against unsuccessful reviews of existing awards. Such information as is available is given in the table below.

Claims, reviews and appeals for attendance allowance

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Claims refused	119,298	132,785	146,924	134,568	137,162
Review decisions[1 2]	100,588	119,263	110,044	126,995	118,315
Reviews that are successful[2 3]	62,274	79,503	77,569	87,466	73,724
Appeals decisions[2 4 6]	4,556	5,674	5,351	3,185	4,967
Appeals that are successful[2 5]	—	—	—	2,122	2,900

Source:
1. Analytical Services Division: 100 per cent data.
Notes:
[1] Includes both reviews for claims refused and also reviews of existing awards.
[2] May include decisions made about claims which were refused in a previous year.
[3] Includes both successful reviews of claims which were refused and existing awards where the value of awards was increased.
[4] Includes both decisions about claims which were refused and decisions about existing awards.
[5] Includes both successful reviews of claims which were refused and existing awards where the value of the award was increased.
[6] figures prior to 1995–96 include appeals withdrawn or not decided pending further information.

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security in which years since 1968 the state retirement pension has been uprated by *(a)* the higher of average earnings or prices, *(b)* prices and *(c)* neither. [25136]

Mr. Denham: Prior to 1974 there was no statutory obligation to uprate benefits. Increases in Retirement Pensions occurred occasionally on an ad hoc basis. From 1974 to 1979 Retirement Pension was uprated by the higher of earnings or prices. Since 1980 and every subsequent year upratings have been in line with prices.

Welfare Budget

Mr. Watts: To ask the Secretary of State for Social Security if she will list the cost and proportion of GDP accounted for by *(a)* UK and *(b)* EU welfare benefits in each of the last 10 years. [25260]

Mr. Field: The information is not available in the format requested. Such information that is available is shown in the tables "Cost and Proportion of Gross Domestic Product", copies of which have been placed in the Library, and a copy of which I am sending to my hon. Friend.

Comparisons of expenditure on social protection in European Union countries are made by Eurostat, the Statistical Office of the European Communities. The Eurostat definition of social protection expenditure includes expenditure on health and social services as well as Social Security.

Cost and proportion of Gross Domestic Product

Social Protection Expenditure as a percentage of Gross Domestic Product at market prices

	1983	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Belgium	30.8	29.9	29.3	29.4	29.0	27.7	26.7	26.9	27.4	27.0	27.0
Denmark	30.1	28.6	27.8	26.7	27.4	28.9	29.9	29.8	30.9	32.1	33.3
Germany[1]	—	—	—	—	—	—	—	—	28.8	30.1	31.0
Germany[2]	28.9	28.5	28.4	28.2	28.6	28.5	27.6	26.9	26.4	26.8	27.7
Greece	13.8	14.6	15.4	15.5	16.1	15.7	16.4	16.1	15.3	14.9	15.8
Spain	19.3	19.3	19.9	19.6	19.7	19.8	20.1	20.7	21.8	23.0	24.5
France	28.3	28.7	28.8	28.5	28.1	28.0	27.5	27.6	28.4	29.2	30.9
Ireland	23.9	23.4	23.6	23.1	22.4	21.2	19.4	19.4	20.5	21.3	21.5
Italy	22.9	22.0	22.6	22.4	22.9	22.9	22.7	23.6	24.1	25.5	25.7
Luxembourg	27.2	25.8	23.1	22.1	23.1	22.5	21.8	22.5	23.6	23.9	24.6
Netherlands	33.4	32.3	31.7	31.3	32.0	31.7	31.0	32.2	32.3	32.9	33.4
Portugal	14.0	14.0	14.1	14.3	14.1	14.8	14.5	15.0	17.3	18.1	18.5
United Kingdom[6]	23.9	24.2	24.3	24.3	23.5	21.9	21.7	22.7	25.3	27.0	27.8
European Union[3]	—	—	—	—	—	—	—	—	26.5	27.7	28.8
European Union[4]	26.2	25.9	26.0	25.9	25.9	25.4	24.9	25.2	25.9	26.8	27.8
Austria	—	—	—	—	—	—	—	—	—	—	—
Finland	—	—	—	—	—	—	—	25.4	30.1	34.1	35.2
Sweden	—	—	—	—	—	—	—	—	—	—	—
European Union[5]	—	—	—	—	—	—	—	—	—	—	—

Source:

Social Protection Expenditure and Receipts 1980–94, Eurostat.

Notes:

[1] Germany with the new German Lander.

[2] Germany without the new German Lander.

[3] Old territorial situation of the European Union with 12 member states, among which reunited Germany is included.

[4] Old territorial situation of the European Union with 12 member states, without the new German Lander.

[5] Total for the European Union.

[6] UK data refer to the British financial year which runs from 1 April in one year to 31 March the following year. Data for other countries are for calender years.

[7] 1993 is the last complete year for which data are available.

Total current expenditure on social protection in National Currencies

	1983	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*
Belgium	1,269,973	1,327,319	1,390,450	1,469,111	1,512,050	1,539,895	1,607,090	1,728,697	1,847,708	1,918,060	1,960,129
Denmark	154,491	161,952	171,197	178,136	191,662	211,848	229,549	237,814	256,153	273,672	290,791
Germany[1]	—	—	—	—	—	—	—	—	821,641	924,800	978,032
Germany[2]	482,366	499,494	518,350	542,732	569,038	597,556	613,652	651,831	699,865	752,655	787,946
Greece	509,968	666,969	856,364	1,025,979	1,211,695	1,430,153	1,772,904	2,091,096	2,431,810	2,723,668	3,251,062
Spain	4,356,263	4,924,416	5,618,071	6,343,271	7,106,322	7,933,702	9,054,580	10,376,885	11,987,398	13,566,301	14,897,989
France	1,133,987	1,252,845	1,354,584	1,444,996	1,500,426	1,603,009	1,696,270	1,799,854	1,923,445	2,048,662	2,186,853
Ireland	3,567	3,882	4,241	4,546	4,723	4,815	4,925	5,267	5,790	6,385	6,095
Italy[7]	144,828	159,801	182,795	201,664	224,810	249,834	271,393	310,169	344,594	383,084	398,797
Luxembourg	47,498	50,046	52,290	55,484	60,143	64,875	71,294	77,912	88,016	95,372	107,557
Netherlands	129,577	131,038	134,746	136,989	140,980	145,119	150,133	166,189	175,409	185,967	193,432
Portugal	369,646	452,502	569,327	721,996	838,727	1,029,198	1,183,995	1,442,584	1,912,382	2,289,058	2,486,937
United Kingdom[6]	72,534	78,544	86,665	93,344	98,942	103,050	111,643	124,914	145,176	160,743	174,600
European Union[3]	—	—	—	—	—	—	—	—	1,384,782	1,514,976	1,587,423
European Union[4]	759,232	811,920	874,632	923,424	972,133	1,037,845	1,107,527	1,206,840	1,325,408	1,429,755	1,489,238
Austria	—	—	—	—	—	—	—	—	—	—	—
Finland			—	—		—	—	130,809	147,966	162,817	169,568
Sweden	—	—	—	—	—	—	—	—	—	—	—
European Union[5]	—	—	—	—	—	—	—	—	—	—	—

Source: Social Protection Expenditure and Receipts 1980–1994, Eurostat.

Notes:

[1] Germany with the new German Lander.

[2] Germany without the new German Lander.

[3] Old territorial situation of the European Union with 12 member states, among which reunited Germany is included.

[4] Old territorial situation of the European Union with 12 member states, without the new German Lander.

[5] Total for the European Union.

[6] UK data refer to the British financial year which runs from 1 April in one year to 31 March the following year. Data for other countries are for calender years. 1993 is the last complete year for which data are available.

[7] Except Italy: billions.

Total current expenditure on social protection in ECU (millions)

	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993
Belgium	27,950	29,209	30,958	33,543	35,130	35,458	37,046	40,745	43,761	46,115	48,433
Denmark	18,998	19,881	21,349	22,447	24,307	26,641	28,519	30,268	32,388	35,046	38,292
Germany[1]	—	—	—	—	—	—	—	—	400,605	457,822	505,182
Germany[2]	212,402	223,188	232,862	255,043	274,632	288,118	296,450	317,656	341,231	372,601	406,997
Greece	6,531	7,544	8,099	7,466	7,754	8,534	9,913	10,382	10,798	11,026	12,105
Spain	34,166	38,907	43,505	46,148	49,986	57,657	69,434	80,185	93,310	102,367	99,903
France	167,477	182,312	199,350	212,499	216,543	227,830	241,496	260,320	275,842	299,162	329,643
Ireland	4,989	5,347	5,932	6,194	6,094	6,205	6,338	6,858	7,539	8,390	8,631
Italy	107,286	115,682	126,241	137,949	150,384	162,511	179,675	203,793	224,749	240,101	216,593
Luxembourg	1,045	1,101	1,164	1,267	1,397	1,494	1,643	1,836	2,085	2,293	2,658
Netherlands	51,075	51,937	53,662	57,055	60,403	62,150	64,297	71,881	75,902	81,744	88,934
Portugal	3,746	3,912	4,371	4,909	5,158	6,052	6,828	7,965	10,707	13,102	13,202
United Kingdom[6]	123,567	132,901	147,139	138,905	140,343	155,196	165,888	174,949	207,098	217,809	223,846
European Union[3]	—	—	—	—	—	—	—	—	1,384,782	1,514,976	1,587,423
European Union[4]	759,232	811,920	874,632	923,424	972,133	1,037,845	1,107,527	1,206,840	1,325,408	1,429,755	1,489,238
Austria	—	—	—	—	—	—	—	—	—	—	—
Finland	—	—	—	—	—	—	—	26,151	29,581	28,038	25,324
Sweden							—	—	—	—	—
European Union[5]	—	—	—	—	—	—	—	—	—	—	—

Source:
Social Protection Expenditure and Receipts 1980–1994, Eurostat.
Notes:
[1] Germany with the new German Lander.
[2] Germany without the new German Lander.
[3] Old territorial situation of the European Union with 12 member states, among which reunited Germany is included.
[4] Old territorial situation of the European Union with 12 member states, without the new German Lander.
[5] Total for the European Union.
[6] UK data refer to the British financial year which runs from 1 April in one year to 31 March the following year. Data for other countries are for calender years.
1993 is the last complete year for which data are available.

Disability Benefit Fraud

Mr. Oaten: To ask the Secretary of State for Social Security what sources the Government has evaluated in estimating figures for disability benefit fraud. [25676]

Mr. Denham: One of our key aims is to tackle fraud in order to rebuild confidence in the Social Security system. The administration of benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Mark Oaten, dated 28 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the sources used to evaluate disability benefit fraud.

A review of Disability Living Allowance (DLA) was carried out in 1996. The results of this review were published in February 1997.

A random sample of 1,200 DLA customers were interviewed by trained officers. Information was gathered and checked against the original source documents.

I hope you find this reply helpful.

Staffing Costs

Mr. Hawkins: To ask the Secretary of State for Social Security how many *(a)* special advisers, *(b)* task force members and *(c)* review body members her Department employs; what are the total salaries and benefits of *(a)* to *(c)*; and what was the equivalent cost prior to 1 May 1997. [26176]

Mr. Field: On the question of Special Advisers, I refer the hon. Member to the written answers given on 13 November 1997, *Official Report*, columns *615–17*, and on 25 November 1997, *Official Report*, columns *472–73*.

This Department does not employ any Task Force or Review Body members.

Lone Parents

Mr. Rendel: To ask the Secretary of State for Social Security how many lone parents were consulted before *(a)* regulations abolishing the lone parent benefit premium were laid and *(b)* the Social Security Bill was published. [26173]

Mr. Keith Bradley: As part of the formal consultation process, representations about the proposed changes to lone parent benefits were made by a wide variety of organisations, including those representing lone parents, to the Social Security Advisory Committee. Similar points have been raised in our regular discussions with lone parent organisations and through correspondence received from lone parents themselves.

These representations were reflected in the Social Security Advisory Committee's report, which was published on 30 July 1997 together with the Government's response as Command Paper 3713.

Council Tax Benefit

Mr. Rendel: To ask the Secretary of State for Social Security how many persons living in council tax bands F, G and H were consulted before regulations restricting council tax benefit to the amount applicable to a Band E property were laid. [26174]

Mr. Keith Bradley: These regulations were subject to consultation with the Social Security Advisory Committee under the provisions of section 172(1) of the Social Security Administration Act 1992. The Social Security Advisory Committee agreed that the draft regulations

should not be referred to them pursuant to 173(1)(b). We also consulted with the Local Authority Associations under the provisions of Section 176(1) of the Social Security Administration Act 1992.

FOREIGN AND COMMONWEALTH AFFAIRS

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs how many non-career civil servants have been appointed to his Department since 1 May 1997. [25854]

Mr. Tony Lloyd: The number of people appointed on fixed term contracts or as casuals since May 1997 is 67.

Mr. Patel, Twickenham

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs what action the British Ambassador in Dar-es-Salaam has taken to pursue the claim of Mr. Patel, of Twickenham, in respect of the settlement of moneys owed under a British aid project. [25630]

Mr. Tony Lloyd: Mr. Patel is pursuing a private commercial claim against his former local representative in Dar-es-Salaam and the Government of Tanzania, following the supply of goods to a nationalised Tanzanian company. We have assisted attempts to expedite the claim since 1993. In October 1996 we were informed that a payment of 84 million Tanzanian Shillings, out of a total claim of 92 million Shillings, had been paid to Mr. Patel's local representative. Mr. Patel now appears to be in dispute with this representative. We have no jurisdiction to intervene in this dispute and have advised Mr. Patel to pursue his claim through the appropriate legal channels.

Presidential Palaces (Iraq)

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence underlies *(a)* his oral answer on 13 January 1998, *Official Report*, column 126, that Saddam Hussein has 45 presidential palaces and *(b)* the oral statement by the Minister of State, the hon. Member for Leeds, Central (Mr. Fatchett), on 21 January 1998, *Official Report*, column 991, that Saddam Hussein has 71 presidential palaces; and if he will make a statement. [25995]

Mr. Fatchett: The Iraqis have given UNSCOM various figures for the number of presidential palaces and sites to which UNSCOM can have little or no access.

Our concern is that Saddam Hussein is using Iraq's limited resources on himself thus ensuring that his people continue to suffer.

We also have reason to believe that WMD materials are stored at these sites.

Immigration

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* men and *(b)* women were waiting for interview at British High Commission offices in (i) India, (ii) Pakistan, (iii) Sri Lanka and (iv) Bangladesh, to join husbands or wives resident in the United Kingdom on 1 January. [25994]

Mr. Fatchett: In view of the amount of detail needed to answer this question, my noble Friend, the Parliamentary Under-Secretary of State, Baroness Symons, will write to my hon. Friend shortly.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the average time a person waited for an interview in respect of an application to join *(a)* a husband and *(b)* a wife in the United Kingdom at the British High Commission offices in (i) India, (ii) Pakistan, (iii) Sri Lanka and (iv) Bangladesh in 1997. [25997]

Mr. Fatchett: In view of the amount of detail needed to answer this question, my noble Friend, the Parliamentary Under-Secretary of State, Baroness Symons, will write to my hon. Friend shortly.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many entry certificate officers were employed in British High Commission offices in *(a)* India, *(b)* Pakistan, *(c)* Sri Lanka and *(d)* Bangladesh, on 1 January. [25993]

Mr. Fatchett: The number of Entry Clearance Officers employed in British High Commission Office in *(a)* India *(b)* Pakistan, *(c)* Sri Lanka and *(d)* Bangladesh on 1 January are as follows:

New Delhi: 11

Bombay: 10

Madras: 2.5

Calcutta: 0.75

Islamabad: 26

Karachi: 5

Colombo: 4

Dhaka: 12.

Kashmir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last discussed human rights in Indian administered Kashmir with the Indian Government; and if he will make a statement. [25991]

Mr. Fatchett: My right hon. Friend the Foreign Secretary discussed Kashmir issues with the Indian Prime Minister, and with the Chief Minister of Jammu and Kashmir last October.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he notifies potential purchasers of obsolete information technology equipment sold by his Department that such equipment may not be millennium compliant. [25654]

Mr. Fatchett *[holding answer 27 January 1998]:* The disposal of obsolete Information Technology equipment is not sold as workable equipment and is sold after tender invitation against terms and conditions which include that they are sold "as seen".

Trafficking (Children)

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what research he has *(a)* commissioned and *(b)* evaluated regarding the trafficking of children in Asia. [25975]

Mr. Tony Lloyd: Our diplomatic posts in Asia report on human rights issues concerning children including, where appropriate, trafficking in human beings. We also value the reports of non-governmental organisations and the UN Special Rapporteur on the sale of children, child prostitution and pornography.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to use the presidency of the EU to restrict the trafficking of children in Asia, with particular reference to Cambodia and Vietnam. [25969]

Mr. Tony Lloyd: We and our European Union partners will continue to participate actively in discussions on the Rights of the Child in International fora, including the Untied Nations Commission on Human Rights. The EU will co-sponsor a resolution on the Rights of the Child at the 54th session of the Commission. The resolution will include a section on the sale of children, child prostitution and child pornography.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he plans to curtail the trafficking of children in Asia. [25968]

Mr. Tony Lloyd: We support the work of the UN Special Rapporteur on the sale of children, child prostitution and child pornography, whose mandate includes work to combat trafficking of children. We are working with Asian countries to fight child abuse. British police provided child protection training in the Philippines and Sri Lanka for delegates from several South and South East Asian countries in 1997. Similar training will be provided in Thailand in 1998.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received on the trafficking of children in Asia, with particular reference to Cambodia and Vietnam. [25974]

Mr. Tony Lloyd: We regularly receive representations from non-governmental organisations and others concerning child welfare in Asia. We have not, however, received recent representations on the trafficking of children in Cambodia and Vietnam.

Human Rights (China)

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent research he has *(a)* commissioned and *(b)* evaluated on human rights in China, with particular reference to the student leaders of 1989. [25973]

Mr. Fatchett: We constantly monitor the human rights situation in China. My right hon. Friend the Foreign Secretary raised the cases of individuals during his recent visit to China, including Wang Dan, the imprisoned student leader. The EU has sought information on Wang in its human rights dialogue with China.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to use the presidency of the EU to commemorate the ninth anniversary of the Tiananmen Square demonstrations and the eviction of the students. [25972]

Mr. Fatchett: The UK expressed its condemnation of the treatment of pro-democracy demonstrators in China in 1989, both bilaterally and with the EU. We have no plans to commemorate the ninth anniversary of the demonstrations.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received on human rights in China. [25979]

Mr. Fatchett: This Department receives many letters from members of the public expressing concern about the human rights situation in China. My right hon. Friend the Foreign Secretary raised these concerns with Chinese leaders during his recent visit to China.

Lebanon

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the continued presence in Lebanon of Syrian and Israeli armed forces. [25971]

Mr. Fatchett: Our Embassy in Beirut provides regular reporting on the Israeli and Syrian presence in Lebanon. Our assessment is that Lebanon will only be able to assume full control over its own affairs after a comprehensive peace settlement in the region. We are playing a full part in efforts to bring about such a settlement.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to use the presidency of the EU to encourage the withdrawal of Syrian and Israeli armed forces from Lebanese territory; and if he will make a statement. [25970]

Mr. Fatchett: The European Union has consistently expressed full support for the independence, sovereignty and territorial integrity of Lebanon, and has consistently called for full implementation of UNSCR 425, which requires the withdrawal of Israeli forces from Lebanese territory.

This Government are playing a full part in efforts to achieve a comprehensive peace in the region that would enable Lebanon to assume full control over its own affairs.

Great Lakes Region

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives he proposes in respect of the Great Lakes Region during the United Kingdom's presidency of the EU. [25996]

Mr. Tony Lloyd: During our six months EU Presidency, we aim to launch a new EU common position on Rwanda; to strengthen and deepen the EU's relations with the Democratic Republic of the Congo, including encouraging progress towards democratisation, the rule of

law and respect for human rights; and to continue EU support for efforts to promote all-party political dialogue in Burundi.

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he requested legal advice on whether the massacre in Rwanda in 1994 constituted genocide under the terms of the Genocide Convention. [25477]

Mr. Tony Lloyd *[holding answer 28 Janaury 1998]:* Since 1 May 1997, we have not had cause to seek legal advice on whether the massacre in Rwanda in 1994 constituted genocide under the terms of the Genocide Convention.

The UN Security Council resolution establishing the International Criminal Tribunal for Rwanda (ICTR), makes the strong presumption that genocide, as defined in the relevant UN Convention, took place in Rwanda. The UK fully supports action through the ICTR and by the Government of Rwanda, to bring to justice those responsible for acts of genocide.

Whaling

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss issues relating to whaling with the Norwegian authorities; and what is Her Majesty's Government's policy on *(a)* trends in Norwegian whale catches and *(b)* Norway's proposals to restore international trade in whale meat. [25961]

Mr. Fatchett: The UK is opposed to commercial whaling and has supported the International Whaling Commission's (IWC) resolutions on numerous occasions calling on Norway to halt all such operations. We are, therefore, disappointed that Norway has announced a further increase in its 1998 catch quota of Minke whales. The UK will continue to work with like-minded countries to try to ensure that there is no resumption of international trade in whale products.

Turkey

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Turkish Government following the arrest of the British Vice-Consul in Istanbul on 2 September 1997; what response he has received; and if he will make a statement. [26041]

Mr. Doug Henderson: Our Embassy in Ankara complained to the Turkish authorities about the arrest in Istanbul on 2 September 1997 of Mr. Neil Frape, the British Vice Consul (Information). My hon. Friend the Minister of State, the hon. Member for Leeds, Central (Mr. Fatchett), also complained to the Turkish Ambassador in London. The Turkish Ambassador expressed his Government's regret over the wrongful arrest of Mr. Frape.

Diplomatic Relations

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will set out the *(a)* rules and *(b)* guidance governing diplomats or consular officials giving evidence in court cases in foreign countries. [26043]

Mr. Tony Lloyd: Under Article 31(2), of the Vienna Convention on Diplomatic Relations (1961),

"a diplomatic agent is not obliged to give evidence as witness".

Article 44(1) of the Vienna Convention on Consular Relations (1963) states that

"a consular employee or a member of the service staff shall not, except in the cases mentioned in paragraph 3 of this Article, decline to give evidence. If a consular officer should decline to do so, no coercive measure or penalty may be applied to him".

Article 44(3) goes on to state that

"Members of a consular post are under no obligation to give evidence concerning matters connected with the exercise of their functions or to produce official correspondence and documents relation thereto. They are also entitled to decline to give evidence as expert witnesses with regard to the law of the sending State".

Internal guidance to FCO staff, however, is that Her Majesty's Government would normally expect all staff to assist local police and judicial authorities if called upon to do.

Private Office

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs what part he played in the consideration of appointing Ms Gaynor Regan as his diary secretary. [26184]

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he took to appoint Ms Gaynor Regan as his diary secretary. [26192]

Mr. Robin Cook: After I decided to replace Miss Bullen, Gaynor Regan was, for a short time, considered for the post. She was an obvious candidate, having worked as my Diary Secretary for four years in opposition. I quickly decided not to pursue this possibility, and instructed the Permanent Under Secretary to arrange for the appointment of a Diplomatic Service candidate through the standard internal procedures.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs what briefing his Department issued to the press on the nature of the appointment of Ms Anne Bullen. [26214]

Mr. Robin Cook: This Department issued the following statement on 26 January:

"Anne Bullen was employed as the Diary Secretary in the Foreign Secretary's Private Office from November 1993 to June 1997. She was a personal appointment by Douglas Hurd. She was not a career public servant, but was appointed on a fixed term contract which was subsequently extended until November 1997. Anne Bullen was not given a compensation package but was paid her salary until the end of her contract as required under its terms.

It is not the case that the decision not to renew Ms Bullen's contract was taken in order to give her job to anyone else. On the

contrary, the post of Diary Secretary to the Foreign Secretary reverted to a career member of the Diplomatic Service who was appointed under normal internal procedures.

In this case a personal appointment by Douglas Hurd has been replaced by a career member of the Diplomatic Service. As Ms Bullen was placed on a higher salary, there is a net saving in public spending."

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what restrictions have been placed on Miss Anne Bullen in respect of making public statements on the termination of her employment as his diary secretary. [26190]

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if the termination contract of Miss Bullen contained a requirement not to discuss the circumstances of her dismissal in addition to Official Secrets Act requirements. [26314]

Mr. Robin Cook: I took no part in the negotiations over the termination of Miss Bullen's employment. As a result of those negotiations, between her and FCO officials, she agreed that the terms of her departure and the circumstances giving rise to it should not be disclosed to third parties.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what compensation was paid to Miss Anne Bullen on the termination of her employment as his diary secretary; and for what reasons. [26189]

Mr. Robin Cook: Miss Anne Bullen ceased to work as my Diary Secretary on 27 June. She was not paid compensation, but continued to draw her salary for the unexpired period of her contract which ran out on 7 November. I played no part in the negotiations which took place between Foreign Office officials and Miss Bullen over the terms of her departure.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs when the employment of Miss Anne Bullen as his diary secretary was terminated; and for what reasons. [26186]

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors led to the dismissal of his Diary Secretary. [26315]

Mr. Robin Cook: Miss. Anne Bullen was a political appointment by a previous Foreign Secretary.

I reluctantly came to the conclusion that Miss Bullen's fixed-term contract should not be renewed when it became evident that I could have no confidence in her, and that she was unwilling to develop a relationship of trust with me. The performance of my present Diary Secretary is exemplary and she has my full confidence.

Miss Anne Bullen ceased to work as my Diary Secretary on 27 June. She was not paid compensation, but continued to draw her salary for the unexpired period of her contract which ran out on 7 November.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what part was played by the Permanent Under Secretary of the Foreign and Commonwealth Office in the appointment of a successor to Miss Anne Bullen as his diary secretary; [26188]

(2) what discussions took place between him and officials at his Department about the employment of Ms Gaynor Regan as his diary secretary; and if he informed them of the nature of his relationship with her. [26187]

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs when and by whom the Permanent Secretary of his Department was informed of the intention to replace Miss Bullen as Diary Secretary with Ms Regan. [26313]

Mr. Robin Cook: I discussed with the Permanent Under Secretary on May 21 my concern that Anne Bullen and I had not developed a relationship of trust and he put in hand arrangements for the termination of her employment. I informed him on the same day that I was considering the appointment of Gaynor Regan, who had been my Diary Secretary for four years. Shortly thereafter I advised him that I had decided that she should not take up the position and asked him to put in hand arrangements for the internal appointment of a career civil servant.

I do not discuss my private life with officials, nor do they seek to discuss it with me.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs on what occasions since 1 May 1997 he planned for his Diary Secretary to accompany him on official business. [26310]

Mr. Robin Cook: None.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs how many private office staff in *(a)* his and *(b)* other Ministers' private offices changed after the election; and in how many cases this was at the instigation of the Minister. [26309]

Mr. Robin Cook: In the three months after the election:

(a) My Principal Private Secretary left at the end of July having completed his normal tour of duty in my office. Miss Anne Bullen, who was appointed on a fixed-term contract, ceased to work for me at the end of June in the circumstances described in the answer I gave today to the right hon. and learned Member for Folkstone and Hythe (Mr. Howard).

(b) Three officials left other FCO Ministers' offices, all having completed their normal tour of duty. One official had resigned before the election, and completed her period of notice on 9 May.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the public service employment status of Miss Bullen. [26312]

Mr. Robin Cook: Miss Anne Bullen was personally appointed by the then Foreign Secretary in 1993, on a fixed term contract under Schedule 2 (paragraph i) of the Diplomatic Service Order In Council 1991. Her contract was renewed on two occasions, both times for one year.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Permanent Secretary sanctioned the dismissal of Miss Bullen. [26318]

Mr. Robin Cook: I discussed with the Permanent Under Secretary my concern that Anne Bullen and I had not developed a relationship of trust and he put in hand the arrangements for the termination of her employment.

Departmental Employees

Mr. Hawkins: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* special advisers, *(b)* task force members and *(c)* review body members his Department employs; what are the total salaries and benefits of *(a)* to *(c)*; and what was the equivalent cost prior to 1 May 1997. [26177]

Mr. Robin Cook: My Department employs two special advisers. Details were set out in the answer given to the hon. Member by my right hon. Friend the Prime Minister on 13 November 1997, *Official Report*, columns *615–17*.

For information on the total pay bill for special advisers, I refer the hon. Member to the answer given to the hon. Members for Gordon (Mr. Bruce) and for Kingston and Surbiton (Mr. Davey) by my right hon. Friend the Chancellor of the Duchy of Lancaster on 25 November 1997, *Official Report*, columns *472–73*.

No task force members are employed by my Department, and we are not responsible for any review bodies.

Ministerial Visits

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs when he made a payment in respect of the use of a Government flight by Ms Gaynor Regan when she accompanied him on his trip to Dublin in November. [26219]

Mr. Robin Cook: I was informed of the cost of Ms Regan's flight to Dublin on 15 January and arranged for payment to be made the same day.

Mrs. McGuire: To ask the Secretary of State for Foreign and Commonwealth Affairs how much was spent on *(a)* official foreign travel and *(b)* incidentals for (i) spouses and (ii) partners of the previous two Secretaries of State for Foreign and Commonwealth Affairs in each year of their tenure. [26316]

Mr. Robin Cook: The information requested for the financial years 1994–95, 1995–96 and 1996–97 is detailed in the table. Data for previous years are not readily available but I will write to my hon. Friend shortly with the information and place a copy in the Libraries of the House.

Dates	*Minister*	*Venue*	*Purpose of visit*	*Spouse cost including travel and incidentals (£)*
1994				
7–10 July	The then Foreign Secretary Lord Hurd	Italy (Naples)	G7 Economic Summit	307.84
11–20 September	Lord Hurd	Thailand, Vietnam, Hong Kong and Japan	Bilateral	10,495.66
26–29 September	Lord Hurd	USA (New York)	UNGA	3,977.66
29–30 September	Lord Hurd	Canada	Bilateral	209.64
Total				14,990.80
1995				
18–19 March	Lord Hurd	France (Carcassonne)	EU/FM Informal Meeting	966.44
18–28 March	Lord Hurd	South Africa	State Visit	2,385.28
7–8 May	Lord Hurd	Norway (Oslo)	Accompanying TRH Duke and Duchess of Kent	98.16
25–26 June	Lord Hurd	Germany (Bonn)	Anglo-German Summit	565.00
8–10 September	The then Foreign Secretary Sir Malcolm Rifkind	Spain (Santander)	EU Ministers Informal Weekend	2,310.00
Total				6,324.88
1996				
3–12 January	Sir Malcolm Rifkind	Azerbaijan, Armenia Uzbekistan, Hong Kong and China	Bilateral	7,366.70
6–12 January	Sir Malcolm Rifkind	Hong Kong and China	Bilateral	4,956.00
8–10 March	Sir Malcolm Rifkind	Malta and Italy	Bilaterals and EU Foreign Minister's Informal Meeting	1,577.50
25–29 March	Sir Malcolm Rifkind	Poland and Czech Republic	State Visit	835.00
8–17 April	Sir Malcolm Rifkind	Barbados, Jamaica, Mexico, Brazil and Bolivia	Bilateral	12,757.89
6–8 September	Sir Malcolm Rifkind	Irish Republic (Tralee)	Informal Meeting of Foreign Ministers	724.26
23–27 September	Sir Malcolm Rifkind	USA (New York)	United Nations General Assembly	4,454.02
27 October–1 November	Sir Malcolm Rifkind	Thailand (Bangkok)	State Visit	[1]150.00
31 October–2 February	Sir Malcolm Rifkind	Vietnam, Israel UAE and Yemen	Bilateral	[1]7,500.00
Total				40,301.37
1997				
31 January–2 February	Sir Malcolm Rifkind	Switzerland (Davos)	World Economic Forum	4,405.00
15–16 March	Sir Malcolm Rifkind	Netherlands (Apledoorn)	EU Information Foreign Ministers Meeting	848.48
Total				5,253.48

[1] Estimate.

Permanent Settlement Visa

Mr. Rendel: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to review the current price of a permanent settlement visa for the United Kingdom. [26170]

Mr. Fatchett: Fees, which are set to recover the cost of processing applications world wide to minimise the burden on the taxpayer, are reviewed annually. We continually look at ways to make efficiency savings to enable us to reduce entry clearance fees. The current fee for a settlement visa is £240. This was introduced on 10 June 1997.

Written Answers to Questions

Friday 30 January 1998

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 26 January 1998, *Official Report*, column *3*, concerning consultation on legal aid changes, if he will list the representations received, those making them and the date of them, indicating which were in favour of his proposals and which against. [26508]

Mr. Hoon: The information requested is not available and could be obtained only at disproportionate cost. In any event, before I made public the names of those who had written or had discussion with us and the substance of their representations, I would wish to ensure that I had their permission to do so. A full list will be maintained of those who respond to the formal consultation paper, which I expect to issue in the near future, which will make it clear that the names of those responding may be made public unless they request the Department not to do so.

Mr. White: To ask the Parliamentary Secretary, Lord Chancellor's Department what mechanisms are in place to establish whether a person has previously been in receipt of legal aid certificates, and what methods are used to determine if the person has a history of previous fraudulent claims. [25306]

Mr. Hoon: The Legal Aid Board's existing computer systems do not enable it to identify easily whether an applicant has any previous legal aid history. The Board is currently implementing a new computer system which will enable it to identify any previous transactions involving that person and search those transactions to identify any previous fraudulent activity. The new computer system is already in place in one of the Board's 13 area offices and will be implemented nationally by the end of 1998.

The Board will complete, in February 1998, the transfer of responsibility for civil means assessment from the Benefits Agency. This will enhance the Board's ability to identify, from its own case records, any previous fraudulent activity by an applicant for legal aid.

Civil Justice Reform

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will identify the insurance companies he has held discussions with about the wider introduction of conditional fees arrangements between *(a)* 1 December and 31 December 1997 and *(b)* 1 January and 31 January 1998; and what meetings with individual representatives of insurance companies (i) he and (ii) the Lord Chancellor have planned for 1 February to 31 March. [26411]

Mr. Hoon: Although I did not meet with any insurers between 1 and 31 December 1997, I have already given the hon. Gentleman the details of the meetings that took place between 18 October and 15 December 1997, *Official Report*, 15 December 1997, column *43*. Since then, my officials attended a meeting of the joint Insurance Industry and LCD working group on 12 January and are due to attend a further meeting on 6 February. Further meetings will be arranged as necessary. Given the existence of the working group neither my noble and learned Friend nor I have future meetings planned with representatives of insurance companies, though if requested we would be prepared to meet representatives of the industry.

Solicitor Trustees

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will request a report from the Law Society on the matter of exclusion clauses that limit a solicitor's liability when acting as a trustee; and if he will make a statement. [25263]

Mr. Hoon: I have no plans to do so. This is a matter for the Law Society. I am advised that the Law Society will be reviewing the issue of liability exclusion clauses shortly.

Appeal Tribunals

Mr. Gordon Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what procedures are employed by the Independent Tribunal Service to appoint the chairs and other members of *(a)* SSATs, *(b)* DATs and *(c)* MATs. [25405]

Mr. Hoon: The Lord Chancellor appoints full-time legal Chairmen after consultation with the Lord Advocate. The statutory qualification for such appointment is to have a five-year general qualification (in England and Wales) or to have been a solicitor or advocate in Scotland of at least five years' standing. Appointments are made following advertisement and interview, usually from among the ranks of part-time Chairmen, of those who are best able to demonstrate that they satisfy the selection criteria. Part-time legal Chairmen are appointed by the Lord Chancellor in England and Wales and currently by the Lord President of the Court of Session in Scotland. The statutory qualifications are the same as for full-time Chairmen. Vacancies are advertised and appointments made following interview of those best able to satisfy the selection criteria.

The President of the Independent Tribunal Service at present appoints all other members of those tribunals within his jurisdiction, including Social Security Appeal Tribunals (SSATs), Disability Appeal Tribunals (DATs), Medical Appeal Tribunals (MATs) and Child Support Appeal Tribunals (CSATs). Interested individuals satisfying the statutory requirements and certain other selection criteria such as age are interviewed locally by the relevant Regional Chairman and a report and recommendation are submitted by them to the President for his decision.

ATTORNEY-GENERAL

Prosecutions

Mr Gordon Prentice: To ask the Attorney-General how many prosecutions were not proceeded with in 1997 on the grounds that to do so would not be in the public interest. [25835]

The Attorney-General: A total of 161,461 cases were not proceeded with in the magistrates courts during 1997. Additionally, 7,514 cases were not proceeded with in the Crown Court. However, the Crown Prosecution Service holds no central records on the reasons why cases are discontinued. The information is held only on individual cases files in each branch and could be obtained only at a disproportionate cost.

A survey of all cases not proceeded with in the magistrates courts was conducted during November 1994. The survey showed that during this period, 28 per cent. of discontinuances were undertaken on the grounds that a prosecution was not in the public interest.

HOME DEPARTMENT

Primates (Imports)

Mr. Cohen: To ask the Secretary of State for the Home Department what account is taken under section 5(4) of the Animals (Scientific Procedures) Act 1986 of the length of journey time in determining whether to grant a project licence for experiments on non-human primates. [25750]

Mr. George Howarth: I refer my hon. Friend to the reply that I gave to the hon. Member for Lewes (Mr. Baker) on 26 January 1998, *Official Report*, column *48*.

Correspondence

Mr. Key: To ask the Secretary of State for the Home Department when the hon. Member for Salisbury may expect a reply to his letter of 1 December 1997 to the Minister of State, the hon. Member for Cardiff, South and Penarth (Mr. Michael) about the police raid in Donhead St. Andrew on 21 November 1997. [25725]

Mr. Michael: I wrote to the hon. Member on 24 January.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 3 December on behalf of Mr. Chatfield. [26369]

Mr. Straw: I wrote to the right hon. Member on 29 January.

World Cup

Mr. Maude: To ask the Secretary of State for the Home Department what steps he has taken to prevent violence and disorder among England and Scotland fans during the forthcoming Soccer World Cup. [25892]

Mr. Michael: The Government are determined to do everything possible to see that genuine British football supporters attending the World Cup in France this summer are able to enjoy the tournament free from disruption by hooligans. To this end, we have established a World Cup Co-ordinating Group which brings together official, policing and football representatives from both England and Scotland. Both English and Scottish representatives have established good communications with the French authorities to ensure a co-ordinated approach to preventing violence and disorder involving England and Scotland fans en route to and during the tournament.

In February, my right hon. Friend will be hosting a seminar in Blackburn on the policing of football, which will bring together relevant experts from across the European Union. This will enable them to discuss policing, safety and security arrangements for the World Cup and to share advice and expertise.

Witnesses

Mr. Kidney: To ask the Secretary of State for the Home Department when he expects to announce the outcome of the inter-departmental review of the way in which vulnerable and intimidated witnesses are treated by the Criminal Justice Court with particular reference to the cross-examination of victims of rape by unrepresented defendants. [26082]

Mr. Michael: We hope that the review will be completed shortly and a final report submitted to Ministers in the spring. We will consider the report as quickly as possible thereafter.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 26 January 1998, *Official Report*, column *45*, on what date and for what reasons, the Laboratory of the Government Chemist discontinued supplying cannabis to medical researchers; and who took the decision. [26272]

Mr. George Howarth: These are matters for the Laboratory of the Government Chemist, which is a private company.

Gammahydroxybutyrate

Mr. Dawson: To ask the Secretary of State for the Home Department if he will review whether the use of the drug Gammahydroxybutyrate should be controlled by the Misuse of Drugs Act 1971. [26719]

Mr. George Howarth: The Advisory Council on the Misuse of Drugs (ACMD), an independent body established under the Misuse of Drugs Act 1971 to advise the Government on drug misuse issues, has a duty to keep under review drugs which are being, or appear to them likely to be, misused and to advise the Government on measures for preventing their misuse or dealing with social problems connected with their misuse.

The Advisory Council considered the misuse of Gammahydroxybutyrate (GHB) in November 1996. After examining the available evidence, the Council reached the view that the harmful effects of the misuse of the drug in

the United Kingdom were not sufficient to constitute a social problem, a criterion which is laid down by the Act. It concluded that GHB should not therefore be recommended for control but that its misuse should continue to be monitored. We continue to keep the matter under review.

Although not controlled under the Misuse of Drugs Act 1971, GHB is subject to control under the Medicines Act 1968.

Vessels (Fire Services)

Mr. Godman: To ask the Secretary of State for the Home Department, pursuant to the answer of 21 January 1998, *Official Report,* column *555,* on vessels (fire services), how many members of the fire-fighting teams were injured during their deployment in the United Kingdom Search and Rescue Region. [25875]

Mr. George Howarth: Information is given in table 9 of the Home Office Statistical Bulletin, Issue 1/98, Summary Fire Statistics United Kingdom 1996, published on 21 January. A copy is in the Library. Details of injuries on vessels are not separately available and could only be provided only at disproportionate cost.

City Status

Mr. Burns: To ask the Secretary of State for the Home Department what prospective occasions he assesses to be suitable for the awarding of city status. [25999]

Mr. Mike O'Brien *[holding answer 38 January 1998]:* City status is a rare honour conferred by the Sovereign, by Letters Patent. Nowadays, grants are usually made on occasions of particular Royal and national significance. It will be for Her Majesty to decide if and when she wishes to create a further city.

Police Injuries

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department (1) what investigation he has made into the use of chief constables' discretion in relation to keeping on full pay those police officers who have been injured in the course of carrying out their duties; [25872]

(2) what discussions he has had with the Police Federation and ACPO on the variations in the way officers injured while carrying out their duties are treated by chief constables; [25874]

(3) what steps he has taken to ensure that police officers injured while carrying out their duties are not placed under financial pressure to return to work while still unfit. [25873]

Mr. Michael *[holding answer 29 January 1998]:* Regulation 46 of the Police Regulations 1995 sets out the arrangements for managing the pay of police officer during sick leave. The regulation provides for a police officer on sick leave to receive full pay during the first six months of sick leave, half pay for the second six months, and no pay if sick leave continues beyond 12 months. The regulation also provides that, subject to the discretion of the chief constable, an officer on sick leave entitled to half pay may continue to receive full pay, and an officer on sick leave entitled to no pay may be paid half or full pay.

The regulation is clear that it is only the chief constable who may exercise such discretion and is therefore not an issue which ordinarily I would wish to raise in the course of my discussions with individual chief constables or the Association of Chief Police Officers.

Police Surgeons

Helen Jones: To ask the Secretary of State for the Home Department what plans he has to ensure that sufficient police surgeons are available in each area of the country to carry out intimate body searches on those suspected of carrying illegal drugs. [26079]

Mr. Michael *[holding answer 29 January 1998]:* It is for chief constables to decide how many police surgeons are needed to carry out the range of services required of police surgeons in the police area and then to appoint them. Under Code of Practice C issued under the Police and Criminal Evidence Act 1994, intimate body searches of those suspected of carrying illegal drugs may be carried out either by a registered medical practitioner or by a registered nurse.

NORTHERN IRELAND

RUC (Sexual Harassment)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the code of practice relating to sexual harassment within the RUC. [22424]

Mr. Ingram *[holding answer 16 January 1998]:* The RUC have produced a booklet covering both sexual and religious harassment. This is not a published document but I have arranged for a copy to be sent to my hon. Friend and placed in the Library.

Long-term Care

Ms Drown: To ask the Secretary of State for Northern Ireland what assessment has been made of the yearly costs to the NHS in Northern Ireland of meeting the nursing costs of long-term care. [25915]

Mr. Worthington: No separate assessment has been made centrally of the nursing costs of long-term care.

Fire Authority

Mr. McWalter: To ask the Secretary of State for Northern Ireland when she will next conduct the quinquennial review of the Fire Authority for Northern Ireland. [27080]

Marjorie Mowlam: A review of the Fire Authority for Northern Ireland (FANI) is now under way. As an executive non-departmental public body, the performance of FANI will be considered and its activities subjected to a prior options study.

Comments and contributions from those with an interest in FANI would be welcome and should be sent by 31 January 1998 to Mr. Tony McCusker, Deputy Secretary, Department of the Environment for Northern Ireland, Clarence Court, 10-18 Adelaide Street, Belfast BT2 8GB.

Stormont

Mr. McWalter: To ask the Secretary of State for Northern Ireland how expenditure by the Department of the Environment for Northern Ireland on the promotion and development of Parliament Buildings and the Stormont Estate as a public amenity and visitor attraction will be funded. [27081]

Marjorie Mowlam: The Department of the Environment for Northern Ireland is responsible for the management of the Stormont Estate under the Stormont Regulation and Government Property Act (Northern Ireland) 1933. The legislation does not, however, empower the Department to incur expenditure on the development of the Estate for the benefit of the community through exhibitions and competitions, indoor and outdoor concerns and the creation of recreational educational and visitor amenities.

Parliament's approval for expenditure on such matters in the current financial year will be south in a Supplementary Estimate for the Environment and other services Vote (Department of the Environment Vote 4). Pending that approval expenditure up to £150,000 will be met by repayable advances from the Civil Contingencies Fund.

I am also examining the possibility of seeking Parliament's approval for new legislation which would specifically authorise such expenditure.

Civil Service Management Functions

Mr. Stott: To ask the Secretary of State for Northern Ireland what delegations have been made since the Civil Service (Management Functions) (Northern Ireland) Order 1994 came into operation on 20 September 1994; to whom those delegations were made; and what were the main conditions that were attached to them. [27082]

Mr. Paul Murphy: The table lists delegations made to date under the Civil Service (Management Functions) (Northern Ireland) Order 1994.

List of delegations made under the Civil Service (Management Functions) (Northern Ireland) Order 1994

Delegation	*Nature of delegation*	*Recipients*	*Main conditions*
1. Pay and Grading	Authority to determine pay and grading arrangements, shift disturbance and night duty allowances and other allowances in the nature of pay for Northern Ireland civil servants below the senior open structure.	The Permanent Head of NIO in respect of that department and also for the following organisations: The Police Authority for Northern Ireland The Compensation Agency The Forensic Science Agency of Northern Ireland The Northern Ireland Prison Service Agency.	The recipient must ensure that any changes (i) comply with the NICS Equal Opportunity Policy; (ii) provide value for money; (iii) do not jeopardise essential public expenditure safeguards.
2. Pay and Grading	Authority to determine pay and grading of Northern Ireland civil servants below the senior open structure based in Next Steps Agencies.	Permanent Heads of NI departments responsible for the following organisations: Child Support Agency Health Estates Agency Social Security Agency Industrial Research and Technology Unit Training and Employment Agency Driver and Vehicle Licensing Northern Ireland Driver and Vehicle Testing Agency Ordnance Survey NI Public Record Office (NI) Rate Collection Agency Environment and Heritage Service Land Registers of Northern Ireland Planning Service Roads Service Water Service Construction Service Valuation and Lands Agency Business Development Service NI Statistics and Research Agency Government Purchasing Service.	The recipient must ensure that any changes (i) comply with the NICS Equal Opportunity Policy; (ii) provide value for money; (iii) do not jeopardise essential public expenditure safeguards.

List of delegations made under the Civil Service (Management Functions) (Northern Ireland) Order 1994

Delegation	*Nature of delegation*	*Recipients*	*Main conditions*
3. Certain conditions of service	Authority to determine the rules on hours and attendance, annual leave and sick absence, inefficiency procedures, arrangements for probation, personal review and arrangements for the payment of overtime of Northern Ireland civil servants below the senior open structure.	The Permanent Head of the NI department responsible for the following organisations: The Child Support Agency The Social Security Agency.	In the exercise of the delegation the recipient must: (i) act within the law and within any Codes of Practice which from time to time may be issued for the guidance of employers; (ii) have regard to NICS Equal Opportunity Policy and to any relevant Government policies or Ministerial commitments; (iii) have regard to the reputation of the NICS for good, fair and equitable employment practices; (iv) not alter existing rights and duties arbitrarily but consult or negotiate, as appropriate, with Trade Union Side; (v) continue to abide by the terms and conditions of service contained in the NICS Pay and Conditions of Service Code unless and until changes are effected; (vi) make clear to staff in a readily accessible form any changes which do apply; (vii) ensure proper protection of public funds and value for money; (viii) have regard to the possible implications for departments within the NICS and be prepared to work with the Department of Finance an Personnel and other departments to deal with any adverse consequences which may arise; (ix) other detailed conditions in line with those applying to similar delegations granted to Home Civil Service departments and contained in the Management Code.
4. Certain conditions of Service	Authority to determine the rules on hours and attendance, annual leave, special leave, sick absence, inefficiency procedures, personal review and arrangements for the payment of overtime of Northern Ireland civil servants below the senior open structure.	The Permanent Head of NIO in respect of that department and also for the following organisations: The Compensation Agency The Forensic Science Agency of Northern Ireland Prison Service Agency.	As above.

Domestic Violence

Mr. Godman: To ask the Secretary of State for Northern Ireland what measures she proposes to deal with domestic violence; what funds she is making available to *(a)* local authority and *(b)* voluntary association projects; and if she will make a statement. [25833]

Mr. Worthington: The Government are committed to a concerted inter-agency attack on domestic violence. A Regional Forum established in 1995 brings together the main statutory and voluntary interests, including Women's Aid, Victims Support, the RUC, the Probation Service, the NI Court Service and social services. We are also bringing forward new legislation which develops and strengthens the civil law on domestic violence. Government funding towards the regional administrative costs of the NI Women's Aid Federation will be at least £158,000 in 1997–98. Capital costs for women's refuges in Northern Ireland are met by the Department of the Environment and amounted to £1.6 million in 1996–97. Revenue support through the housing benefit system amounted to £1.9 million in 1996–97.

DUCHY OF LANCASTER

Non-career Civil Servants

Mr. Burns: To ask the Chancellor of the Duchy of Lancaster how many non-career civil servants have been appointed to his Department since 1 May 1997. [25844]

Dr. David Clark: Two hundred and six non-career civil servants have been appointed to my Department since 1 May 1997.

Clapham Deep Shelters

Mr. Hancock: To ask the Chancellor of the Duchy of Lancaster what inter-departmental discussions have taken place on the use of the Clapham deep shelters. [25988]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to the hon. Member.

Letter from John C. Locke to Mr. Mike Hancock, dated 30 January 1998:

I have been asked by the Parliamentary Secretary, Office of Public Service to reply to the further question you have asked about the Clapham Deep Tube Shelters.

All of the Deep Tube Shelters are surplus to the needs of Government Departments. Prior to this decision extensive consultations were carried out with any Department having a requirement for storage facilities in Central London for which these shelters might have been suitable. In addition, there was close liaison with the Home Office who retained first call on the Shelters in the event of a national emergency. When it became clear that there was no interest from Government Departments the Shelters were let to private sector archive storage companies in accordance with the schedule of existing leases provided with my recent letter. The Clapham North Shelter would have been let had it remained in PACE ownership.

Following a disposal tender exercise conducted by our consultants I am now able to advise you that a sale of all seven shelters to London Underground Ltd. has now been completed. This is considered to be a most satisfactory outcome and is expected to ensure that they will be maintained and used properly in the future.

Millennium Compliance

Mr. Russell Brown: To ask the Chancellor of the Duchy of Lancaster what progress is being made in tackling the millennium computer problem within central Government. [27140]

Dr. David Clark: On 27 November, I wrote to Ministerial colleagues requesting additional information on three general themes arising from the October plans: skills and resources; embedded systems; and, contingency planning. I asked for information about these points to be sent to my officials by 18 December 1997.

I am arranging for all the additional material provided by departments and agencies to be placed in the library of the House and published on the Internet.

On the question of skills and resources, the responses from departments and agencies indicate that programmes are currently assessed to be adequately resourced. Many are using outsource companies to resource the projects. Most embedded systems projects are still in the inventory or audit process. Many departments and agencies are in dialogue with the suppliers of equipment. All departments have given some consideration to contingency planning ranging from making provision within the year 2000 programmes for project overruns to full disaster recovery planning. These issues will be kept under close review as part of the reporting and monitoring process.

On 29 January, I chaired the inaugural meeting of the Ministerial Sub-Group which is monitoring and driving the action by departments and agencies to address the millennium date change problem in central Government.

As I said in my statement to the House on 27 November 1997, *Official Report*, columns 1104-05, I intend on a regular basis to review and report to the House on central Government's progress on tackling the millennium date change problem. Work is in hand for the first review in the spring.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Gordon Prentice: To ask the Minister without Portfolio who is to be invited to the Millennium celebrations at the Dome on 31 December 1999; and who is to be responsible for the compilation of the invitation list. [25271]

Mr. Mandelson: No final decisions have been made about the composition of the invitation list for the celebrations at the Dome on 31 December 1999 at this stage. The New Millennium Experience Company will work closely with Government on its compilation and composition at the appropriate time.

TREASURY

Child Benefit

Mr. Kenneth Clarke: To ask the Chancellor of the Exchequer if his proposals for a tax credit for people on low earnings with dependent children will be based on the policy that benefits and credits for children should always be paid to the mother of the children so long as she has or shares the custody of them. [24705]

Dawn Primarolo: The "Working Families Tax Credit", which the Chancellor announced in his pre-Budget Statement, is part of a package of measures which are designed to make work pay. The WFTC will build on the success of Family Credit. Various options are being examined and the Chancellor will announce his decision in his Budget Statement.

Non-career Civil Servants

Mr. Burns: To ask the Chancellor of the Exchequer how many non-career civil servants have been appointed to his Department since 1 May 1997; and how many have been appointed to the Parliamentary Secretary's Office. [25850]

Mrs. Liddell: The number of casual, fixed-term appointees and Special Advisers appointed since 1 May 1997 is 54. Appointments to the Parliamentary Secretary's Office are a matter for my right hon. Friend the Chancellor of the Duchy of Lancaster.

Power Generators

Mr. Redwood: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the agreement reached by the Paymaster General with the power generators. [25427]

Mr. Geoffrey Robinson *[holding answer 26 January 1998]:* No agreement was reached between the Government and power generators. Arrangements for coal deliveries were reached between the relevant parties. My role was to act as facilitator to those discussions.

My hon. Friend the Minister for Science, Energy and Industry will be happy to place a record of these discussions, agreed with the parties, in the Library.

Pensions Mis-selling

Mr. Flynn: To ask the Chancellor of the Exchequer what estimate he has made of the number and the percentage of the total of those mis-sold personal pensions who have now *(a)* died, *(b)* been fully compensated for their financial loss, *(c)* been partially compensated and *(d)* not been compensated. [26476]

Mrs. Liddell: As the pensions mis-selling review continues, the number of personal pension cases to be reviewed rises. I refer the hon. Member to my answer to the hon. Member for East Ham (Mr. Timms) on 16 January 1998, *Official Report*, columns *322–24*, for data on the progress made by the 41 firms whose cases account for the bulk of policies requiring review.

CULTURE, MEDIA AND SPORT

Historic Royal Palaces

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer to the hon. Member for Hove (Mr. Caplin) of 15 January 1998, *Official Report*, columns *267-68*, for which grace and favour residences the new non-departmental public body for the historic royal palaces will be responsible. [24773]

Mr. Chris Smith *[holding answer 22 January 1998]:* The Historic Royal Palaces Agency are currently responsible for nine Grace and Favour residences within the Unoccupied Royal Palaces, and this will not alter when the Agency becomes a non-departmental public body.

Football Ground Improvements

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport what grants were made available to football clubs in England and Wales to improve their ground facilities for spectators during 1997. [24873]

Mr. Banks: Grants made by the Football Trust in 1997 to football clubs in England and Wales to improve their spectator facilities are detailed in the following table.

Football Trust
Grants to football clubs in England and Wales—1997

Grant scheme	*Total value of grants made (£)*
Reduction in Pool Betting Duty	
Grants offered from the RPBD for work required to meet Taylor recommendations	3,900,000
Safety	
Grants offered for work required under the Safety of Sports Grounds Act 1975	1,144,589
Improvement	
Grants offered for the improvement or provision of toilet facilities or spectating facilities for those with disabilities	74,169
Transport improvement	
Grants offered for the improvement of car and coach parks, railway stations, and signage to grounds	30,820
CCTV	
Grants offered for the improvement or provision of CCTV surveillance equipment	151,819
Stewarding	
Grants offered for the cost, training, and equipping of stewards (radios and jackets)	82,300
League of Wales	
Grants offered for the improvement of spectator facilities at clubs in the League of Wales	170,000
FA Contribution Account	
Grants offered for the community dimension of Taylor related work	250,000
FA/Football Trust Grants Scheme	
Grants offered to non-league clubs for ground and changing facility improvement, from a joint fund with contributions from the Trust and the FA	347,894
Grand total	6,151,591

Arts Council (Grant)

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what is the difference in real terms between his Department's grant in aid allocations to the Arts Council of England in *(a)* 1997–98 and *(b)* 1998–99. [25895]

Mr. Chris Smith: The Government committed themselves, before the General Election, to keep to the spending plans of the previous administration in 1997–98 and 1998–99. The difference in the Arts Council of England's allocation in real terms between 1997–98 and 1998–99 is a decrease of 3.5 per cent, or £6.5 million in 1997–98 prices. These figures are derived from the cash allocations of £186.1 million in 1997–98 and £184.6 million in 1998–99, and a 2.8 per cent. increase in the GDP deflator.

Soccer World Cup

Mr. Pearson: To ask the Secretary of State for Culture, Media and Sport what representations he has received on the need to ensure that the England football team has an effective World Cup song. [25760]

Mr. Banks: The history of Englands football anthems is very mixed. In 1990 and 1996, they were hugely popular. In some other years they have rivalled bubonic plague in their appeal. Perhaps the Football Association should hold a competition among English song writers to try and establish a permanent football anthem. For me Tina Turner's "Simply the Best" would be the ideal World Cup song.

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what steps he has taken to support England's bid to host the 2006 Soccer World Cup. [25890]

Mr. Banks: The Government are providing the fullest diplomatic and promotional support for the FA's bid to stage the 2006 World Cup. I hold regular meetings with the FA Campaign Team. I have personally discussed the bid with several members of the FIFA Executive Committee, either here in London or in their home

countries. I will continue to accompany FA delegations to promote the bid, as Parliamentary business allows. I have discussed the bid with the hon. Member for West Suffolk (Mr. Spring) and I have written to hon. Members urging them to use every opportunity to support the bid. I have been heartened by the positive response.

Scottish Executive

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 20 January 1998, *Official Report*, column *471*, what representations he has received from Government Departments concerning the format and aims of a non-statutory agreement between his Department and the Scottish Executive; how many representations were received from each department; and if he will make a statement. [25505]

Mr. Chris Smith *[holding answer 28 January 1998]:* Discussions are being held between Departments, both at official level and Ministerial level, on all matters relating to non-statutory agreements between the UK Government and the Scottish Executive. In most cases, these discussions are in their early stages in the light of the fact that such agreements cannot be finalised until the Scottish Parliament and the Scottish Executive are established. Parliament will be kept informed of progress on these matters.

AGRICULTURE, FISHERIES AND FOOD

Meat and Livestock Commission

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review *(a)* the role and *(b)* the membership of the Meat and Livestock Commission. [26556]

Mr. Rooker: An efficiency review of the Meat and Livestock Commission (MLC), under Government procedures for the operation of Non-Departmental Public Bodies (NDPBs), will begin later this year. This review is required to consider whether there is a continuing need for the MLC and, if so, what its functions and structure should be and to make recommendations for any necessary changes. It will also need to take account of the changes to Government brought about by devolution.

Beef

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will lift the weight restriction on cull cows under the over-30-months scheme. [26551]

Mr. Rooker: We have no plans to do so. The 560 kilogram compensation weight limit under the over-30-months slaughter scheme is necessary in order to contain expenditure on this demand led scheme.

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review his decision to ban beef on the bone. [26555]

Mr. Rooker: I refer to my reply to the hon. Member for North Tayside (Mr. Swinney) on 17 December 1997, *Official Report*, column *232*.

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will undertake a review of the over-30-months scheme. [26550]

Mr. Rooker: The over-30-months Slaughter Scheme is a public health measure under which very considerable public expenditure is made. It is therefore reviewed regularly in the light of new scientific information and the budgetary provision available. Maintenance of the Scheme, which is enshrined in EU legislation, is a precondition of the Florence Agreement. Changes to the composition of the Scheme would therefore require EU approval.

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food what plans he has to allow public bodies subject to compulsory competitive tendering procedures to give priority to purchase of British beef for catering purposes. [26557]

Mr. Rooker: None. Public Bodies are generally required to look for best value for money in their procurement decisions, and it would contravene the Treaty of Rome to operate a buy British Policy. Nevertheless we have recently been discussing with the Ministry of Defence how we might increase the amount of British beef purchased by the armed forces.

Farm Incomes

Mr. Quinn: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on farm incomes. [27079]

Dr. John Cunningham: Estimated figures show that Total Farm Income from Farming fell by 37 per cent. in real terms in 1997. The fall shows substantial increases in incomes in recent years and reflects the lower prices for many agricultural commodities. A major factor is the strength of the pound sterling which affects all sectors of the economy. Detailed estimates of the income, output and productivity of United Kingdom Agriculture in 1997 were published this morning and have been placed in the Library.

Correspondence

Sir Brian Mawhinney: To ask the Minister of Agriculture, Fisheries and Food (1) when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 16 December on behalf of Mrs. Stables; [26373]

(2) when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 16 December on behalf of Mr. Williamson. [26377]

Mr. Morley: These letters—and a number of others I have received from right hon. and hon. Members—ask about the Government's attitude to near-identical private Member's and private Peer's Bills which have been introduced with the aim, inter alia, of banning the tail docking of piglets. The Government's attitude to such a measure was made clear in a debate in the House of Lords on 26 January: I am therefore now in a position to reply to the right hon. Gentlemen's two letters of 16 December and to the other letters we have received on the subject.

Norwich Research Park

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food if he will list the occasions since 1 January 1996 on which grades 1 and 2 officials from his Department have visited each of the food research institutions on the Norwich Research Park. [26250]

Mr. Rooker: There have been no such visits in the time period specified.

Support Package (Wales)

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the time scale for the payment of the £85 million package he announced on 22 December 1997, *Official Report*, columns *677–79*, and what proportion will be distributed to farmers in Wales. [26552]

Mr. Rooker: Consultation with the European Commission on the package is still in progress. Our right hon. Friend the Minister hopes to be able to make a statement very soon.

Meat Hygiene Service

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the operation of the Meat Hygiene Service. [26554]

Mr. Rooker: I refer to my reply to the hon. Member for West Dorset (Mr. Letwin) on 14 January 1998, *Official Report*, column *234*.

SCOTLAND

New Homes

Mr. Sarwar: To ask the Secretary of State for Scotland what estimate he has made of new homes that will need to be built in Scotland to accommodate projections of household growth. [25644]

Mr. Macdonald: The published projections of household growth, and their implications for the number of new homes required, are currently embodied in local authorities' Structure and Local Development Plans. In addition, a steering group has been established to oversee the production of a national housing needs assessment. The group will be chaired by the Scottish Office and have representatives from COSLA, Scottish Homes, Shelter, the Scottish Federation of Housing Associations and the Chartered Institute of Housing.

Scottish Parliament

Mr. David Stewart: To ask the Secretary of State for Scotland how many local government staff in Scotland are restricted from standing for the Scottish Parliament elections in 1999 under the Local Government and Housing Act 1989 *(a)* on grounds of salary levels in excess of £25,000 per annum and *(b)* on other grounds. [25680]

Mr. Macdonald *[holding answer 29 January 1998]:* Figures provided by the Local Government Political Restrictions Exemptions Adjudicator, collated from lists provided by local authorities, show that:

(a) an estimated 4,978 posts are politically restricted under the 1989 Act by virtue of salary;

(b) an estimated 265.5 posts have been identified as being below the relevant point on the APT&C salary spine point 44 (currently £26,391), but meeting the criteria of the Act.

Heads of paid service, chief officers, deputy chief officers, monitoring officers and other officers specified at Section 2(1) of the 1989 Act are politically restricted by virtue of their office; the Political Restrictions Exemptions Adjudicator does not hold figures for the numbers of these officers, but a number of these officers are likely to be included in the figures given above.

The Government believe that it is important that councils and the people they serve can rely on politically disinterested service from their officials. This principle was recently upheld by the report of the Committee on Standards in Public Life on local government conduct. To that end, the Government intend that those local government officials who are in the most senior or sensitive positions should not be able to stand for election to the Scottish Parliament. The Government do, however, intend to consult on the possible reduction in the numbers or categories of officer who are affected by political restriction under the 1989 Act.

CABINET OFFICE

Benjamin Wegg-Prosser

Mr. Hawkins: To ask the Minister without Portfolio if he will list the journeys made at public expense by his special adviser, Mr. Benjamin Wegg-Prosser, indicating the dates and destinations of any visits overseas; and what has been the total cost of these journeys to the public funds. [26712]

Mr. Mandelson: Mr. Wegg-Prosser has not made any journeys at public expense.

Mr. Hawkins: To ask the Minister without Portfolio if he will make a statement indicating the access received by his special adviser, Mr. Benjamin Wegg-Prosser, to official papers, separately identifying his access to *(a)* defence, *(b)* security and *(c)* intelligence information. [26363]

Mr. Mandelson: Mr. Wegg-Prosser has access to papers which do not carry a security classification. My Private Secretary is responsible for copying to Mr. Wegg-Prosser, on my instructions, any papers which he may need to have.

Mr. Hawkins: To ask the Minister without Portfolio what publicly-funded accommodation and facilities are provided for his special adviser, Mr. Benjamin Wegg-Prosser. [26366]

Mr. Mandelson: Mr. Wegg-Prosser acts as a political adviser to me as Minister without Portfolio. The appointment carries no remuneration or reimbursement from public funds. A desk in No. 70 Whitehall is provided for his use, which includes a telephone extension and access to the Cab-e-net system. He may also make use of internal messenger services.

Mr. Hawkins: To ask the Minister without Portfolio if he will list all meetings on Government business attended by his special adviser, Mr. Benjamin Wegg-Prosser, from 12 to 23 January, separately identifying those *(a)* relating to millennium business and *(b)* on other matters. [26367]

Mr. Mandelson: Mr. Wegg-Prosser did not attend any meetings on Government business from 12 to 23 January.

Mr. Hawkins: To ask the Minister without Portfolio if he will make a statement on the age, professional or academic qualifications and previous career, of his special adviser, Mr. Benjamin Wegg-Prosser. [26368]

Mr. Mandelson: Mr. Wegg-Prosser is appointed as a political adviser. He is not paid from public funds. He previously acted as an adviser to me for the Labour Party.

TRADE AND INDUSTRY

Guinness Affair

Mr. Redwood: To ask the President of the Board of Trade, pursuant to her answer to the hon. Member for Newcastle-upon-Tyne Central (Mr. Cousins) of 23 June 1997, *Official Report*, column 296, on Dixons plc and to the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) of 8 December 1997, *Official Report*, column 462, on Guinness plc, what factors underlay her decision to give reasons for her action in the case of the individuals referred to in her Department's report on Guinness plc. [22664]

Mrs. Beckett *[holding answer 12 January 1998]:* The conduct of a number of individuals was criticised in the Guinness report. The DTI statement accompanying publication of the report explained why I had decided to take no action in relation to these individuals.

Power Cuts (Christmas Period)

Mr. Wigley: To ask the President of the Board of Trade if she will set up an inquiry into the failure of the MANWEB electricity supply company to reconnect within a reasonable period those houses and farms who had lost electricity supplies over the Christmas period in the north of Wales. [23273]

Mr. Battle *[holding answer 15 January 1998]:* I have asked the Office of Electricity Regulation (OFFER) to look into the electricity supply interruptions over the Christmas period.

The Office of Electricity Regulation (OFFER) is looking at the steps taken by the Public Electricity Suppliers, including MANWEB, to restore supplies and keep customers informed of the situation and likely restoration times. I have asked to see the conclusions of OFFER's inquiry.

Coal Industry

Mr. Redwood: To ask the President of the Board of Trade which Minister is currently responsible for policy in respect of coal contracts. [24405]

Mrs. Beckett *[holding answer 20 January 1998]:* Ministerial responsibility for all aspects of energy policy rests with my hon. Friend the Minister for Science, Energy and Industry, reporting to me as necessary.

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the number of jobs in the coal industry dependent upon the current contracts with the generators. [24409]

Mrs. Beckett *[holding answer 20 January 1998]:* Taking deep-mined and opencast together, around 15,000.

Mr. Redwood: To ask the President of the Board of Trade how many workers were employed in the coal mining industry in *(a)* May 1997 and *(b)* January 1998. [24768]

Mrs. Beckett *[holding answer 22 January 1998]:* Employment in UK coal mines, opencast and deep mined taken together, was 17,300 at the end of March 1997. Official figures are not yet available for May 1997 and January 1998.

Millennium Compliance

Mrs. Gillan: To ask the President of the Board of Trade if she will list the members of the Ministerial Group on the Year 2000 Problem. [24376]

Mrs. Roche *[holding answer 20 January 1998]:* I refer the hon. Member to the reply given by my right hon. Friend the Prime Minister to my hon. Friend the member for Wentworth (Mr. Healey) on 21 January 1998, *Official Report*, column 570.

Mrs. Gillan: To ask the President of the Board of Trade if she will ensure that all computer sales are accompanied by written guarantees of millennium compliance in order to protect the consumer. [25651]

Mrs. Roche *[holding answer 27 January 1998]:* Consumers buying computers enjoy the same statutory rights under the Sale of Goods Act 1979 as when buying any other type of good. Manufacturers are being encouraged by Action 2000 to do all they can to ensure that their products are Millennium compliant.

Power Generators (Windfall Tax)

Mr. Boswell: To ask the President of the Board of Trade what consultations she has had since July 1997 with representatives of the power generators to discuss the impact on their current business and investment programmes of the windfall tax. [24322]

Mr. Battle *[holding answer 21 January 1998]:* The windfall tax is a matter for HM Treasury. Ministers, including Treasury Ministers, meet representatives of the power generators from time to time to discuss a variety of issues.

Gas-fired Power Stations

Mr. Boswell: To ask the President of the Board of Trade what consultations took place with representatives of the gas industry before a moratorium on the building of gas-fired power stations was announced. [24319]

Mr. Battle *[holding answer 21 January 1998]:* None. The gas industry, like other parties, will be able to contribute to the Review.

Mr. Boswell: To ask the President of the Board of Trade for what reasons a moratorium was imposed on the building of gas-fired power stations. [24316]

Mr. Battle *[holding answer 21 January 1998]:* The Government are undertaking a review of energy sources for power generation. Its conclusions will inform the policy on consents for power stations. While the review is in hand, it seems sensible, in general, to defer decisions on applications for such consents.

Mr. Boswell: To ask the President of the Board of Trade what is her policy on the building of gas-fired power stations over the longer term. [24317]

Mr. Battle *[holding answer 21 January 1998]:* The Government are carrying out a review of energy sources for power generation. The terms of reference for the review were published in an answer to a parliamentary question on 22 December 1997, *Official Report*, column *519*. The review will make recommendations on the energy policy considerations relevant to the consents needed for the building of power stations.

Copier Industry

Mr. Redwood: To ask the President of the Board of Trade what plans *(a)* the Government and *(b)* the Director General of Fair Trading have to refer the copier industry for a competitive review. [24757]

Mrs. Beckett *[holding answer 22 January 1998]:* The decision on whether to make a reference to the Monopolies and Mergers Commission is a matter for the Director General of Fair Trading.

Gem Stones

Ms Walley: To ask the President of the Board of Trade what measures are in place to prevent the importation of gem stones illegally irradiated to alter their colour; and if she will make a statement. [25883]

Mrs. Roche: There are no import controls to prevent irradiated gem stones from entering the UK. However, the description of these products is controlled by the Trade Description Act 1968 and their safety, as consumer products, is controlled by the General Product Safety Regulations 1994.

Scottish Executive

Mr. Swinney: To ask the President of the Board of Trade what discussions he has had with the Secretary of State for Scotland to produce a concordat setting out arrangements for relations between his Department and the Scottish Executive after the establishment of a Scottish Parliament; and if he will make a statement. [25475]

Mrs. Beckett *[holding answer 26 January 1998]:* I am regularly in contact with my ministerial colleagues, including my right hon. Friend, the Secretary of State for Scotland, about future arrangements for the co-ordination of inward investment. New arrangements will be published in the concordat when Ministers are satisfied that they represent an acceptable way forward for all parts of the United Kingdom.

Regional Selective Assistance

Dr. Ladyman: To ask the President of the Board of Trade what was the average level of regional selective assistance grant made in 1997 in each of the Government office areas. [25747]

Mrs. Roche: The average of regional selective assistance offers made in 1997 was as follows:

£

Government Office	*Average (cost per job) development area*	*Intermediate area*
East	—	2,297
East Midlands	4,688	3,116
London	—	2,670
Merseyside	3,162	—
North East	3,104	2,378
North West	2,453	2,588
South East	5,376	2,892
South West	4,803	3,894
West Midlands	7,045	8,794
Yorkshire and the Humber	2,696	2,922
England average	4,326	3,699

Further detailed information on RSA grants is published in the Annual Report of the Industrial Development Act 1982.

Dr. Ladyman: To ask the President of the Board of Trade how many regional selective assistance grants were made at the maximum level and how many grants were made in total in each of the Government office areas in 1997. [25748]

Mrs. Roche: Maximum aid limits are defined by EU State Aid rules and limit the maximum percentage of a project's capital cost that can be provided as aid. The present limits for GB are 30 per cent. in Development Areas and 20 per cent. in Intermediate Areas. There were no offers of RSA grant made at the maximum limit in 1997. In all cases the amount of grant offered is the minimum necessary for the project to go ahead. The total number of offers of regional selective assistance made in 1997 was as follows:

Government Office	*Number of offers made*
East	17
East Midlands	100
London	49
Merseyside	99
North East	221
North West	148
South East	60
South West	42
West Midlands	156
Yorkshire and the Humber	191
Total for England	1,083

EU Structural Funds

Mr. Campbell-Savours: To ask the President of the Board of Trade what is his estimate of the underspend on the ESF and ERDF budgets for the North-west in the period 1994 to 1996. [24692]

Mrs. Roche *[holding answer 26 January 1998]:* For the two 1994–96 Structural Funds Objective 2 programmes covering the North-west, current estimates are that there will be no underspend of the Manchester/Lancashire/Cheshire programme but that the West Cumbria and Furness programme may be underspent by 6 per cent.

(about £0.9 million ERDF and £0.2 million ESF). These estimates will be affected by future exchange rate movements and final project costs.

Official Cars

Mr. Redwood: To ask the President of the Board of Trade what was the cost of providing a car and a driver for each Minister in her Department in the month of June 1997; and what was the average weekly overtime worked by the drivers in that month. [25828]

Mrs. Beckett *[holding answer 28 January 1998]:* The costs per Minister were similar to the cost for the equivalent period in the previous year.

Social Chapter

Mr. Tyrie: To ask the President of the Board of Trade what assessment she has made of the impact of the introduction of the Social Chapter on the level of employment in the United Kingdom. [24193]

Mr. Ian McCartney *[holding answer 29 January 1998]:* Measures under the Social Chapter will improve conditions of employment. The Government consequently expect the Social Chapter to have a positive impact on employment and competitiveness.

Plutonium

Mr. Geraint Davies: To ask the President of the Board of Trade if she will make a statement on further measures taken by Her Majesty's Government to implement the international guidelines on plutonium. [27291]

Mr. Battle: In my answer on 2 December 1997, *Official Report*, column *164*, I informed the House that the UK accepted a commitment under the guidelines to publish occasional statements explaining our national strategy for nuclear power and the nuclear fuel cycle, including our general plans for managing national holdings of plutonium. I have today placed in the Library of the House a copy of the document outlining our policy on this subject. In accordance with the requirements of the guidelines, I have also today sent a copy of the document to the Director-General of the International Atomic Energy Agency, who will be circulating it to Member States in due course.

Low Pay Commission

Yvette Cooper: To ask the President of Board of Trade if she will make a statement on the Government's evidence to the Low Pay Commission. [27290]

Mr. Redwood: To ask the President of the Board of Trade on what date the Government will submit their evidence to the Low Pay Commission. [24675]

Mr. Ian McCartney: The Government have today sent a copy of the Government's evidence to the Low Pay Commission. It sets out the Government's approach to the national minimum wage and provides background material to aid the Commission in its deliberations.

In particular, the evidence sets out:

- the incidence of low pay in the UK focusing on groups which suffer disproportionately from low pay, including young people, women, part-time workers and ethnic minorities;
- the economic background and the context of current pay practices and arrangements into which the national minimum wage will be introduced; and
- the likely implications of the national minimum wage for the labour market, focusing on a number of groups, particularly young people, and for the Exchequer.

In areas where the LPC has been asked to make recommendations such as the rate of the NMW, the treatment of young people and what elements of pay might count towards the hourly minimum wage, the Government have set out facts and issues for the LPC to consider. The final recommendations will, however, be for the LPC to make. We look forward to receiving their report.

The evidence also places the national minimum wage in the context of related Government policies to improve employability, help people back into work and promote a more fair and inclusive society.

Copies of the evidence have been placed in the Libraries of the Houses.

DEFENCE

Naval Nuclear Propulsion Plant

Mr. Baker: To ask the Secretary of State for Defence if he will list the occasions since 1980 when nuclear reactors have been shut down for safety reasons, indicating in each case the date of shut down, the reason for the shut down and the date on which power generation recommenced. [24754]

Mr. Spellar *[holding answer 22 January 1998]:* Naval nuclear propulsion plant is designed with significant redundancy in the protection system to ensure that the reactor is shut down safely in the event of a fault. Naval nuclear plant operators are trained to shut down plant early to investigate possible defects. Reactors have therefore been shut down on some 500 occasions since 1980 for precautionary defect investigations. It would be incorrect, however, to ascribe these shutdowns specifically to safety reasons.

Availability is a major factor in the design of naval nuclear propulsion plant. On all occasions following reactor shutdown at sea it has been possible to resume reactor operation safely within a few hours. Since 1980, all submarines have been able to return safely to harbour under nuclear power.

Porton Down

Mr. Baker: To ask the Secretary of State for Defence pursuant to his answer of 26 January 1998, *Official Report*, column *32*, how many of the 30 project licence applications submitted by DERA in respect of Porton Down since March 1995 have been *(a)* rejected by his Department and *(b)* amended. [26282]

Mr. Spellar *[holding answer 29 January 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Norman Baker, dated 30 January 1998:

Pursuant to my answer of 26 January 1998 (Column 32), I am now replying to your question concerning the number of project licence applications from DERA's Chemical and Biological Defence (CBD) sector at Porton Down which have been either rejected or amended.

After the internal (CBD) ethical review process, project licence applications from CBD sector are not submitted to the Ministry of Defence, but directly to the Home Office. Since March 1995, CBD sector has submitted 30 such applications to the Home Office, none of which have been rejected. However, virtually all project licence applications made since 1995 have required some form of amendment as a result of both the internal ethical review and review by the Home Office. The internal and external review process presents a mechanism to enhance and refine proposals, and gives confidence that all aspects have been considered.

I hope this information is helpful.

Royal Marines

Sir Peter Emery: To ask the Secretary of State for Defence if he will ensure that the Royal Marines are assured a full and independent role in the defence structure of the nation as an outcome of the Defence Review. [26362]

Mr. George Robertson: The role of the Royal Marines, together with all the other elements of our Armed Forces, is being considered as part of the Strategic Defence Review. The Review has yet to reach its final conclusions and no decisions have been taken.

SOCIAL SECURITY

Child Support Agency

Mr. Sanders: To ask the Secretary of State for Social Security how much maintenance money is currently outstanding after assessment by the Child Support Agency in *(a)* Devon and *(b)* the United Kingdom; and how many children this relates to in *(a)* and *(b)*. [23323]

Mr. Keith Bradley: We are looking for substantial and sustained operational improvements from the Agency, in particular in getting more maintenance paid, reducing the backlogs and improving customer service.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Adrian Sanders, dated 29 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the amount of maintenance currently outstanding in Devon and the United Kingdom; and how many children this relates to.

It is not possible to provide the full information you requested, however I can provide details on maintenance outstanding at Agency level (excluding Northern Ireland, which is handled separately by the Northern Ireland Child Support Agency), and at Business Unit level. Information on maintenance outstanding is taken from the Agency's Financial Management System but is not available at county level. The Agency is organised into 6 Business Units; Devon is dealt with by our South West Business Unit, for which figures are quoted in the table.

Numbers are given for related children in the Devon area, and also in the South West Business Unit (provided by the Department of Social Security Analylitical Services Division).

Maintenance outstanding and the number of related children in Great Britain and the South Western Business Unit at 31 December 1997

	Category A interim maintenance assessments (£)	*Full maintenance assessments and other interim maintenance assessments (£)*	*Number of related children*
South West Business Unit	104,697,780	[1]113,058,066	187,160 (of which 22,340 live in the Devon area)
Great Britain	690,002,757	[2]635,522,889	1,002,180

[1] £53,161,236 of this relates to amounts which have been rescheduled for payment over an agreed future period.
[2] £301,638,298 of this relates to amounts which have been rescheduled for payment over an agreed future period.

A Category A interim maintenance assessment sets maintenance at a punitive rate for absent parents who fail to co-operate, is imposed until the Agency is provided with the information needed to complete a full maintenance assessment. The Agency issued many interim maintenance assessments in its first two years—73,303 in 93/94. The emphasis now is to encourage absent parents to co-operate early and therefore avoid building up excessive maintenance arrears; the number of interim maintenance assessments has now greatly reduced to 11,718 in 1996/97.

In 1997 the Agency undertook a debt analysis exercise and established that 44.9% of final maintenance assessments were collectable, 15.9% were possibly uncollectable, 38% probably uncollectable and 1.2% has been deferred.

I hope this is helpful.

Mr. Sanders: To ask the Secretary of State for Social Security what is the average length of time between assessment by the Child Support Agency and first payment. [23505]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Adrian Sanders, dated 29 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the average length of time between assessment by the Child Support Agency and first payment.

It is not possible to provide details on the average length of time between assessment and first payment. The date on which a first payment is due is dependent on several factors, including the chosen method of payment, the payment preferences of the absent parent and the parent with care, and the absent parent's pay frequency. There is no prescribed date applicable to all cases by which a first payment must be made.

It is therefore difficult to estimate an average length of time between assessment and the date on which the first payment *should* be made.

Statistics are not collated on the time between the assessment and the first payment as these details would not prove very informative due to the several factors that have an influence on when a first payment is *due* and in turn *actually* made.

The Agency is very aware of the need to assess maintenance and ensure payments are passed on to the parent with care as quickly as possible, and in 1997/98 has two Secretary of State targets designed to achieve this. The first target contains an element which requires the Agency to clear 60% of all applications within 26 weeks; to 31st December 1997, the year's performance stood at 73%. The second target requires the Agency to pass on 97% of payments to the parent with care within ten days of receipt from the absent parent; year-to-date performance at 31st December was 98%.

We are constantly looking at how we can adapt and improve our procedures to speed up the time taken. The timescales achieved for many cases have shortened over the last 2 years. Such an example is that the Agency is building more pro-active use of the telephone into its procedures between assessment and first payment to ensure that timescales are shortened wherever possible. The vast majority of payment advice is now conducted by telephone.

I hope this is helpful.

Mr. Sanders: To ask the Secretary of State for Social Security how many people in Devon are being pursued by the Child Support Agency; and what is the figure per 1,000 residents in the United Kingdom. [23324]

Mr. Keith Bradley: Children are entitled to the financial and emotional support of both parents wherever they live. It is not right that so many absent parents should seek to avoid paying the maintenance they owe.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Mr. Adrian Sanders, dated 29 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the caseload of the Child Support Agency.

The caseload comprises two broad categories, i.e. the live and assessed cases, where an assessment has been made, and the work-on-hand, where the case has not yet been cleared by assessment or by closure for other reasons.

The Agency is organised into 6 Business Units; figures are available at Business Unit level but not at county level. Devon is dealt with by our South West Business Unit, for which figures are given below.

At 31st December 1997, the South West Business Unit has 120,300 live and assessed cases. At the same time, that Business Unit's work-on-hand stood at 48,297; 18,305 of which are backlog cases.

Any maintenance application which is over 52 weeks old is considered to form part of the Agency's backlog.

The Agency has developed and is now implementing a strategy for meeting its undertaking to clear its backlogs. All Business Units have put in place operational plans which will guide them towards the achievement of our stated objective of clearing backlogs by 31 March 1999.

The total caseload for the South West Business Unit of 168,597 equates to around 3 cases per 1,000 people, based on a GB population of around 57.2 million.

I hope this is helpful.

Dr. Kumar: To ask the Secretary of State for Social Security is she will provide a breakdown of the numbers of staff employed by the Child Support Agency working on Teesside; and if the review of the CSA is examining their caseload. [24514]

Mr. Keith Bradley: Children are entitled to the financial and emotional support of both parents wherever they live. We are looking closely at all aspects of the Agency's work to ensure that it provides a consistent, fair and efficient service to all its clients. We aim to bring forward proposals by the Summer.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Dr. Ashok Kumar, dated 29 January 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about staff employed by the Child Support Agency.

The Agency employs 32 staff in the Teeside area. All of these staff work in Middlesborough Field Office.

I hope this is helpful.

Mr. Rendel: To ask the Secretary of State for Social Security (1) if she will make a statement on the future of the Child Support Agency; [26727]

(2) when she will announce the outcome of her review of the Child Support Act 1995. [26728]

Mr. Keith Bradley: We are looking closely at all aspects of the child support scheme to see where improvements can be made. We expect to bring forward proposals by the Summer.

Personal Pension Plans

Mrs. Lait: To ask the Secretary of State for Social Security what estimate she has made of the number of current and future pensioners with personal pension plans who will be affected by the changes to the Act. [24225]

Mr. Denham: The package of measures in the July budget will ensure that we create and maintain the right conditions for long-term investment and growth. This is the way to ensure that wealth is created to sustain pensions in the future.

The Government are taking the long-term view of the economy, and a long-term view on pensions.

There is some short-term risk that some people with appropriate personal pensions may have been best advised to rejoin SERPS. The Government have responded to these fears by increasing their rebating to ensure contracting out remains attractive.

Disability Living Allowance

Audrey Wise: To ask the Secretary of State for Social Security how many people with multiple sclerosis receive the disability living allowance at the higher rate for *(a)* the mobility component and *(b)* the care component of the benefit. [24068]

Mr. Denham: The information requested is set out in the table.

Recipients of Disability Living Allowance (DLA) with multiple sclerosis[1]

	Number
All recipients	[2]45,100
with higher rate of mobility component	43,500
with higher rate of care component	18,300

Source:

1. Analytical Services Division: 5 per cent. data.

Notes:

[1] Figures rounded to the nearest hundred relate to 30 November 1997.

[2] Figures relate to people who receive DLA where multiple sclerosis is recorded as the main disabling condition.

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her answer of 13 January 1998, *Official Report*, column *251*, if she will estimate how many of the *(a)* lifetime and *(b)* renewable disability living allowance awards disallowed, (i) were transferred to income support and housing benefit, (ii) became dependent on partners or carers and (iii) returned to work. [24736]

Mr. Denham: The information needed to make such an estimate is not available. Disability Living Allowance (DLA) is a tax-free, non-contributory and non income-related benefit intended to help with the extra costs associated with disability. Its financial value is wholly disregarded when assessing a person's eligibility for benefits such as Income Support or Housing Benefit, although receipt of DLA would result in an additional premium being paid. Disallowance of DLA would not normally lead to a transfer on to these benefits. No information is recorded as to a claimant's circumstances following disallowance of DLA.

Mr. Kidney: To ask the Secretary of State for Social Security if the Benefits Integrity Project will review those applications for disability living allowance which have been refused. [24516]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. David Kidney, dated 29 January 1998:

The Secretary of State has asked me to reply to your recent Parliamentary Question enquiring if the Benefits Integrity Project (BIP) will review those applications for Disability Living Allowance (DLA) which have been refused.

Decisions on DLA cases are made by independent Adjudication Officers (AO), neither ministers nor officials can alter or influence their decisions, and cases examined by the BIP are subject to the same adjudication rules as any other DLA award. There is provision for anyone who is not satisfied with an AO's decision to request a review which will be carried out by a different AO. Anyone who remains dissatisfied following a review has the right of appeal to an independent appeal tribunal.

I hope you find the reply helpful.

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her reply to the hon. Member for Sutton and Cheam (Mr. Burstow) of 13 January 1998, *Official Report*, columns *203–04*, if she will provide figures on the same basis for *(a)* each of the categories included in her previous answer, *(b)* ME, *(c)* limb loss, *(d)* stress, and *(e)* occupational diseases for (i) the United Kingdom, (ii) the Northern Region, (iii) the benefit districts approximating to the North-East counties, (iv) the benefit district approximating to Tyneside and (v) Newcastle upon Tyne. [24727]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Jim Cousins dated, 29 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking for figures on (a) each of the categories included in her previous answer dated 13 January, (b) ME, (c) limb loss, (d) stress, and (e) occupational diseases for (i) the United Kingdom, (ii) the Northern Region, (iii) the benefit districts approximating to the North East counties, (iv) the benefit district approximating to Tyneside and (v) Newcastle upon Tyne.

The information is not available in the format requested. The figures for stress and occupational diseases are not available. The available information is shown in the attached tables.

I hope you find this reply helpful.

Disability Living Allowance by disability and regions

Main disabling condition	*United Kingdom*[1,2] *Awards of care*	*Awards of mobility*	*North-east*[4] *Awards of care*	*Awards of mobility*	*Tyneside*[5] *Awards of care*	*Awards of mobility*	*Newcastle upon Tyne*[5] *Awards of care*	*Awards of mobility*
All disabling conditions	1,444,610	1,802,520	86,600	115,530	10,330	14,520	8,780	10,720
1 Arthritis	274,660	407,940	19,380	30,540	2,630	3,970	1,720	2,510
2 Muscle/joint/bone disease	107,260	131,160	6,310	8,900	560	900	640	730
3 Blindness	42,120	49,350	2,000	2,290	290	330	170	170
4 Stroke-related	74,900	80,990	4,200	4,660	470	450	480	540
5 Learning difficulty	161,710	174,180	7,860	8,180	1,170	960	810	770
6 Other mental health causes	162,760	159,170	8,090	8,610	810	890	910	1,060
7 Epilepsy	46,490	41,350	2,870	2,560	370	350	400	400
8 Deafness	16,550	12,130	770	480	60	40	170	60
9 Malignant disease	35,800	34,960	2,220	2,530	230	380	190	230
10 Chest disease	46,170	85,610	3,360	6,250	390	900	290	520
11 Back ailments	110,660	162,100	9,070	14,000	1,170	1,940	570	1,040

Disability Living Allowance by disability and regions

Main disabling condition	United Kingdom[1,2] Awards of care	United Kingdom[1,2] Awards of mobility	North-east[4] Awards of care	North-east[4] Awards of mobility	Tyneside[4] Awards of care	Tyneside[4] Awards of mobility	Newcastle upon Tyne[5] Awards of care	Newcastle upon Tyne[5] Awards of mobility
12 Heart disease	69,290	151,020	4,640	11,400	560	1,480	450	940
13 Parkinson disease	10,570	10,740	500	500	60	60	40	60
14 Diabetes melitus	30,520	23,450	1,810	1,410	210	150	210	190
15 Renal disorders	7,180	7,580	620	520	40	40	20	40
16 AIDS	5,040	5,000	60	60	0	0	20	20
17 Skin diseases	10,520	2,990	810	130	60	40	230	20
18 Chronic fatigue syndrome[6]	7,640	8,510	210	230	20	60	20	20
19 Limb loss[3]	490	600	20	20	0	0	0	0
20 Other	224,290	253,690	11,810	12,290	1,240	1,580	1,450	1,410

[1] Figures rounded to nearest ten units relate to 30 November 1997 for Great Britain and to 31 August 1997 for Northern Ireland.
[2] Source: Analytical Service Division 5 per cent. data and DHSS Northern Ireland 100 per cent. data.
[3] Source: Analytical Services Division 100 per cent.
[4] Area consists of Cleveland, Northumberland, Tyne and Wear and Durham counties.
[5] Area consists of North Tyneside and South Tyneside local authorities.
[6] Includes ME and post viral.
Owing to rounding the figures do not always sum.

Mr. Burns: To ask the Secretary of State for Social Security how many *(a)* women of 60 years or over and *(b)* men of 65 years or over claim disability living allowance; and what proportion they are of the total number of disability living allowance claimants. [26714]

Mr. Denham: On the basis of the latest figures available, there are 341,600 women aged 60 and over, in receipt of Disability Living Allowance and they represent 17 per cent. of all recipients. 198,400 men aged 65 and over are in receipt of this benefit and they represent 10 per cent. of all recipients.

Note:

Figures are based on a 5 per cent. sample of data.

Incapacity Benefit

Mr. Cousins: To ask the Secretary of State for Social Security how many claims for incapacity benefit have so far been assessed under the Benefits Integrity Review; and how many claims have been *(a)* set aside, *(b)* reduced and *(c)* increased (i) in total and (ii) by region. [24721]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Jim Cousins, dated 29 January 1998:

The Secretary of State for Social Security had asked me to reply to your recent Parliamentary Question regarding the number of claims of Incapacity Benefit (IB) that have been so far assessed under the Benefits Integrity Review; and how many claims have been (a) set aside, (b) reduced and (c) increased (i) in total and (ii) by region.

The Benefit Integrity Project (BIP) is not looking at IB claims. The BIP is looking at claims to Disability Living Allowance (DLA) and the analysis you have requested has therefore been provided for DLA.

At 30 November, a total of 33,490 cases had been examined of which 6,953 have been changed. Of these changes, 2,232 have been disallowed, 3,880 reduced and 841 increased. Figures for the period to 31 December and subsequent months will be placed in the House of Commons library. Information is not routinely available on a regional basis.

I hope you find the reply helpful.

Attendance Allowance

Mr. O'Hara: To ask the Secretary of State for Social Security what proportion of attendance allowance claims were dealt with within *(a)* 30 working days and *(b)* 55 working days for each year since 1992. [24870]

Mr. Denham: The administration of Attendance Allowance is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Eddie O'Hara, dated 29 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what proportion of Attendance Allowance (AA) claims were dealt with within (a) 30 working days and (b) 55 working days for each year since 1992.

The information is not available in the format requested. The Secretary of State targets for AA new claims and reviews have changed since 1992. The current target for new claims is sixty-eight per cent cleared within 30 days and eighty five per cent cleared within 53 days. The current target for reviews is sixty per cent cleared within 55 days and eighty per cent cleared within 75 days.

The attached tables show the AA targets set and achieved for new claims and reviews.

I hope you find this reply helpful.

Attendance allowance targets set and achieved for new claims and reviews

Year	Target	Achievement (per cent.)
New claims		
1992–93	60 per cent. in 35 days	30
	95 per cent. in 60 days	53
1993–94	60 per cent. in 35 days	82
	95 per cent. in 60 days	95
1994–95	60 per cent. in 30 days	72
	90 per cent. in 60 days	95
1995–96	57 per cent. in 30 days	80
	89 per cent. in 55 days	96

Attendance allowance targets set and achieved for new claims and reviews

Year	Target	Achievement (per cent.)
1996–97	68 per cent. in 30 days	79
	89 per cent. in 55 days	95
1997–98	68 per cent. in 30 days	75
	85 per cent. in 53 days	93
Reviews		
1992–93	60 per cent. in 61 days	55
	95 per cent. in 81 days	71
1993–94	60 per cent. in 61 days	82
	85 per cent. in 81 days	92
1994–95	60 per cent. in 61 days	85
	85 per cent. in 81 days	96
1995–96	59 per cent. in 56 days	73
	84 per cent. in 76 days	89
1996–97	60 per cent. in 55 days	74
	80 per cent. in 75 days	91
1997–98	60 per cent. in 55 days	70
	80 per cent. in 75 days	87

Disability Working Allowance

Mr. Lock: To ask the Secretary of State for Social Security if he will make a statement on the sums which were *(a)* budgeted for payment in disability working allowance in each of the last three years and *(b)* paid out to claimants in disability working allowance in each of the last three years. [25407]

Mr. Denham: The information is given in the table.

Disability Working Allowance—granted and actual expenditure

£

	1994–95	1995–96	1996–97
Granted (budgeted)	13,000,000	14,987,000	25,345,000
Actual expenditure	11,369,000	19,163,000	34,028,000

Source:

1. The figures are taken from the Appropriation Accounts for Class XII, Vote 1 for 1994–95, 1995–96 and 1996–97.

Winter Fuel Payments

Mr. Martin Bell: To ask the Secretary of State for Social Security if the winter fuel payment will be paid to older people who live in *(a)* Northern Ireland, *(b)* the Isle of Man and *(c)* the Channel Islands. [25732]

Mr. Denham: The additional help of £400 million over this winter and next, as announced by my right hon. Friend the Chancellor of the Exchequer on 25 November 1997, *Official Report*, column *773-98*, demonstrates the Government's commitment to help the elderly keep warm in their homes during cold weather.

This Department is responsible for Social Security only in Great Britain, which does not include the Isle of Man or the Channel Islands.

Responsibility for Northern Ireland rests with my right hon. Friend the Secretary of state for Northern Ireland, who has arranged similar provisions (S.R. 1998 No.3).

Departmental Fuel

Mr. Stunell: To ask the Secretary of State for Social Security how much *(a)* oil, *(b)* gas and *(c)* electricity was purchased for the heating, lighting and powering of accommodation occupied by her Department within the United Kingdom in each year since 1989–90; and what was the total cost in real terms for *(a)* to *(c)* in each year. [25798]

Mr. Field: The information requested is shown in the table.

Fuel costs since 1989–90

£000

Year	Oil		Gas		Electricity	
	Actual	Real[1]	Actual	Real[1]	Actual	Real[1]
1989–90	591	834	2,423	3,423	6,743	9,527
1990–91	792	968	3,288	4,020	8,645	10,570
1991–92	723	830	3,848	4,423	10,062	11,566
1992–93	676	745	3,853	4,250	11,441	12,621
1993–94	1,230	1,319	3,830	4,105	12,472	13,368
1994–95	440	465	3,004	3,172	12,713	13,424
1995–96	427	438	2,972	3,055	12,856	13,212
1996–97	550	550	3,191	3,191	11,775	11,775

[1] Figures have been brought to 1996–97 base level to reflect the cost in real terms.

State Earnings-related Pension Scheme

Dr. Lynne Jones: To ask the Secretary of State for Social Security what weekly contributions would be required *(a)* over a 40 year period for SERPS to deliver a pension of £15,700 per annum at today's prices, *(b)* over a 25 year period to deliver a pension of £4,700 and *(c)* over a 10 year period to deliver a pension of £976 (i) as the scheme is currently constituted and (ii) in accordance with the principles when the scheme was first set up. [26286]

Mr. Denham: It is not possible to provide the information requested. SERPS is a pay as you go, defined benefit scheme based on qualifying earnings. Hence there is no direct link between an individual's National Insurance contributions and the SERPS pension received.

Child Care

Mr. Kirkwood: To ask the Secretary of State for Social Security, pursuant to the answers to the hon. Member for Montgomery (Mr. Öpik) of 13 January 1998, *Official Report*, columns *210-11*, and to the hon. Member for Regent's Park and Kensington, North (Ms Buck) of 15 January 1998, *Official Report*, columns *312-13*, for what reason parents will be able to receive £95.50 a week towards the cost of their child care after the disregard is enhanced to £100 from June 1998; if she will set out in detail how the working family tax credit will provide more help with the cost of child care in addition to the £100 disregard; and if she will make a statement. [24998]

Mr. Keith Bradley: The increase in the child care disregard will allow up to £100 a week to be off-set against earnings, which would otherwise be taken into

account against benefit entitlement. This means that a recipient of Family Credit, Housing Benefit and Council Tax Benefit can receive up to £95.50 a week in extra benefit.

The Working Family Tax Credit is one of the options currently under consideration by the Government. The details will be announced once a decision is made.

Disabled People

Mr. Burns: To ask the Secretary of State for Social Security if she will publish the survey that shows that over 1 million disabled people want to work. [26543]

Ms Harman: Analysis of the data from the Summer 1997 Labour Force Survey, released by the Office for National Statistics in December 1997, suggests that over 1 million people with a long-term disability[1] in Great Britain want to work. The analysis estimates that 354,000 disabled people of working age[2] are unemployed[3] and seeking work, and a further 935,000 disabled people who are not working[4] would like to work.

Notes:

[1] Those with a current disability which has lasted, or is expected to last, more than a year. This category includes those with a disability which limits the kind or amount of work they can do, or has a substantial adverse impact on their day-to-day activities; and those known to have a progressive condition. It may exclude some people with progressive conditions and severe disfigurements who feel that these do not limit their work or have a substantial adverse impact on their day-to-day activities. The definition of disability in the Labour Force Survey (LFS) has been changed to take account of the Disability Discrimination Act 1995, resulting in changes in the numbers recorded as disabled. This particular definition of disability is not available from the Labour Force Survey (LFS) prior to Spring 1997.

[2] People of working age: men aged 16–64, women aged 16–59.

[3] The Office for National Statistics measure of unemployment, derived from the LFS is defined on a consistent and internationally recognised basis set out by the International Labour Organisation (ILO), and counts unemployed people who are: (a) without a paid job: (b) available to start work within the next two weeks and (c) have either looked for work in the last four weeks or are waiting to start a job already obtained.

[4] Not in employment or ILO unemployed.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Social Security when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 26 November 1997 on behalf of Mr. Harding; [26370]

(2) when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 16 December 1997 on behalf of Mr. Moore; [26371]

(3) when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 2 December 1997 on behalf of Miss Randall; [26372]

Sir Brian Mawhinney: To ask the Secretary of State for Social Security when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 3 December on behalf of Mrs. Tasker. [26375]

Mr. Denham: Replies will be sent shortly.

HEALTH

Cosmetic Surgery Clinics

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will take steps to regulate more effectively cosmetic surgery clinics to ensure that medically qualified personnel undertaking surgical procedures are full qualified to carry out these operations. [23687]

Mr. Milburn: The Registered Homes Act 1984 provides for the registration and inspection of private cosmetic surgery clinics by health authorities. The General Medical Council has powers to instigate disciplinary procedures in cases of alleged seriously deficient professional performance, as well as serious professional misconduct. Anyone who attempted to perform a cosmetic procedure, but who was not competent to do so, would also expose themselves to the risk of civil, and possibly criminal, liability, and/or to professional proceedings for misconduct. We will be considering whether further safeguards are needed.

Adoption

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what plans he has to set up independent agencies to provide services to prospective United Kingdom intercountry adopters. [25814]

Mr. Boateng: The first voluntary adoption society to be approved to carry out work on intercountry adoption was in June 1997; a second adoption society has applied to the Department to be approved to provide intercountry adoption services to prospective adopters.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health (1) what assessment he has made of the range of charges imposed for home study reports on intercountry adoption; [25810]

(2) if he will introduce controls on the charges made for home study reports for intercountry adoption. [25809]

Mr. Boateng: Charges made for the preparation and assessment of prospective adopters who wish to adopt children from overseas are a matter for each local authority and voluntary adoption society.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what research his Department funded on intercountry adoption in the past six years; what was the cost of research; and if he will publish it. [25812]

Mr. Boateng: The Department funded a study of children adopted from Romania by residents of the United Kingdom. The project began in January 1993 and ended in December 1997. The total cost of the project was £742,860. We are currently awaiting the final report.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what steps he is taking to ensure all adopters can obtain a home study report for intercountry adoption. [25807]

Mr. Boateng: All local authorities either undertake home study assessments of prospective intercountry adopters themselves or arrange for them to be carried out on their behalf. We issued comprehensive guidance in May 1997 to enable local authorities and adoption agencies to carry out these assessments.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health when he plans to introduce legislation to update the law on adoption. [25806]

Mr. Boateng: We have no plans at present to introduce a Bill to bring further adoption legislation. However, we shall do so as soon as parliamentary time allows.

Smoking

Dr. Kumar: To ask the Secretary of State for Health what research work he has *(a)* commissioned and *(b)* evaluated into the long-term and short-term effects on the skin of smoking. [25609]

Ms Jowell: None.

However, research has been conducted by the Twin Research Unit at St. Thomas Hospital, London which found dramatic differences in skin aging between smoking and non-smoking twins.

A smoker's skin was found to be 40 per cent. thinner than that of her twin's—0.57 millimetres compared with 0.91 millimetres.

Carers

Mr. Kidney: To ask the Secretary of State for Health what assessment he has made of the project on short-term breaks for carers. [25742]

Mr. Boateng: This study is nearing completion and we expect to receive the report soon.

Gammahydroxybutyrate

Mr. Dawson: To ask the Secretary of State for Health if he will investigate the effects, side-effects, toxicity and availability of the drug Gammahydroxybutyrate. [26718]

Ms Jowell: Gammahydroxybutyrate is a medicinal product, and its medicinal properties are well established. In the United Kingdom, it is controlled under the Medicines for Human Use (Marketing Authorisations Etc.) Regulations 1994 and Medicines Act 1968. It is unlicensed in the UK, and can lawfully be supplied only by a pharmacist in response to a doctor's prescription for a patient.

Unlawful supply of this product is a criminal offence. The Medicines Control Agency enforces medicines legislation on behalf of ministers and has successfully investigated and prosecuted offenders in recent years.

Worcestershire Health Authority

Mr. Lock: To ask the Secretary of State for Health (1) what costings have been undertaken to date by *(a)* his Department and *(b)* the Worcestershire Health Authority concerning the cost to the National Health Service of staff travel arising rom the transfer of staff as a result of the implementation of each of the options referred to in the Strategic Document from the Worcestershire Health Authority 23 October 1997; and if he will make a statement; [24851]

(2) when *(a)* his Department and *(b)* Worcestershire Health Authority expect to reach a decision on which of the options referred to in the Strategic Framework Document issued by the Worcestershire Health Authority dated 23 October 1997 oblige them to consult NHS staff prior to decisions being taken involving (i) redundancies and (ii) the redeployment of staff employed by the NHS in Worcestershire; [24852]

(3) what costings have been undertaken to date by *(a)* his Department and *(b)* the Worcestershire Health Authority concerning the cost to the National Health Service redundancy payments for each of the options referred to in the Strategic Framework Document from the Worcestershire Health Authority on 23 October 1997; and if he will make a statement; [24884]

(4) what costings have been undertaken to date by *(a)* his Department and *(b)* the Worcestershire Health Authority concerning the cost to the National Health Service of pension payments arising from the early terminations of staff arising out of each of the options referred to in the Strategic Framework Document from the Worcestershire Health Authority of 23 October 1997; and if he will make a statement. [24885]

Mr. Milburn: The Worcestershire Health Authority strategic framework document outlines a range of possible options, which are still the subject of discussion and revision with the trusts concerned and other interested groups, and will be the subject of a full public consultation starting at the end of February. Detailed costings and action plans for staff consultation, staff travel, possible redundancies and the effects on pensions cannot be undertaken until the public consultation concludes in the summer of 1998. Decisions will be taken either by the health authority or my right hon. Friend the Secretary of State.

Prescription Fraud

Dr. Marek: To ask the Secretary of State for Health what is his latest estimate of the cost to public funds of fraud arising from false claims for exemption from prescription charges. [26414]

Mr. Milburn: It is estimated that for 1996–97 £90 million was lost through prescription charge evasion by patients.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for Health when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 19 November on behalf of Mr. Thornton. [26376]

Mr. Dobson: I have written to the right hon. Member today.

Medical Graduates (Career Patterns)

Mr. Welsh: To ask the Secretary of State for Health what proportion of those graduating with degrees in medicine and dentistry in (i) 1975, (ii) 1980, (iii) 1985, (iv) 1990, (v) 1995 and (vi) 1997 are now *(a)* not employed in the field of medicine or dentistry, *(b)* employed in the public sector, *(c)* employed in the private sector and *(d)* employed in both public and private sectors. [26524]

Mr. Milburn: Information is not available in the form requested.

Evidence on doctors' career patterns is available from studies published in 1991 by Professor James Parkhouse. This gives the results of surveys of doctors who qualified in 1974, 1977, 1980 and 1983. The Department has commissioned further cohort studies of doctors' careers by the United Kingdom Medical Careers Research Group (MCRG) at the Oxford Unit of Health-Care Epidemiology. These are examining career patterns of doctors who qualified in 1988, 1993 and 1996, as well as some of the cohorts surveyed originally by Professor Parkhouse. Data from the original studies are given in the table.

Changing patterns of retention—five years after qualification

Year of cohort Qualification	Size	Not practising medicine		Not practising medicine in the UK	
		Number	Percentage	Number	Percentage
1974	2,346	208	8.8	398	17.0
1977	3,128	186	5.9	405	12.9
1980	3,418	228	6.7	350	10.2
1983	3,841	202	5.3	339	8.8
1988	3,731	307	8.2	513	13.7

Source:
UK Medical Careers Research Group.

Health of the Nation

Mr. Cousins: To ask the Secretary of State for Health if he will list the original baseline for, and the most recent achievement against, the targets set in Health of the Nation for *(a)* England and *(b)* Newcastle and North Tyneside. [24802]

Ms Jowell *[holding answer 27 January 1998]:* The Health of the Nation targets were set as national targets. Specific local targets were not set. This was a weakness in view of the degree of variation from the national average between different local health authorities. It is part of the regional office public health role to monitor the performance of health authorities against the Health of the Nation targets, and they hold detailed information trends for the health authorities in their area.

Baseline and monitoring data are available centrally for 24 of the 27 Health of the Nation targets at a national level, and for 13 of the targets at local level (11 mortality targets and two cancer incidence targets). The available data for those 13 targets, extracted from the Public Health Common Data Set (copies of which are available in the Library), are shown in the table.

It should be noted that the cancer incidence information presented here is several years out of date due to delays in the cancer registration process.

A summary of progress for the remaining national targets for which an assessment can be made, is given.

Gonorrhoea incidence—a proxy measure for trends in HIV infection—the target was achieved in 1992 ahead of the 1995 target date. However, rates have started to rise again in 1996.

Smoking in pregnancy—the percentage of women giving up has reached the target of 33 per cent. in 1995.

The prevalence of smoking in adults has fallen between 1990 and 1996, from 31 per cent. to 28 per cent. for men and from 28 per cent. to 27 per cent. for women. The rate for women fluctuated during this period.

Conceptions among under 16 year olds fell by 14 per cent. between 1989–90–91 and 1993–94–95, although there was a slight rise (3 per cent.) in each of the last two years.

Mean systolic blood pressure among adults fell by 2mm Hg between 1991–92 and 1996—the target reduction is 5mm Hg by 2005.

The percentages of food energy derived from total fat and saturated fatty acids have continued a slow but steady fall.

Targets where progress has not been achieved:

Obesity has been increasing since the mid 1980s, and 1996 figures show the percentage of 16–64 year olds classified as obese are 16 per cent. of men and 17 per cent. of women.

Smoking prevalence among 11–15 year olds increased to 12 per cent. in 1994, thus missing the 1994 target, and rose again to 13 per cent. in 1996.

Drinking prevalence—there has been an increase in the percentage of women drinking above the previously recommended "sensible" weekly levels, but as yet, no clear trend among men.

The remaining target, on skin cancer incidence, is under review.

We shall very shortly be publishing the Green Paper on our new health strategy for England, *Our Healthier Nation.* The Green Paper will propose a small number of new national targets and will also set out our thinking on the possibilities for introducing local targets.

Health of the Nation: baselines and latest data for England and Newcastle and North Tyneside HA

Target area	Health of the Nation targets				Rates per 100,000 population (European age standardised)							
	People aged	Measure	Target reduction (per cent.)	By year	England			Newcastle and North Tyneside HA			Year	
					Baseline	Latest	Percentage change	Baseline	Latest	Percentage change	Baseline	Latest
A1 CHD	under 65	death rate	40	2000	57.6	43.5	–24	75.7	54.1	–29	1989–91	1994–96
A2 CHD	65–74	death rate	30	2000	883.2	730.0	–17	1,041.7	867.8	–17	1989–91	1994–96
A3 stroke	under 65	death rate	40	2000	11.8	10.6	–10	14.4	10.7	–26	1989–91	1994–96
A4 stroke	65–74	death rate	40	2000	248.6	207.5	–17	312.4	252.8	–19	1989–91	1994–96
B1 breast cancer	women 50–69	death rate	25	2000	93.5	81.3	–13	96.8	83.6	–14	1989–91	1994–96
B2 cervical cancer	all ages	incidence	20	2000	15.8	14.2	–10	14.5	17.5	21	1985–87	1989–91
B3 skin cancer (melanoma)	all ages	incidence	halt inc.	2005	6.2	6.9	11	6.0	3.9	–36	1985–87	1989–91
B4 lung cancer	men under 75	death rate	30	2010	58.8	48.8	–17	91.8	78.0	–15	1989–91	1994–96
B5 lung cancer	women under 75	death rate	15	2010	23.6	22.9	–3	46.9	42.5	–9	1989–91	1994–96
C2 suicide and undetermined	all ages	death rate	15	2000	10.2	9.2	–10	12.0	11.4	–5	1989–91	1994–96

Health of the Nation: baselines and latest data for England and Newcastle and North Tyneside HA

Target area	Health of the Nation targets: People aged	Measure	Target reduction (per cent.)	By year	Rates per 100,000 population (European age standardised): England Baseline	England Latest	England Percentage change	Newcastle and North Tyneside HA Baseline	Newcastle and North Tyneside HA Latest	Newcastle and North Tyneside HA Percentage change	Year Baseline	Year Latest
E1 accidents	under 15	death rate	33	2005	6.7	4.4	-34	10.2	5.9	-42	1989-91	1994-96
E2 accidents	15-24	death rate	25	2005	23.1	17.3	-25	12.1	9.9	-18	1989-91	1994-96
E3 accidents	65 and over	death rate	33	2005	56.6	52.8	-7	61.7	65.8	7	1989-91	1994-96

Source:
Public Health Common Data Sets 1996 and 1997 (from ONS mortality statistics and cancer registrations).

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Health what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26030]

Ms Jowell *[holding answer 28 January 1998]:* 80 per cent. of senior civil service staff in the Department of Health have spent the whole of their civil service career in the Department of Health or its predecessor the Department of Health and Social Security.

Less than 1 per cent. of senior civil servants from the Department of Health have had secondments to the Private Sector. Most secondments are to and from the National Health Service and allied organisations. 4.3 per cent. have been on loan to other government departments and 4.7 per cent. were recruited from them.

EDUCATION AND EMPLOYMENT

Poor People

Mr. Pond: To ask the Secretary of State for Education and Employment if he will carry out an assessment of the impact of his Department's current policies on the *(a)* income, *(b)* employment opportunities and *(c)* living standards, of the poorest 30 per cent. of the population. [23336]

Mr. Alan Howarth: The best way of improving the living standards of most people at the bottom of the income distribution is to help them into work, and we are implementing a range of policies under the New Deal to achieve this aim.

We continually evaluate our policies using a variety of methods. The success of New Deal will be assessed by carrying out a wide-ranging programme of evaluation. The evaluation will consider the impact of New Deal on the labour market, the impact on individuals, employers, and numbers on welfare, plus the impact on wider economic and social issues, e.g. social exclusion, the voluntary sector, the environment and criminality.

We have also established a Social Exclusion Unit to help co-ordinate action across Government and to find new and more integrated ways of tackling the worst problems.

Young Unemployed Deaf People

Mr. Levitt: To ask the Secretary of State for Education and Employment (1) what measures the Government will employ to bring information about the New Deal to the attention of young unemployed deaf people; [24083]

(2) if deaf awareness training will be given to those personal advisors in the New Deal Gateway who may be involved with young unemployed deaf people. [24084]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Tom Levitt, dated 30 January 1998:

The Secretary of State has asked me to reply to your questions about young unemployed deaf people and New Deal. This is something which falls within the responsibilities delegated to me as Employment Service Chief Executive.

In response to your question about deaf awareness training for New Deal Personal Advisors, I can confirm that all of our Personal Advisers have received, or will receive, equal opportunities awareness training in order that they are fully aware of the barriers facing people trying to find work including those people with disabilities. The training includes ensuring that Advisers know that there is a range of services available to help young deaf people so that they can draw on the appropriate resource depending on an individual's circumstances.

Apart from practical help of this nature all young deaf people, in common with all young people with other disabilities, may be eligible for early entry to the New Deal Programme.

You also asked about the measures we will employ to bring information about the New Deal to the attention of young unemployed deaf people. They, along with all young people with disabilities, will be advised by our existing Disability Employment Advisers about the help available to them from the Employment Service and its partners. This will include information on the New Deal and the type of provision available to meet their needs. All of our Disability Employment Advisers receive specific training on deafness.

I hope this is helpful.

School Day (Length)

Mrs. Organ: To ask the Secretary of State for Education and Employment what plans he has for extending school days to accommodate the requirement for an hour a day to be given to numeracy and literacy. [24165]

Mr. Byers: The length of the School day is a matter for decision by the governing body of each school. Following my right hon. Friend's announcement on

13 January, schools will have flexibility in the primary curriculum to devote an hour a day to numeracy and literacy within the existing school day.

Selective Education

Mr. Brady: To ask the Secretary of State for Education and Employment what assessment he has made of the relative levels of performance between selective and non-selective educational systems in England and Wales. [24073]

Mr. Byers: The Government's priority is standards, not structures. We look to all schools to improve their performance irrespective of the pattern of school organisation in their area.

Schools (Points System)

Mr. Don Foster: To ask the Secretary of State for Education and Employment what is the number of schools where the decline in points between 1993 and 1997 was greater for boys than girls at, *(a)* 5A*–C and *(b)* 5A*–G. [24419]

Ms Estelle Morris: The number of schools where the decline in percentage points between 1993 and 1997 was greater for boys than girls was *(a)* 175 for those with five or more GCSE grades A*–C and *(b)* 238 for those with five or more GCSE grade A*–G.

Schools (Computer Safety)

Mr. Nigel Jones: To ask the Secretary of State for Education and Employment what guidelines he has issued to schools on furniture and lighting requirements for pupils using computer equipment; and if he will make a statement. [24660]

Mr. Byers: The Department's Building Bulletin 81 "Design and Technology Accommodation in Secondary Schools" provides guidance on computer furniture in schools and further guidelines are published by the British Standards Institute in BS 5873, "Educational Furniture, and BS 4875, Strength and Stability of Furniture. Lighting standards for maintained schools are those prescribed in the Education (School Premises) Regulations 1996. In addition to these minimum requirements, building Bulletin 87 "Guidelines for Environmental Design in Schools" includes specific guidance on lighting for pupils using computers.

School Buildings

Mr. Baldry: To ask the Secretary of State for Education and Employment if he will list the amount of credit approvals made to each local education authority in December for capital works on school buildings. [26525]

Mr. Byers: My letter of 16 December to all English MPs listed capital allocations to local education authorities for 1998–99. I am placing a copy in the Library. These allocations were the first stage in a process that will commit a total of £922 million in central Government support for building projects at maintained schools in 1998–99, which represents an increase of 37 per cent. over original plans.

Mr. Baldry: To ask the Secretary of State for Education and Employment if he will list the amount allocated to each local education authority of the £1.36 billion announced in last year's financial statement for the repair and modernisation of school buildings. [26713]

Mr. Byers: Initial allocations of the £83 million available for English local education authorities for 1997–98 will be supporting projects worth £115 million and are as follows:

LEA name	*Allocation (£000s)*
Barking and Dagenham	210
Barnet	97
Barnsley	500
Bath and North East Somerset	1,007
Bedfordshire	326
Berkshire	761
Bexley	487
Birmingham	1,192
Bolton	381
Bournemouth	106
Bradford	1,045
Brent	461
Brighton and Hove	213
Bristol	619
Bromley	251
Buckinghamshire	564
Bury	343
Calderdale	377
Cambridgeshire	598
Camden	177
Cheshire	971
City	0
Cornwall	1,018
Coventry	668
Croydon	195
Cumbria	598
Darlington	320
Derby City	346
Derbyshire	1,125
Devon	1,017
Doncaster	419
Dorset	647
Dudley	270
Durham	755
Ealing	123
East Riding of Yorkshire	665
East Sussex	843
Enfield	344
Essex	1,170
Gateshead	352
Gloucestershire	434
Greenwich	306
Hackney	1,250
Hammersmith and Fulham	300
Hampshire	1,572
Haringey	426
Harrow	88
Hartlepool	412
Havering	337
Hereford and Worcester	733
Hertfordshire	620
Hillingdon	310
Hounslow	341
Hull	590
Isle of Scilly	0
Isle of Wight	232
Islington	295
Kensington and Chelsea	244
Kent	1,159
Kingston	456
Kirklees	660

LEA name	Allocation (£000s)
Knowsley	800
Lambeth	261
Lancashire	2,006
Leeds	1,402
Leicester City	589
Leicestershire	677
Lewisham	705
Lincolnshire	505
Liverpool	1,275
Luton	288
Manchester	1,448
Merton	360
Middlesborough	300
Milton Keynes	271
Newcastle	487
Newham	482
Norfolk	1,482
North East Lincolnshire	328
North Lincolnshire	143
North Somerset	450
North Tyneside	406
North Yorkshire	962
Northamptonshire	711
Northumberland	541
Nottinghamshire	2,270
Oldham	784
Oxfordshire	1,030
Poole	241
Portsmouth	210
Redbridge	207
Redcar and Cleveland	337
Richmond	317
Rochdale	585
Rotherham	529
Rutland	51
Salford	478
Sandwell	808
Sefton	836
Sheffield	1,273
Shropshire	185
Solihull	364
Somerset	487
South Gloucestershire	412
South Tyneside	536
Southampton	317
Southwark	381
St. Helens	663
Staffordshire	1,387
Stockport	967
Stockton on Tees	531
Stoke on Trent	650
Suffolk	1,065
Sunderland	719
Surrey	1,120
Sutton	602
Swindon	275
Tameside	462
Tower Hamlets	928
Trafford	425
Wakefield	600
Walsall	682
Waltham Forest	507
Wandsworth	135
Warwickshire	703
West Sussex	812
Westminster	312
Wigan	720
Wiltshire	1,144
Wirral	375
Wolverhampton	412
York	180

We are currently considering bids from English LEAs for the next tranche of New Deal for Schools funds. £250 million will be available for projects beginning in 1998–99.

The total of £1.3 billion announced in the Budget included £116 million allocated to my right hon. Friend the Secretary of State for Scotland, £65 million allocated to my right hon. Friend the Secretary of State for Wales and £34 million allocated to my right hon. Friend the Secretary of State for Northern Ireland. They have made separate arrangements for distribution to their local education authorities.

After-school Clubs

Mr. Burns: To ask the Secretary of State for Education and Employment if the Government will means-test places for after-school clubs. [26544]

Mr. Alan Howarth: Funding to establish new out of school childcare provision will come from the receipts of the Windfall Tax, the Out of School Child care Initiative and the New Opportunities Fund totalling £300 million over five years from 1998 and 2003. Schemes will be free to determine their own fees. Many existing schemes already adjust fees according to the family's circumstances and we expect that new schemes will wish to consider doing the same.

FOREIGN AND COMMONWEALTH AFFAIRS

Political Advisers (Support Staff)

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many secretarial and support staff work full-time in support of his political advisers. [25197]

Mr. Robin Cook: *[holding answer 23 January 1998]:* Two secretaries.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many times his partner has accompanied him on overseas visits; and what was the cost of her travel and other expenses. [25137]

Mr. Robin Cook *[holding answer 23 January 1998]:* Once. There was no cost to public funds.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25179]

Mr. Robin Cook *[holding answer 23 January 1998]:* Since 1 May, my two political advisers have undertaken 17 overseas visits at public expense. In addition, my unpaid political adviser has undertaken one overseas visit, for which no additional expenditure fell on public funds.

Engagements

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 19 January 1998, *Official Report*, column *439*, if he will list his official engagements between 9 October and 12 October inclusive. [25819]

Mr. Robin Cook *[holding answer 27 January 1998]:* I returned to the UK between 9 and 12 October because I had no further official business in Pakistan. During the intervening period I did 18 hours work on a large volume of official FCO papers. On Friday 18 October, I carried out a full day of engagements in my constituency, which I had not been able to visit for three weeks because I had been out of the country for much of that time on FCO business at the UN General Assembly and on the State Visit.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the oral statement by the Minister of State of 4 December 1997, *Official Report*, column 567, what was the nature of the mix-up at Amsterdam over the Schengen opt-in, and at what time the attempt was made to challenge the matter which was not accepted by the presidency. [26047]

Mr. Doug Henderson: I refer the hon. Member to previous statements on this matter, in particular my right hon. Friend and the Foreign Secretary's statement to the House on 25 November 1997, *Official Report*, column 753, and the reply I gave to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) on 12 December 1997, *Official Report*, column 711.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) of 12 December 1997, *Official Report*, column 710, when he first became aware that a bilateral agreement had taken place between Spain and the Dutch presidency pertaining to the Schengen Agreement that had resulted in an agreement on opt-in voting procedures; at what stage in the proceedings that agreement was alleged to have taken place; and what representations he made on the subject. [26045]

Mr. Doug Henderson: I refer the hon. Member to the replies I gave to the right hon. and learned Member for Folkestone and Hythe on all three points on 2 December 1997, *Official Report*, columns *122–23*.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 January 1998, *Official Report*, column *540*, on the Schengen Agreement, if he will list the occasions on which the voting procedures were raised with European counterparts. [26080]

Mr. Doug Henderson: My right hon. Friend the Foreign Secretary and I raised the question of the voting procedures in Article 4 of the Schengen Protocol with Dutch Minister on three occasions. My right hon. Friend the Foreign Secretary also raised it with the Irish Foreign Minister. It was discussed on 27 June in the Friends of the Presidency Group, whose remit was to follow up any outstanding matters relating to the Treaty text after the Amsterdam summit and subsequently four times at Coreper. UK officials also had numerous contacts with the Presidency, other Member States and the Council Secretariat about this question, from the moment that we first became aware of the change to the text until the matter was resolved.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 21 January 1998, *Official Report*, column *540*, when the presidency of the European Council launched an investigation of the circumstances surrounding the negotiations at Amsterdam relating to the voting procedures used in the admission of opt-out states to the Schengen Area; who contributed to these investigations; what documentary evidence was submitted; and what discussions of the matter he held with ministers of other member states. [26046]

Mr. Doug Henderson: It is for the Government of the Netherlands to say by what means they arrived at their own conclusions on this matter. My right hon. Friend the Foreign Secretary raised the matter with his Dutch opposite number in the margins of the G8 summit at Denver (20–22 June) and with the Dutch Minister for Europe and his Irish opposite number on 22 July.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have had from Lord Callaghan of Cardiff on the precise objective of a military attack on Iraq in the absence of the use of ground forces. [26715]

Mr. Fatchett: I refer my hon. Friend to the answer given in another place by my noble Friend the Parliamentary Under-Secretary of State, Baroness Symons, to the noble Lord Callaghan of Cardiff, on 26 January 1998, *Official Report*, House of Lords columns 44–45.

Private Office

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date and for what reasons the proposal to appoint Ms Gaynor Regan as his diary secretary was abandoned. [26497]

Mr. Robin Cook: Gaynor Regan had been employed as my Diary Secretary for four years in opposition and had worked well in the post. She was therefore an obvious candidate for the appointment, but I reached my own conclusion that, in view of our relationship, it would not be right to appoint her. I invited the Department to proceed with an internal appointment on 30 May.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs if Miss Anne Bullen was asked if she would be prepared to stay on as his diary secretary to the end of June to train Ms Gaynor Regan to do the job. [26498]

Mr. Robin Cook: Miss Anne Bullen agreed that her last day in my office should be 27 June to allow time for a handover with her successor.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs if his diary secretary Miss Anne Bullen was informed that he wished his constituency secretary to be brought into the job. [26499]

Mr. Robin Cook: Miss Anne Bullen was informed that I had decided that her fixed-term contract should not be renewed, and that she should be replaced. She was informed that Ms Gaynor Regan was being considered for

the post of Diary Secretary. She was also informed when, shortly thereafter, I decided that she should not take up the position.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs if Ms Gaynor Regan was offered a contract of employment as his diary secretary. [26500]

Mr. Robin Cook: I decided not to pursue the possibility of her appointment before any contract was sent to her.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions took place between officials of the Foreign Office and Ms Gaynor Regan with a view to her becoming his diary secretary. [26501]

Mr. Robin Cook: One official spoke to Ms Regan on the telephone about her possible appointment.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs if security checks were carried out on Ms Gaynor Regan with a view to her becoming his diary secretary. [26502]

Mr. Robin Cook: No.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he was given by *(a)* the Permanent Under Secretary or *(b)* other officials of the Foreign Office about the employment of Ms Gaynor Regan as his diary secretary. [26503]

Mr. Robin Cook: None.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs when he informed officials at his Department of the nature of his relationship with Ms Gaynor Regan. [26504]

Mr. Soames: To ask the Secretary of State for Foreign and Commonwealth Affairs if he informed officials at the Foreign and Commonwealth Office of his relationship with his nominee for the post of Diary Secretary at the time when he nominated her. [26527]

Mr. Robin Cook: Officials at the Foreign Office have been aware that Ms Gaynor Regan is my partner since August 1997.

Mr. Soames: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date he first had discussions with the Permanent Secretary at the Foreign and Commonwealth Office relating to his marital status and the consequences for his travel arrangements. [26526]

Mr. Robin Cook: The Permanent Under-Secretary has been aware since 1 August that I have separated from my wife. At no time since then has my partner accompanied me at public expense on departmental travel.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* scientists and *(b)* other Government personnel will list St. Helena in 1998; and for what purposes. [26415]

Mr. Tony Lloyd: The only plans we are aware of four visits of scientists to St. Helena in 1998 are a tentative proposal for two scientists from Reading University to study the Wirebird; and a party from the Royal Society for the Protection of Birds which may visit the Island as part of a project to establish priorities among ornithologically important biodiversity sites in all British Dependent Territories. A veterinary surgeon will visit in March to assist the Island, which has no permanent qualified veterinary personnel.

Four Government officials are visiting St. Helena in January 1998 on an Aid Review Mission. Three other DFID officials plan to visit St. Helena in March to carry work forward on support for the Public Sector Investment Programme. One DFID official is likely to visit St. Helena in November 1998 to monitor aid to the Health Sector. It is possible that two FCO officials may visit the island during 1998 for discussions with the St. Helena Government on operational issues.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Tyneside Metro

Mr. Allan: To ask the Secretary of State for the Environment, Transport and the Regions what revenue support has been given by the Government to the Tyneside Metro in each of the last five years. [25075]

Ms Glenda Jackson: Until 1996–97, central government's revenue subsidy support for Tyne and Wear Metro was included in the total support made available through the Revenue Support Grant system for all Tyne and Wear rail services, including heavy rail. Separate figures for the Metro prior to 1997–98 are not available.

In 1997–98, support is being provided by direct grant which includes £7.24 million as the estimated revenue support requirement for the Metro.

Manchester Tram System

Mr. Allan: To ask the Secretary of State for the Environment, Transport and the Regions what revenue support has been given by the Government to the Manchester tram system in each of the last five years. [25076]

Ms Glenda Jackson *[holding answer 23 January 1998]:* Since the opening in 1992, Manchester Metrolink has been operated by a private sector concessionaire who is responsible for all operating costs and revenue risks. It is therefore outside the arrangements for Central Government revenue support which cover only the local heavy rail services in Manchester.

Weald and Downland DBFO Project

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what compensation was paid out to the four consortia which tendered for the Weald and Downland DBFO project. [25404]

Ms Glenda Jackson: No compensation has been paid to the four consortia. When claims from the consortia for reasonable costs incurred in submitting their tenders for the Weald and Downland project have been submitted they will be assessed and any appropriate compensation paid.

Horse-related accidents

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions how many horse-related accidents there have been and how many related fatalities on public roads, in each of the last five years; and what measures he plans to take to improve safety in this area. [25325]

Ms Glenda Jackson: The statistics requested are not available because they are not specifically identifiable in the national road accidents database. However, a current review of the collection system is considering a proposal to include ridden-horses as a separately identifiable category in the national database, and a decision will be announced by the end of March 1998.

We will continue to provide advice for drivers and horse riders in the Highway Code and the Highway Code for Young Road Users. The theory test for drivers includes questions about horses and the leaflet "Horse Sense for Motorists" is widely available.

Climate Change

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions (1) if the Government will support the Africa Group's proposals for a long-term approach to tackling global climate change; [25454]

(2) if the Government will initiate a legally binding international agreement to reduce emissions on the basis of the convergence of countries to equal per capita emissions rights. [25481]

Mr. Meacher: The United Nations Framework Convention on climate change is the body under which international agreement on tackling global climate change is reached, and a Protocol to the Convention containing legally binding targets for developed countries for the period 2008–12 was adopted in Kyoto in December 1997. The Government believe that future negotiation on targets should encompass developing countries over time, and convergence to equal per capital emissions rights is one of the approaches we will be exploring.

A30

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions if he has reached a decision on upgrading the A30 at Goss Moor. [25626]

Ms Glenda Jackson: The A30 Bodmin to Indian Queens improvement over Goss Moor is being considered under the Roads Review alongside other schemes in the trunk road programme. Decisions on the Review will be announced later this year.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions how many non-career civil servants have been appointed to his Department since 1 May 1997. [25855]

Angela Eagle: The number of causal staff, fixed term appointees and Special Advisers appointed to DETR, excluding its agencies, since 1 May 1997 is 287.

Sheffield Supertram

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will set up an inquiry into the deaths of two cyclists on the track of the Sheffield supertram; and if he will make a statement. [24992]

Ms Glenda Jackson *[holding answer 26 January 1998]:* Inquiries into accidents of this nature are held by the local Coroner.

A Coroner's Inquest held into the death of a 36 year old man on 23 March 1996 returned a verdict of accidental death and indicated no fault or any wrong-doing of the construction or failure to maintain the tram track.

A Coroner's Inquest into the death of a 74 year old man on 27 January 1998 is to be held shortly.

New Homes

Mr. Flight: To ask the Secretary of State for the Environment, Transport and the Regions if he plans to revise upwards from 4.4 million the number of new homes needed by 2016; and if he will make a statement. [25727]

Mr. Raynsford: My Department is planning to compile revised, 1996-based, household projections around the end of this year. Until then, the 1992-based household projections, which indicated a 4.4 million increase in the number of households in England in the 25 year period from 1991 to 2016, remain the latest official estimates of future household formation. The household projections are not an estimate of the number of additional houses which have to be built. Rather, they represent just one of the factors to be taken into account by local planning authorities when arriving at figures for housing provision to be included in regional guidance and development plans.

Oestrogenic Substances

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the costs of removing oestrogenic substances from sewage treatment works effluents. [25623]

Angela Eagle: Oestrogenic and other endocrine disrupting substances are being given high priority by the Government. Several Departments are co-operating in research to develop our understanding of this complex issue, and my Department's forthcoming strategic review of the sustainable use of chemicals will examine policy on all chemicals including endocrine disrupters.

On 21 January, the Environment Agency issued a draft strategy on endocrine disrupting substances, including oestrogen, seeking views on what action it should take. The strategy considers the evidence for the effects of endocrine disrupting chemicals in the environment, the mechanisms for control and the priorities for further research.

Against this general background, the Government have made no estimates of the costs of removing oestrogenic substances from effluent from sewage treatment works since the environmental and health impacts of specific substances remain unclear.

Departmental Energy

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of his Department's energy usage was from combined heating in each year since 1989–90. [25793]

Ms Angela Eagle: My Department does not have this information. We are committed to making greater use of Combined Heat and Power (CHP) systems. Two of our new London headquarters buildings use CHP systems.

Penalty Fares

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each of the last three years the cost of administering the penalty fares scheme on London Transport. [25977]

Ms Glenda Jackson: The operation of the Penalty Fares Scheme is a matter for London Transport. I understand that the direct costs of administering the London Underground scheme were:

1994–95: £1.1 million

1995–96: £1.4 million[1]

1996–97: £1.25 million

[1] (including the one-off cost of enhancing the computer system)

LT Buses introduced the penalty fare scheme in 1995–96, the direct costs of administering that scheme were:

1995–96: £0.068 million

1996–97: £0.070 million

Aviation Organisations

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those aviation organisations that *(a)* he and *(b)* his ministerial colleagues have met since taking office. [25966]

Ms Glenda Jackson: Since taking office, the Secretary of State for the Environment, Transport and the Regions has met the aviation organisations set out in the list. Private functions and meetings with those not primarily engaged in aviation have not been included.

American Airlines

Board of Airline Pilots Association

British Aerospace

British Airports Authority

British Airways

Civil Aviation Authority

Humberside International Airport Ltd

Liverpool Airport Plc

Manchester Airport Plc

Virgin Atlantic

During the same period his ministerial colleagues have met the following aviation organisations:

Air Transport Users Committee

Airport Operators Association

Airport Policy Consortium

Association of European Airlines

Board of Airline Representatives in the UK

British Air Line Pilots Association

British Air Transport Association

British Airports Authority

British Airways

Civil Aviation Authority

EasyJet

General Aviation Manufacturers and Traders Association

International Air Transport Association

London Luton Airport Ltd

Manchester Airport Plc

Monarch Airlines

National Air Traffic Services Ltd

Popular Flying Association

Trans World Airlines

Virgin Atlantic Airways

Traffic Area Offices

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what progress his Department is making in redefining the boundaries of the traffic area offices. [25957]

Ms Glenda Jackson: The Department is undertaking a wide-ranging study of its executive operations—including the Traffic Area Network (TAN)—which serves the community of drivers, vehicle keepers and operators, with the aim of ensuring that these services are provided as effectively as possible. Plans to redefine the traffic area boundaries have been deferred until the outcome of this work which is expected in the next few months.

Channel Tunnel

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library full copies of the reports produced by the Channel Tunnel Safety Authority following evacuation exercises carried out in the Channel Tunnel. [25963]

Ms Glenda Jackson: The Channel Tunnel Safety Authority incorporates into its Annual Reports to the Intergovernmental Commission, reports on evacuation exercises carried out in the Channel Tunnel. Copies of the Channel Tunnel Safety Authority Report are placed in the Library of the House on its publication.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the purpose of clause 33.3 of the Channel Tunnel Treaty. [25960]

Ms Glenda Jackson: The purpose of clause 33.3 of the Channel Tunnel Concession Agreement is to protect the commercial or technical confidentiality of documents produced by, or on behalf of, the Channel Tunnel concessionaires (Eurotunnel) by preventing the publication of such documents by recipients. It does not prevent the publication of that information by the originator, or the publication of information produced by third parties.

Slam-door Trains

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned into the safety of the slam-door trains operated by South West Trains. [26057]

Ms Glenda Jackson: I am aware that the Health and Safety Executive has commissioned research into the possibility of modifying Mark 1 rolling stock to improve its crashworthiness.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from the Health and Safety Executive concerning the safety and reliability of the slam-door trains operated by South West Trains. [26056]

Ms Glenda Jackson: I am aware that the Health and Safety Commission and its Executive are currently considering the future of Mark 1 rolling stock, including the slam-door trains operated by South West Trains.

Animal Rendering Industry

Mr. Dawson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the EU Regulations contained in Directive 96/79 contained in Official Journal, C, 6 December 1997, No. 335 with regard to workers employed in the animal rendering industry; and if he will make a statement on the implementation of these regulations. [26245]

Angela Eagle *[holding answer 29 January 1998]:* This question appears to refer to Commission Directive 97/65, published in the Official Journal L335 on 6 December 1997, which amends Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work. In the light of recent scientific evidence of a link between Bovine Spongiform Encephalopathy (BSE) and new variant Creutzfeldt-Jakob disease (nvCJD), Directive 97/65 adds the agent of BSE to list of biological agents.

It will be implemented in the UK by means of a new edition of the Health and Safety Commission's Categorisation of biological agents according to hazard and categories of containment (Approved List), made under section 15 of the Health and Safety at Work etc. Act 1974. The deadline for implementation is 30 June 1998.

The categorisation of biological agents mainly affects those working in laboratories. The change will not affect workers in the rendering industry who are already covered by the requirements of the Control of Substances Hazardous to Health (COSHH) Regulations 1994. In view of the past uncertainty about the risks from BSE, prudent and precautionary worker safety measures have been recommended since 1989. General guidance for occupational groups such as the rendering industry, prepared on behalf of the Health and Safety Commission, the Department of Health and the Ministry of Agriculture, Fisheries and Food by the Advisory Committee on Dangerous Pathogens (ACDP), was published in August 1996. Copies have been deposited in the Library. ACDP considers that this guidance continues to provide adequate control in recommending the maintenance of high standards of occupational hygiene and new methods of working to avoid or minimise exposure to tissues of cattle that may carry the agent of BSE infectivity.

Drink Driving

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the consultation document on drink driving. [27161]

Dr. Strang: The consultation paper *"Combating Drink Driving—Next Steps"* will be published on Monday 2 February. Copies will be placed in the Library.

UK Search and Rescue Region

Mr. Godman: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* territorial waters and *(b)* international seas which form the United Kingdom Search and Rescue Region; and if he will make a statement. [25829]

Ms Glenda Jackson: I have asked the Chief Executive of the Coastguard agency, Mr. C. J. Harris, to write to my hon. Friend.

Letter from C. J. Harris to Mr. Norman A. Godman, dated 29 January 1998:

The Secretary of State for the Environment, Transport and the Regions has asked me to reply to your recent Question about the United Kingdom Search and Rescue region.

The UK Maritime Search and Rescue region is aligned with the aeronautical search and rescue regions laid down by the International Civil Aviation Authority, except in the English Channel, where a demarcation line has been agreed with the French Government, and in the North Sea, where the boundary has been aligned to a median line as delineated under bilateral agreements for the exploitation of oil and gas on the Continental Shelf. The Dublin Search and Rescue Region is an enclave within the UK Search and Rescue Region, and is the responsibility of the Republic of Ireland. Details of the UK Regions are lodged with the International Maritime Organisation which advises other member states through Search and Rescue circulars.

The Maritime Search and Rescue region boundary of the UK Search and Rescue region is detailed in the map.

The territorial sea adjacent to the United Kingdom is defined in the Territorial Sea Act 1987. It is the sea out to 12 nautical miles from base lines laid down in the Territorial Waters Order in Council of 25 September 1964, as amended by the Territorial Sea (Amendment) Order in Council of 1 August 1996 (SI 1628/1996).

Note: The map has been deposited in the Library.

Hadrian's Wall

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to protect and preserve Hadrian's Wall. [25836]

Mr. Banks: I have been asked to reply.

Hadrian's Wall is statutorily protected as a Scheduled Ancient Monument and any proposals for works affecting it require the prior written consent of my right hon. Friend the Secretary of State. The fact that the Wall is a World Heritage Site also means that its outstanding international importance is a key material consideration when planning applications are considered. The Hadrian's Wall Management Plan, published by English Heritage in July 1996, identifies medium and long-term objectives for managing the Site and provides mechanisms under which all bodies responsible for the Wall can co-ordinate their activities.

INTERNATIONAL DEVELOPMENT

European Aid Programmes

Ms Walley: To ask the Secretary of State for International Development what assessment she has made of the effectiveness of the environmental assessment procedure for European Commission expenditure in respect of European aid programmes in developing countries. [25885]

Clare Short: The European Commission's "Environment Manual" for development assistance—originally modelled on DFID's "Manual of Environmental Appraisal"—provides comprehensive guidance on environmental assessment procedures for development projects. Member States monitor environmental appraisals and comment on Commission project proposals before giving final approval for funding. Our experience from this process is that the extent to which assessment procedures are taken into account in project design and implementation varies across the Commission.

The Commission is making efforts to improve its systems. It has held meetings with environmental advisers from Member States' development organisations, including DFID, to exchange views and best practice. An independent evaluation of the environmental performance of EC-funded programmes in developing countries was completed in December 1997. DFID will receive and comment on the report shortly. We will continue to examine ways in which the Commission's systems can be further improved, taking account of the evaluation's findings.

Written Answers to Questions

Monday 2 February 1998

PRESIDENT OF THE COUNCIL

Non-Career Civil Servants

Mr. Burns: To ask the President of the Council how many non-career civil servants have been appointed to her Department since 1 May 1997. [25845]

Mrs. Ann Taylor: The number of casual, fixed term appointees and Special Advisers appointed since 1 May is four.

Anti-drugs Tsar

Mr. Hawkins: To ask the President of the Board of Trade what specific powers she plans to allocate to the new Anti-drugs Tsar. [24644]

Mrs. Ann Taylor: The UK Anti-Drugs Coordinator, Keith Hellawell, took up his post as a special adviser to Government on 5 January. He therefore has no specific powers, and has been tasked with reviewing all aspects of the Government's existing action against drugs—including overseeing a Comprehensive Spending Review of existing drug resources. When this review is complete, he will advise Ministers on a new strategy.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Structure Plan (West Sussex)

Mr. Gibb: To ask the Secretary of State for the Environment, Transport and the Regions what meetings he or Ministers in his Department had with representatives of the House-builders Federation to discuss matters relevant to the West Sussex structure plan between 2 May and 3 December 1997. [22897]

Mr. Raynsford: I will write to the hon. Member.

Train Overcrowding

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about overcrowding of trains on the trans-Pennine routes; and if he will make a statement. [25275]

Ms Glenda Jackson: I have received 2 representations specifically about overcrowding on the trans—Pennine routes between Manchester, Leeds and Sheffield. Both representations were complaints about journeys affected by disruption which caused some cancellations and delays, affecting available capacity. The Franchising Director places an obligation on operators to avoid excessive overcrowding by requiring train operators to make reasonable endeavours to ensure that sufficient capacity is provided on each train.

Airedale and Wharfdale Lines

Mrs. Ann Cryer: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding services on the Airedale and Wharfdale lines, between Keighley, Shipley and Leeds and Ilkley, Ben Rhydding and Leeds. [25631]

Ms Glenda Jackson: I have received 15 representations specifically about the performance of rail services on the Airedale and Wharfdale lines between these points.

Performance on services in the West Yorkshire area has improved significantly in recent months as Regional Railways North East have reduced the impact of driver shortages. I want that improvement to be sustained.

Transport Safety

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions which United Kingdom transport operators have powers to prevent the publication of safety information relating to their operations. [25962]

Ms Glenda Jackson: No United Kingdom transport operators have powers to prevent the publication of safety information relating to their operations beyond those that are provided by normal rules of commercial confidentiality.

London Underground

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many letters he has received to date *(a)* supporting and *(b)* opposing the proposed privatisation of the London underground system; and if he will make a statement. [26053]

Ms Glenda Jackson: It was the previous Government which proposed the privatisation of London Underground. We are totally opposed to wholesale privatisation and are developing proposals for public-private partnership. We have received over eight hundred letters about the Underground since the election. While detailed figures are not kept, it is clear that, of those letters which referred to privatisation, only a handful supported it and the vast majority opposed it.

Health and Safety

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of the HSE in making available support for private prosecutions under health and safety at work legislation. [26257]

Angela Eagle: Private prosecutions under health and safety legislation can be brought with the consent of the Director of Public Prosecutions. The role of the Health and Safety Executive in relation to a private prosecution would be to disclose to the parties, on request, any information available publicly under the Code of Practice on Access to Government Information and/or the Environmental Information Regulations 1992, and any other information it has which the Court requires it to provide.

Rail Services (Portsmouth)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the reliability of the rail service from Portsmouth to London in each of the last three years; and if he will make a statement. [26058]

Ms Glenda Jackson: The Franchising Director is responsible for monitoring train operators' performance and publishes performance details, though on groups of routes rather than on individual lines, in quarterly Bulletins. A copy of the Franchising Director's Bulletin is available in the House Library.

Empty Properties (NHS Trusts)

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if he will encourage health trusts that are disposing of property to liaise with local councils to use those properties for temporary housing or shelter for the homeless. [26143]

Mr. Raynsford: My Department has issued, in 1995, a Guidance Note for Departments entitled "Government Residential Property—Securing Better Use of Empty Homes", which encourages Government Departments to liaise with local authorities about the use of empty homes and encourages temporary letting, particularly when empty properties are not being sold immediately. It is for individual health trusts to decide for themselves how best to make use of surplus property, but the guidance was circulated to all trusts in June 1995 so that they could have regard to its advice.

Drinking Water

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what proposal he *(a)* advanced and *(b)* supported in respect of the maximum concentration of boron to be permitted in drinking water during discussion with EU partners on the Drinking Water Directive; and if he will make a statement. [26823]

Angela Eagle: The Commission proposed a standard of one milligramme per litre for boron. The Council in its Common Position unanimously accepted that value.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the terms of the amended EC Directive on Drinking Water as they relate to the powers given to exempt drinking water supplies *(a)* of less than 10 cubic metres of water per day and *(b)* serving 50 people or less from the terms of the directive; and if he will make a statement. [26821]

Angela Eagle: The proposal for a revised Drinking Water Directive is at the stage of the Council having agreed a Common Position. The proposal now goes to the European Parliament for Second Reading, before coming back to Council for consideration of any amendments. Policy on implementation cannot be decided until the terms of the Directive are settled, which may not be for some time.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the pesticides for which he sought relaxation of the maximum concentrations permitted in drinking water during discussions with EU partners on the Drinking Water Directive; and if he will make a statement. [26822]

Angela Eagle: No such relaxations were sought.

Planning Guidance

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to revise planning guidance in respect of the development of back garden land in urban and suburban areas. [26423]

Mr. Raynsford: I have no current plans to do so.

Rail Industry

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to take an equity stake in the rail industry in return for Government subsidy. [26564]

Ms Glenda Jackson: Renationalisation of the railways would be extremely costly and cannot be a priority given the other pressures on public expenditure. We therefore have no such plans. Our main task is to improve the railways as we found them, not as we would have wished them to be.

Local Authority Employees (Early Retirement)

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue guidelines on the use of added years for purposes of early retirement for local authority employees. [26424]

Mr. Raynsford: I have no plans to do so. Decisions about early retirement for local authority employees are the responsibility of locally elected councillors. It is for them to establish their own policies and decide, within the appropriate regulations, whether or not to award added years in each particular case. However, my Department will be reviewing several aspects of the early retirement compensation arrangements, taking into consideration the Audit Commission's recent report on early retirement in local government.

Thameslink 2000

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions if he has decided to hold a public inquiry into Railtrack's application for an order under the Transport and Works Act 1992 in respect of the Thameslink 2000 project. [27355]

Ms Glenda Jackson: In the light of my right hon. Friend the Secretary of State for the Environment, Transport and the Regions statement to the House on Wednesday 28 January 1998, *Official Report*, columns 466–74, about the Channel Tunnel Rail Link (CTRL), the Secretary of State has decided to defer until 25 March the date by which he must reach a decision on whether to hold a public inquiry into Thameslink 2000. The reason for this is that powers for works which form important components of the Thameslink 2000 project are contained in the CTRL Act 1996 and cannot be used other than as part of the CTRL.

Local Government Finance

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to announce the outcome of consultation on the local government finance settlement; and if he will make a statement. [27182]

Mr. Prescott: I am today laying before the House the Local Government Finance Report (England) 1998–99, the Limitation of Council Tax and Precepts (Relevant Notional Amounts) Report (England) 1998–99, and the Special Grant Report (No.31). These reports establish the amounts of revenue support grant (RSG) and non-domestic rates (NDR) to be paid to local authorities in 1998–99, and the basis of their distribution; specify the amounts which are to be used as the basis of comparison for measuring increases in certain local authorities' budgets in 1998–99 for the purposes of capping, and provide for a special Standard Spending Assessment (SSA) reduction grant to be paid to certain authorities for 1998–99. Drafts of these reports were issued for consultation on 2 December 1997. I also announced on that date my provisional guidelines for capping the budgets of local authorities. The Department received written representations from 248 authorities and my Ministerial colleagues at DETR met 95 delegations from local councils.

I have considered the views of local authorities and others who have commented on my initial proposals. However, I have decided to make no changes in the SSA methodology which formed the basis of consultation, nor in the capping guidelines. The SSAs for individual authorities may be slightly different from those at consultation, generally reflecting more accurate data that have become available since then.

This year's local government finance settlement is better, fairer and more flexible than the plans set out by the previous Government. We have been able to achieve this within the tight constraints on public expenditure needed to achieve this Government's economic aims. The Government's intention is that local authorities should be able to respond by giving top priority to education—the Government's and the nation's priority. That is why we have made available £835 million extra for education on top of what was originally planned.

We are also publishing, for the first time, a Plain English guide to the dauntingly complex world of local government finance. This carries the Crystal Mark of the Plain English Campaign. I am keen that hon. Members and members of the public have the clearest possible understanding of how local government finance works.

I shall be sending copies of these reports and the Plain English guide to all authorities, together with tables showing each authority's Standard Spending Assessment and its entitlement to RSG, NDR and special grant, and information on capping guidelines and limits. Copies of the reports, tables, the capping information and the guide have been placed in the Library.

CULTURE, MEDIA AND SPORT

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Culture, Media and Sport how many non-career civil servants have been appointed to his Department since 1 May 1997. [25847]

Mr. Tom Clarke: The number of casual, fixed-term appointees and Special Advisers appointed since 1 May 1997 is seven.

National Endowment for Science, Technology and the Arts

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what are the proposed acitivities the National Endowment for Science, Technology and the Arts will undertake which will prevent it acquiring charitable status. [25891]

Mr. Chris Smith: Charitable status is unlikely to be compatible with NESTA's objective to support the commercial development of new ideas. It would be for the Charity Commission, in the first instance, to consider whether NESTA is a charity.

USA Visit

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport if he will give a breakdown of the meetings and film screenings attended by *(a)* the Minister for Film and Tourism and *(b)* officials in his Department on the Minister's visit to the USA. [25549]

Mr. Chris Smith *[holding answer Monday 26 January 1998]:* During his visit to the United States, my right hon. Friend visited the Sundance Film Festival in Utah to promote British Film, and visited Los Angeles to discuss co-operation with the US industry. At the Sundance Festival, my right hon. Friend attended an informal lunch for key members of the British film industry and hosted a reception for a wider audience including many film makers from countries outside the US and UK. He also had discussions with the organisers of the Festival and with the Utah State Film Commissioner and attended screenings of 'Blind Faith' and 'The Spanish Prisoner'.

In Los Angeles, my right hon. Friend met senior executives at four of the seven major studios: Sony Pictures Entertainment; Fox Filmed Entertainment; Universal Studios; and Viacom/Paramount; and also Mr. Jack Valenti, Chairman and Chief Executive Officer of the Motion Picture Association, which represents the interests of the seven major studios. He also met senior executives at Polygram Filmed Entertainment and the head of International Creative Management. More informal discussions were held with representatives of the remaining major studios, other talent agencies and various US film makers during evening events. My right hon.

Friend also had lengthy discussions with FCO officials based in Los Angeles about the promotion of British interests in the United States.

My right hon. Friend was accompanied by his Private Secretary to all meetings and screenings both at Sundance and in Los Angeles, and my special adviser accompanied him to all meetings in Los Angeles.

Civil Servants

Mr. Rhodri Morgan: To ask the Secretary of State for Culture, Media and Sport what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26026]

Mr. Tom Clarke *[holding answer 28 January 1998]:* The Department for Culture, Media and Sport was created (as the Department of National Heritage) on 13 April 1992 with staff from six existing departments: Department for Education, Office of Arts and Libraries, Department of the Environment, Department of Trade and Industry, Home Office and Department of Employment. The number of staff who have spent their entire career within the Department is therefore very low.

The DCMS has a total of 22 staff in the Senior Civil Service.

(a) 5 per cent. of these staff have spent their entire civil service career within this department.

Although no Senior Civil Service staff have had secondments to the private sector or other departments from DNH or DCMS, some have in their previous Departments.

(b) (i) 14 per cent. have had secondments to the private sector prior to joining this department.

(ii) 32 per cent. have been on secondment to other departments prior to joining this department.

(c) 95 per cent. have come from other departments, 23 per cent. are currently on loan to DCMS.

Mr. Forth: To ask the Secretary of State for Culture, Media and Sport how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26926]

Mr. Tom Clarke: None.

Sovereign's Works of Art

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport what progress is being made on the compilation of the inventory of works of art held by the Sovereign. [26487]

Mr. Fisher: I understand from the Royal Household, which is responsible for the Royal Collection Department, that the first phase of the computerised inventory of the Royal Collection (basic data capture and inputting) has been completed on schedule. In the second phase, consideration will be given to the best way of refining this information, and making it more widely accessible.

Television Licences

Mr. Webb: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on arrangements for charging for TV licences in hotels and guest houses; and what revenue would be raised if such establishments had to buy a licence for each television set provided. [26505]

Mr. Fisher *[holding answer 30 January 1998]:* At present, a television licence taken out by the managers of a hotel covers the installation and use of television in up to 15 guest rooms, with an additional licence fee payable for each additional five rooms with television. The same licensing arrangements apply to guest houses offering units of overnight accommodation. Charging a separate licence fee for each guest room with television in such establishments would raise an estimated £31.5 million in additional licence fee revenue.

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport what representations he has received on the use of the BBC's increase in licence fees. [26425]

Mr. Fisher: As at 29 January, the Department for Culture, Media and Sport had received 25 representations from Members of Parliament and 89 from members of the public about the television licence fee increases due to come into force on 1 April this year. As my right hon. Friend the Secretary of State explained on 11 December 1997, *Official Report*, column *636*, these increases are determined under a five-year formula announced by the previous Government. The Government consider that the formula remains appropriate. The increases this year reflect the additional costs faced by the BBC in launching its new digital services.

TREASURY

Taxation

Mrs. Lait: To ask the Chancellor of the Exchequer what would be the administrative cost of changing back to joint taxation of married couples; and taxing child benefit. [24956]

Dawn Primarolo: The information could be obtained only at disproportionate cost.

Pre-tax Income

Mr. Webb: To ask the Chancellor of the Exchequer how many employees would lose, through higher tax and National Insurance Contributions and lower benefits *(a)* 100 per cent. or above, *(b)* 90 per cent. or above, *(c)* 80 per cent. or above, *(d)* 70 per cent. or above, *(e)* 60 per cent. or above and *(f)* 50 per cent. or above of the increase in pre-tax income resulting from (i) an extra five hours work per week and (ii) a pay increase of £20 per week. [23579]

Dawn Primarolo: The information requested is contained in the table.

	Working an extra 5 hours a week	*Earning an extra £20 a week*
Above 100 per cent.	10	5
Above 90 per cent.	140	130
Above 80 per cent.	490[1]	285
Above 70 per cent.	605	645
Above 60 per cent.	630	665
Above 50 per cent.	750	680

The estimates are rounded to the nearest 5,000. Based on Family Expenditure Survey, uprated to 1997–98 levels for Great Britain. Figures are calculated for benefit units where at least one partner works 16 hours a week or more.

[1] The figure of 490,000 contains a large number of cases with ratios just over 80 per cent., which have marginal deduction rates of 79.9 per cent. when measured by 'point' methods.

Tax and Benefits

Mr. Cousins: To ask the Chancellor of the Exchequer how many employees face marginal withdrawal rates tax and benefits of *(a)* 0 per cent. or gains, *(b)* less than 10 per cent., *(c)* less than 20 per cent., *(d)* less than 30 per cent., *(e)* less than 40 per cent. and *(f)* less than 50 per cent. if they were (i) to work an hour a week less and (ii) to earn £10 a week less before tax. [22979]

Dawn Primarolo: Estimates of the number of families facing marginal deduction rates of below 50 per cent. currently, and assuming they work an hour a week less, and earn £10 a week less:

Millions of families

	Working one hour a week less	*Earning £10 a week less*
MDRs		
0 per cent. or gains	0.5	0.6
10 per cent. or less	0.6	0.7
20 per cent. or less	0.8	0.8
30 per cent. or less	3.2	3.3
40 per cent. or less	14.1	14.1
50 per cent. or less	15.9	15.9

The estimates are rounded to the nearest 100,000. Based on Family Expenditure Survey data, uprated to 1997–98 levels. Figures are calculated for benefit units where at least one partner is in work.

Incapacity Benefit and Pensions

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the tax revenue generated by the taxation of *(a)* incapacity benefit and *(b)* state pensions in (i) the current and (ii) the previous three financial years; and if he will express that revenue as a percentage of the cost of those benefits. [24010]

Dawn Primarolo *[holding answer 20 January 1998]:* Information is given in the following table.

Benefit	*Retirement Pension (including SERPS and over 80s additions)*		*Incapacity Benefit (received for more than 28 weeks of incapacity)*	
	Yield in a full year from taxing benefit (£ million)	*Yield as a percentage of total benefit expenditure*	*Yield in a full year from taxing benefit (£ million)*	*Yield as a percentage of total benefit expenditure*
1994–95	1,900	7	[1]—	[1]—
1995–96	2,000	7	30	[2]—
1996–97	2,100	6	70	1
1997–98	2,100	6	100	1

[1] Incapacity Benefit replaced sickness benefit and invalidity benefit from April 1995. Prior to that date, both these benefits were not liable to tax.
[2] Less than 0.5 per cent.
The percentage estimates for incapacity benefit are based on the total benefit expenditure—a large part of which is not liable to tax.

Blind Trusts

Mr. Maclean: To ask the Chancellor of the Exchequer what is the Treasury's definition of a blind trust. [25535]

Mr. Gordon Brown *[holding answer 26 January 1998]:* The expression "blind trust" describes arrangements which have existed under Governments of both Parties such as those referred to in paragraph 119 of the Ministerial Code issued by the Cabinet Office in July 1997, where investments are placed in a bare trust under which the Minister is not informed of changes in investments or of the state of the portfolio, but remains fully entitled to both the capital and income generated.

Social Security Benefits (Taxation)

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what plans he has to tax in the future social security benefits which are presently not taxed; and if he will make a statement. [25293]

Dawn Primarolo *[holding answer 27 January 1998]:* I cannot anticipate my right hon. Friend's Budget Statement.

Air Fares

Mr. Webb: To ask the Chancellor of the Exchequer what percentage rate of tax would need to be levied on air fares to produce the same revenue as the existing flat-rate air passenger duty. [26270]

Dawn Primarolo: It is not possible to make a reliable estimate.

Earnings

Mr. Cox: To ask the Chancellor of the Exchequer how many people earned over £100,000 in the United Kingdom in the last year for which figures are available. [26051]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Tom Cox, dated 2 February 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent question on the number of people earning over £100,000 in the United Kingdom.

The information has been derived from the New Earnings Survey for April 1997.

The estimated percentage of employees on adult rates, whose gross earnings are more than £100,000 per year (which equates to £1919.40 per week) in Great Britain and whose pay for the survey pay-period was unaffected by absence, is 0.2%.

Government-authorised Expenditure

Mr. Kenneth Clarke: To ask the Chancellor of the Exchequer what changes have been made since May 1997 to the classification of items of Government-authorised expenditure for the purposes of producing *(a)* the control total, *(b)* the public sector borrowing requirement and *(c)* the reserve. [26520]

Mr. Darling: Recent classification changes affecting the published aggregate Control Total are described in paragraph 4B.14 of the "Financial Statement and Budget Report", July 1997 (HC85) and paragraph S2.23 of "The Economy and the Public Finances: Supplementary Material", November 1997 (HM Treasury). No change has been made to the definition of the Control Total since then. None of these classification changes affects the PSBR. Expenditure provision in the Reserve is made on the same definitional basis as the rest of the Control Total.

Tax Law

Mr. Gibb: To ask the Chancellor of the Exchequer if he will make a statement on the progress of the tax law rewrite project. [26175]

Dawn Primarolo *[holding answer 29 January 1998]:* The tax law rewrite project continues to make good progress. The project aims to rewrite the UK's direct tax legislation so that it is clearer and easier to use. It commands widespread support from tax professionals and is overseen by a small high-level Steering Committee, chaired by the right hon. Lord Howe of Aberavon CH, QC. In addition a Consultative Committee of representative bodies and other interested parties meets every month to consider issues in more detail.

There will be full consultation throughout the life of the project. The first example of rewritten legislation (on trading income of individuals) was published for consultation last July. It was very well received. A response document will be sent later this week to all who offered comments. A Discussion Document to confirm that our rewrite techniques work on complex provisions, was published in November. A second Discussion Document, examining possible purposive approaches to drafting will be published next month.

This is a highly innovative project, which involves Revenue officials working closely with drafters from the Office of Parliamentary Counsel and tax professionals recruited from the private sector. It continues to command the Government's support.

Housing

Mr. Kidney: To ask the Chancellor of the Exchequer what economic instruments are available to him to promote housing development on brownfield sites in preference to greenfield ones. [26178]

Dawn Primarolo *[holding answer 29 January 1998]:* There are a number of possible economic instruments that could be used to help promote housing developments on brownfield sites in preference to greenfield sites. These are being considered in the Comprehensive Spending Review, alongside other economic instruments that offer potential scope for improving the efficiency of the land-use planning system. My right hon. Friend the Deputy Prime Minister will shortly be making a statement on the Government's policy on the issues raised in the consultation paper. "Household Growth: Where Shall We Live".

Drug Deaths

Mr. Flynn: To ask the Chancellor of the Exchequer what was the total number of deaths of children aged 13 to 16 years resulting from ingesting *(a)* heroin, *(b)* alcohol, *(c)* ecstasy, *(d)* speed, *(e)* glue, *(f)* Temazepam, *(g)* cannabis and *(h)* LSD in each of the last five years. [26470]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Paul Flynn, dated 2 February 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics (ONS), to answer your recent question asking for the total number of deaths to children aged 13 to 16 years in each of the last five years resulting from ingesting[1] (a) heroin, (b) alcohol, (c) ecstasy, (d) speed, (e) glue, (f) temazepam, (g) cannabis and (h) LSD.

Data for 1992 may be obtained from Table 10 of "Mortality Statistics: Injury and Poisoning 1992", Series DH4 no. 18, copies of which are available in the House of Commons Library. This table lists all substances mentioned in the records of deaths assigned to accidental and other poisoning by solid or liquid substances.

The table shows deaths to people aged under 20, data for children aged 13–16 are only available at disproportionate cost.

The following table shows the remaining data for 1992 and also data for 1993–1996.

Deaths in England and Wales to children aged 13–16 years, 1992–96

	1992	*1993*	*1994*	*1995*	*1996*
(a) Heroin	—	0	1	2	2
Alone	—	—	0	0	2
With other drugs[2]	—	—	1	2	0
(b) Alcohol[4]	0	2	0	1	3
(c) Ecstasy	—	0	0	0	3
Alone	—	—	—	—	2
With other drugs[2]	—	—	—	—	1

Deaths in England and Wales to children aged 13–16 years, 1992–96

	1992	1993	1994	1995	1996
(d) 'Speed'					
(Amphetamines)	—	0	2	3	0
Alone	—	—	1	0	—
With other drugs[2]	—	—	1	3	—
(e) Glue[3]	22	17	13	15	n/a
(f) Temazepam	—	0	2(1)	2	0
Alone	—	—	0	0	—
With other drugs[2]	—	—	2(1)	2	—
(g) Cannabis	—	1	0	2	0
Alone	—	0	—	0	—
With other drugs[2]	—	1	—	2	—
(h) LSD	—	0	0	0	0
Alone	—	—	—	—	—
With other drugs[2]	—	—	—	—	—

The figures in brackets are those deaths with a mention of alcohol and are included in the non-bracketed figures.
Deaths from alcohol for 1992 are those that were registered in the year, deaths for the years 1993–96 are those that occurred.
[1] The route of administration (i.e., whether swallowed, injected, inhaled, etc.) of a toxic substance is not usually specified on the death certificate. The data above represent all mentions of drugs, however administered, where the death was certified as due to poisoning, drug dependence or non-dependent abuse of drugs.
[2] If, for example, both heroin and cannabis are mentioned on a death certificate, the death will occur twice in the table, once under 'Heroin with other drugs' and once under 'Cannabis with other drugs'.
[3] Data supplied by St. George's Hospital Medical School and are those deaths involving all volatile substances, including glue.
[4] Deaths certified as due to alcoholic psychoses, alcohol dependence syndrome, non-dependent abuse of alcohol, alcoholic cardiomyopathy, chronic liver disease and cirrhosis, and toxic effects of alcohol.

Pre-payment Meters

Mr. Rendel: To ask the Chancellor of the Exchequer what estimate he has made of the percentage of pensioners who pay their fuel costs with pre-payment meters. [26172]

Mrs. Liddell *[holding answer 29 January 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Rendel, 2 February 1998:

The Chancellor of the Exchequer has asked me to reply to your recent question on the percentage of pensioners who pay their fuel costs with pre-payment meters.

An estimate from the 1996–97 Family Expenditure Survey is that seven per cent of households headed by a pensioner (including cases where the sole person in the household is a pensioner) made payments for gas and/or electricity using slot meters, cards, discs or tokens.

Correspondence

Mr. Ian Bruce: To ask the Chancellor of the Exchequer how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27028]

Mr. Gordon Brown: The Department has an 18 working day deadline for answering correspondence. The percentage receiving replies within the target date is reported annually to Cabinet Office. Figures for average time taken to answer letters are not recorded. No assessment has been made of how long it takes to deliver a letter after it has been typed.

LORD CHANCELLOR'S DEPARTMENT

Non-career Civil Servants

Mr. Burns: To ask the Parliamentary Secretary, Lord Chancellor's Department how many non-career civil servants have been appointed to his Department since 1 May 1997. [25849]

Mr. Hoon: The number of casual and fixed-term appointees and Special Advisers appointed since 1 May 1997 is 1,081. This excludes fee-paid usher appointments, information on which is not held centrally.

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will assess the advantages and disadvantages of continuing with the institution of Queen's Counsel. [25622]

Mr. Hoon: My noble and learned Friend the Lord Chancellor has no plans to review the continued existence of the institution of Queen's Counsel.

Commonhold

Mr. Lepper: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* research he has commissioned and *(b)* consultation he has held into the introduction of commonhold as a form of tenure. [25745]

Mr. Hoon: None. However, in due course the development of a workable commonhold scheme will be undertaken in full consultation with interested parties.

Wills

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of the adult population of England and Wales *(a)* has used the system for the deposit and safe-keeping of the wills of living persons operated by the principal registry of the family division and *(b)* he estimates have made wills. [25735]

Mr. Hoon: *(a)* There are currently 83,000 wills deposited at the Principal Registry of the Family Division (PRFD). This means that 0.2 per cent of the 40,073,200 adults over the age of 18 in England and Wales have used this service. *(b)* It is not possible to say what proportion of the adult population have made wills as there is no requirement for wills to be registered or deposited with PRFD.

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what *(a)* information and *(b)* opportunities to register an interest are to the public in the system for the deposit and safe-keeping of the wills of living persons operated by the principal registry of the family division. [25734]

Mr. Hoon: *(a)* There is no facility currently available to register an interest in a will. *(b)* Details of how to deposit a will for safe-keeping by the Principal Registry of the Family Division (PRFD) are published in a leaflet available at PRFD and all Probate Registries. Wills can be deposited at any Registry and are then forwarded to PRFD where they are retained.

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what are the annual costs of the system for the deposit and safe-keeping of the wills of living persons operated by the principal registry of the family division gross and net of any fee income charged; and if he will assess the costs of operating the system as an open register with facilities for inspection and registering of third party interests and appropriate fees for such services. [25736]

Mr. Hoon: Two staff operate the system for receipt and safe-keeping of wills. Their combined annual cost is £60,500. This does not include the cost of storing the wills and the management of the staff, which are incorporated into the overall cost of running the Principal Registry of the Family Division and could be obtained only at a disproportionate cost. 13,732 wills were deposited in 1997 at a fee of £1 each and so the net annual cost is £46,768. It is not possible to assess the cost of operating the system as an open register with facilities for inspection and registering third parties' interests as there is no information available on the number of requests such a system would generate. To research the number of requests that might be made would incur a disproportionate cost. In any event, the wills of living persons are not public documents.

Legal Aid

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department if the current review of legal aid will include consideration of the up-rating of the £2,500 exemption from the statutory charge in matrimonial cases. [25741]

Mr. Hoon: We are considering, in the light of Sir Peter Middleton's recommendations, whether any aspects of the financial conditions for civil legal aid, including the statutory charge, need to be reformed. We expect to announce our conclusions in a White Paper later this year.

Sir Nicholas Lyell: To ask the Parliamentary Secretary, Lord Chancellor's Department under what provisions of the Legal Aid Act 1988 the Government propose to withdraw legal aid from civil claims for money or monetary compensation. [27004]

Mr. Hoon: The Lord Chancellor would implement such changes to the scope of civil legal aid by regulation under section 14 of the Legal Aid Act 1988.

Pre-marriage Contracts

Mr. Kidney: To ask the Parliamentary Secretary, Lord Chancellor's Department what proposals his Department has to reform the law relating to marriages with particular reference to pre-marriage contracts. [25740]

Mr. Hoon: Officials have been asked to look at a wide range of issues relating to the area of matrimonial property, including pre-nuptial contracts. The work is at an early stage and it is soon to say what recommendations will be made with regard to the options under consideration.

Correspondence

Mr. Ian Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department how long on average it takes his Department to answer letters from hon. Members: what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27035]

Mr. Hoon: For 1997, the average time taken by this Department to answer letters from hon. Members was approximately 19 working days. The target date for replies is twenty working days. For 1997, 76.54 per cent. of letters were answered within the target date. All letters are dispatched by the first class post or delivered by hand to the House of Commons.

DEFENCE

Military Personnel, Equipment and Installations

Mr. Swayne: To ask the Secretary of State for Defence if he will list those private individuals and companies to which military personnel, equipment and installations have been hired out by his Department since 1 May 1997. [24457]

Dr. Reid: I am today placing such a list in the Library of the House.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Defence what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25899]

Mr. George Robertson: The Strategic Defence Review is my Department's contribution to the Government's wide Comprehensive Spending Review. I have put no mechanisms in place specifically to address sustainable development in advance of the completion of the Review. Environmental issues are being taken into account in our work on the Review and there may be decisions arising from it which will affect future policy.

West Indian Guardship

Mr. Cox: To ask the Secretary of State for Defence what was the total cost to public funds of the West Indian Guardship in 1997. [25992]

Dr. Reid: The cost of the West Indian Guardship for the year 1997 was £8.77 million. Her associated Royal Fleet Auxiliary tanker was provided at a cost of £2.55 million.

United Kingdom Land Command

Mr. Bayley: To ask the Secretary of State for Defence what is the value of the site and buildings of UK Land Command headquarters at Wilton. [26253]

Dr. Reid: My Department does not hold any figures for the current market value of the site and buildings at Headquarters Land Command in Wilton. The value of estate on the open market is calculated only when a disposal is under consideration, and there have been no recent, nor are there any current, proposals for the Army to vacate Erskine Barracks.

Mr. Bayley: To ask the Secretary of State for Defence how many troops were under the command of UK Land Command *(a)* 1989 and *(b)* 1997. [26252]

Dr. Reid: Land Command was formed in 1995 in place of United Kingdom Land Forces, and to assume responsibility for Army units based in Germany.

The Commander in Chief United Kingdom Land Forces in 1989 was responsible for the majority of the 41,000 Regular Army personnel based in the United Kingdom, other than personnel providing and undertaking individual training, and of 73,000 Territorial Army personnel.

The Commander in Chief Land Command presently has command of some 50,000 Regular Army and 58,000 Territorial Army personnel in the United Kingdom and of a further 23,000 Regular Army personnel in Germany.

Mr. Bayley: To ask the Secretary of State for Defence (1) how many *(a)* service and *(b)* civilian personnel were employed at United Kingdom Land Command headquarters in Wilton in (i) 1989, (ii) 1992, (iii) 1995 and (iv) at the latest available date; [26141]

(2) what is the annual cost of maintaining United Kingdom Land Command headquarters at Wilton currently; and what it was in 1989 at 1998 prices. [26142]

Dr. Reid: Headquarters Land Command at Wilton was formed in 1995, to assume most of the responsibilities previously undertaken by the former Headquarters United Kingdom Land Forces and also responsibility for the Army in Germany upon the disestablishment of Headquarters British Army of the Rhine in that year. There were at that time a number of other significant organisational changes which affected the composition of the Headquarters at Wilton. The size of the headquarters prior to and after 1995 are not, therefore, comparable.

The information requested is not available for 1989, so figures for 1990 have been provided instead.

The authorised establishment of Headquarters United Kingdom Land Forces was as follows:

	Civilian personnel	*Service personnel*
1990	418	275
1992	407	290

The authorised establishment of Headquarters Land Command was as follows:

	Civilian personnel	*Service personnel*
1995	507	358
1997	521	370

Hyderabad Barracks, Colchester

Mr. Bob Russell: To ask the Secretary of State for Defence for what reasons new buildings are being erected at Hyderabad Barracks, Colchester; what the buildings are for; and what is the cost for the development. [26290]

Dr. Reid: Hyderabad and the adjacent Meeanee Barracks, Colchester are currently being modernised and extended to rectify, as a matter of urgency, serious deficiencies in the living accommodation for single soldiers. The refurbishment is expected to cost £6.7 million.

Trident

Mr. Flynn: To ask the Secretary of State for Defence what new assessment he has made of the role of Trident. [26345]

Mr. George Robertson: Trident will contribute to maintaining strong defences while we press for multilateral negotiations towards mutual balanced and verifiable reductions in nuclear weapons in line with our manifesto commitment. As part of the Strategic Defence Review, we are considering the minimum level of capability required for this role in current strategic circumstances.

Staff College Camberley

Mr. Hawkins: To ask the Secretary of State for Defence (1) what plans he has for the future use of the buildings of the Staff College, Camberley; [26364]

(2) what assessment he had made of the advantages of relocating the Defence Studies College to the Staff College site, Camberley. [26365]

Dr. Reid *[holding answer 30 January 1998]:* A number of options are being examined for the future military use of the former Staff College buildings at Camberley, but no final decisions have yet been taken.

Recruits

Mr. Corbyn: To ask the Secretary of State for Defence how many recruits to *(a)* the Royal Navy, *(b)* the Army and *(c)* the Royal Air Force aged 16 to 18 years came from (i) a family background and (ii) local authority care for each year since 1990. [26838]

Dr. Reid: The number of recruits under 18 years of age who entered the UK regular Armed Forces are detailed in the table:

Financial year	*RN*	[1]*Army*	*RAF*
1990–91	[2]n/a	8,270	1,410
1991–92	[2]n/a	7,100	661
1992–93	499	4,850	67
1993–94	232	2,938	70
1994–95	229	3,508	70
1995–96	579	4,397	299
1996–97	1,103	5,727	401
1997–98[3]	570	3,025	319

[1] The Army figures includes Apprentices and Junior Soldiers.
[2] RN figures for FYs 1990–91 and 1991–92 are not available.
[3] Data for FY 1997–98 covers the period 1 April 1997 to 30 September 1997.

The further information requested is not held centrally and could be provided only at disproportionate cost.

Attack Helicopter (Training)

Mr. Borrow: To ask the Secretary of State for Defence what arrangements will be made to provide ground-based and simulator training for the Army's Attack Helicopter air and ground crew. [27241]

Mr. Spellar: Subject to satisfactory completion of contract negotiations, we intend to place a Public/Private Partnership contract with a Joint Venture Company (JVC) formed by GKN Westland Helicopters Limited and the Boeing Corporation. The JVC will provide a service to meet all our requirements for ground based training and simulators in support of Attack Helicopter.

This contract will ensure that we can take full advantage of the capabilities of the Attack Helicopter. The contract will run for 30 years and the JVC will be responsible for supplying all the equipment and instructional staff necessary to provide the required level of service.

Mid-air Collisions

Mr. Gordon Marsden: To ask the Secretary of State for Defence if he will publish the results of the study called for by the Air Accidents Investigation Branch on the probability of a random mid-air collision. [27250]

Mr. Spellar: The study, by the Defence Evaluation and Research Agency, concluded that the principle of 'see-and-avoid' in the open Flight Information Region below 2,000 ft resolved confliction in over 99 per cent. of occasions. This implies a worst-case collision rate of 0.118 per 10,000 flying hours for single seat military fast jet aircraft and 0.005 per 10,000 flying hours for General Aviation aircraft.

The Study acknowledged that certain conspicuity measures could further increase the effectiveness of see-and-avoid. We have already initiated a programme to paint the majority of training aircraft black including the Hawk, the Tucano, the Dominie and the Jetstream; training helicopters and the Firefly aircraft are painted in a combination of yellow and black. In addition, the majority of military aircraft are being fitted with High Intensity Strobe Lights, and RAF aircraft with High Power Light Assemblies where installation is not cost prohibitive.

The Study also concludes that an effective safety enhancement would be the installation of a collision warning system to military fast jets. The procurement of CWS is under consideration as part of the Strategic Defence Review.

Flight safety is, and will remain, a key priority and we will continue to pursue initiatives that promise further improvements in that area.

Copies of the Study Report and an accompanying MOD commentary have been placed in the Libraries of the House.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Defence how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27042]

Mr. Spellar: Statistics are not held in the form requested. My Department has a target of reply to letters from hon. Members within 15 working days of receipt. Since 14 May 1997, ministers have replied to 63 per cent. of letters within this target and to 79 per cent. within 20 working days. All replies are normally taken by hand to the mail room at the House of Commons, unless we have been asked to make other arrangements by the hon. Member concerned, within 1 working day of being signed.

INTERNATIONAL DEVELOPMENT

Land Mines

Dr. Harris: To ask the Secretary of State for International Development which existing land-mine clearance projects the Government assist financially; and what clearance methods these projects use. [26060]

Clare Short: We are currently directly supporting clearance projects in Afghanistan, Cambodia, Laos, Northern Iraq and Mozambique. We are also supporting demining activities through the United Nations and the European Community. Directly supported projects all involve manual clearance methods though some also use mechanical devices and dogs.

Dr. harris: To ask the Secretary of State for International Development what assessment she has made of the Dervish land mine clearance device, developed at Edinburgh University; and if she will provide financial assistance to support its forthcoming trials in Bosnia. [26059]

Clare Short: Dervish Mine Clearance recently submitted a funding proposal for three years support costs. This is presently being technically appraised. The proposal makes no mention of trials in Bosnia.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for International Development how long on average it takes her Department to answer letters from hon. Members; what target date her Department sets; what percentage receive replies within the target date; and what assessment she has made of how long it takes to deliver a letter after it has been typed. [27036]

Mr. Foulkes: The Department for International development has a target of 15 working days in which to answer letters from honourable Members and 90 per cent. of letters are answered within that target. Every effort is made to ensure that letters are copied, despatched and delivered within 24 hours of signing.

Zimbabwe

Mr. Faber: To ask the Secretary of State for International Development what discussions she has had with the Foreign and Commonwealth Office concerning United Kingdom aid to Zimbabwe. [26954]

Clare Short: We co-ordinate closely with the Foreign and Commonwealth Office in the formulation of Government policy.

Mr. Faber: To ask the Secretary of State for International Development what discussions she has had with her fellow EU Ministers concerning EU aid to Zimbabwe. [26953]

Clare Short: We co-ordinate closely with our European Union colleagues on a range of issues, including EU aid to Zimbabwe. We support EC's approach on land reform and balance of payments support for Zimbabwe.

Mr. Faber: To ask the Secretary of State for International Development what discussions she has had with representatives of the (i) World Bank and (ii) IMF concerning *(a)* loans, *(b)* United Kingdom bilateral and *(c)* EU aid to Zimbabwe. [26958]

Clare Short: We co-ordinate closely with the World Bank and the IMF on a range of issues including aid to Zimbabwe.

Mr. Faber: To ask the Secretary of State for International Development what plans she has to impose conditions on United Kingdom bilateral aid to Zimbabwe similar to those attached to the most recent EU aid package. [26959]

Clare Short: Following publication of the White Paper on International Development, we are discussing with the Government of Zimbabwe whether we can form a partnership with them to eradicate poverty. This discussion will include their approach to achieving the International Development Targets, economic management and land reform.

Mr. Faber: To ask the Secretary of State for International Development if she will list the conditions attached to the EU aid programme to Zimbabwe. [26952]

Clare Short: The European Union has agreed to release the second tranche of its Structural Adjustment Support programme which was agreed in 1994, based on assurances that the Government of Zimbabwe would meet their budget deficit targets. The Government have assured the EC that the land reform programme will be implemented in a transparent manner and in accordance with the Government of Zimbabwe's administrative and financial capacity to acquire and resettle the land successfully. The EC has encouraged the Government to consult international partners to make a clear statement of how they intend to proceed with land reform.

Indonesia

Mr. Faber: To ask the Secretary of State for International Development what discussions she has had with the Foreign and Commonwealth Office concerning the provision of training assistance to the Indonesian police force. [26951]

Mr. Foulkes: The Foreign and Commonwealth Office have kept us informed of their plans to provide training assistance to the Indonesian police.

Caribbean Nations

Mr. Mullin: To ask the Secretary of State for International Development if she will give details of *(a)* trade preference agreements, *(b)* debt relief and *(c)* aid currently being made available by Her Majesty's Government to (i) Trinidad and Tobago, (ii) Jamaica and (iii) Belize. [26563]

Clare Short: Trinidad and Tobago, Jamaica and Belize are eligible for trade preferences from the European Union under the Lomé Convention. No aid debt relief is currently being made available to any of the three countries. Total UK aid for 1996–97 was £278,000 for Trinidad and Tobago, £9,673,000 for Jamaica and £7,666,000 for Belize. We are currently considering whether debt relief should be extended to Jamaica and Belize under the Commonwealth Debt initiative.

St. Helena

Dr. Marek: to ask the Secretary of State for International Development how many *(a)* scientific advisors and *(b)* other Government personnel are visiting St. Helena in 1998; and for what purposes. [26417]

Clare Short: I refer the hon. Member to the reply given by my hon. Friend the Minister of State for Foreign and Commonwealth Affairs on 30 January, *Official Report*, column *441*.

Multilateral Agreement on Investment

Mr. Dawson: To ask the Secretary of State for International Development what assessment she has made of the impact of the Multilateral Agreement on Investment on the Government's efforts to assist poor countries; and if she will make a statement. [26717]

Clare Short: The Government support the aim of providing a better international framework for investment, which we believe has an important part to play in helping the poorest countries attract inward investment. My Department is commissioning a study to look at any implications the Multilateral Agreement on Investment (MAI) may have for developing countries, which we will share with our negotiating partners. Although the MAI is not designed for poorer developing countries, we support continued consultation with them on this matter.

Mixed Credits

Sir Alastair Goodlad: To ask the Secretary of State for International Development if the use of mixed credits by DFID will receive independent scrutiny; and if she will make a statement. [26748]

Clare Short: The Select Committee on International Development have recently recommended that the use of mixed credits by DFID should receive independent scrutiny. We are currently considering this proposal.

International Development Budget

Mr. Singh: To ask the Secretary of State for International Development what commitment the Government have made in terms of the percentage of GNP to which the International Development budget will be increased during the next five years. [26700]

Clare Short: We are committed to reversing the decline in the development assistance budget and to moving towards the UN target of 0.7 per cent. of GNP. We have undertaken to work within existing financial

ceilings this year and next, while conducting a comprehensive expenditure review to ensure that all our resources are used effectively, in accordance with out policy priorities. Having done so, we can justify increasing the development assistance budget from 1999–2000.

Paris Club

Mr. Rowe: To ask the Secretary of State for International Development what plans her Department has to incorporate the Government's objectives, as set out in the White Paper, "Eliminating World Poverty", in the forthcoming Paris Club meetings. [26702]

Clare short: My right hon. Friend the Chancellor for the Exchequer leads on debt policy. But my Department is closely involved because debt relief can make an important contribution to the elimination of poverty in developing countries. In agreeing the Government's line to take for Paris Club meetings, the Department for International Development seeks to ensure that, in determining the amount of relief to be provided, due account is taken of the debtor country's ability to pay, and that essential public expenditure, particularly in the social sectors, can be maintained.

Nicaragua

Mr. Fitzpatrick: To ask the Secretary of State for International Development if she will list the current British aid projects in Nicaragua. [26753]

Clare Short: Current British aid projects in Nicaragua are as follows:

(i) *Technical Cooperation Programme projects*

Land Resources Monitoring Project

(ii) *Joint Funding Scheme projects* (the principal mechanism for supporting NGO projects based on a 50:50 share of funding.

Agency	*Project title*
CODA International	Institutional Capacity Building Programme
Health Unlimited	Community Health Care Programme
International Cooperation for Development	Promoting Gender and Development with Women's and Mixed Organisations
Marie Stopes International	Developing participative Programme Management Capacity
One World Action	Community Health Care Programme
One World Action	Support for Solidez
Y CARE International	Acahualinca Youth and Community Development
Y CARE International	Integrated Rural Community Development Programme

The list of Joint Funding Scheme projects currently being funded does not include those supported through the block grants provided to certain agencies. Information on these will not be available until mid 1998.

HOUSE OF COMMONS

Members' Accommodation

Mr. Dismore: To ask the Chairman of the Accommodation and Works Committee if he will list, in relation to office accommodation made available to hon. Members for their personal use in the Parliamentary precinct, *(a)* the average floor space, *(b)* the smallest floor space, *(c)* the largest floor space and *(d)* the number of hon. Members sharing offices; and if he will make a statement. [26258]

Sir Sydney Chapman: The average floor space made available to hon. Members is 18.5 sq m. The smallest floor space is 5.6 sq m and the largest is 52.2 sq m. Some 80 hon. Members share offices with other Members.

NORTHERN IRELAND

Police

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will list the amounts of personal expenditure claimed by and reimbursed to the Secretary and Chief Executive of the Police Authority for Northern Ireland in (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97 and (v) 1997 to date. [20754]

Mr. Ingram: The first table shows the amounts of personal expenditure on business incurred by and re-imbursed to the present Secretary and Chief Executive. The second table gives the total amounts of expenditure incurred by the present secretary and by his predecessor, including accounts which were submitted to and settled by the Authority on their behalf.

Table 1

	£
July 1995–March 1996	Nil
April 1996–March 1997	664.00
April 1997–December 1997	1,229.00

Table 2

	£
Previous Secretary (left post on 30 June 1996)	
April 1993–March 1994	6,296.00
April 1994–March 1995	5,739.00
April 1995–30 June 1996	279.00
Present Secretary (in post since 1 July 1996)	
1 July 1996–March 1997	3,424.00
April 1996–March 1997	9,855.00
April 1997–December 1997	4,172.00

All figures rounded to the nearest £.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what was the cost of official journeys outside Northern Ireland by the Secretary and Chief Executive of the Police Authority for Northern Ireland in terms of *(a)* travel, *(b)* subsistence and *(c)* entertaining paid from official funds or for which reimbursement was claimed in (i) 1995, (ii) 1996 and (iii) 1997 to date. [20752]

Mr. Ingram: The costs are as follows:

	Travel	*Subsistence*	*Hospitality*
1995–96	1,600	1,064	225
1996–97	5,495	2,432	205
1997–to date	2,100	992	Nil

All figures rounded to the nearest £.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what arrangements are in place to authorise or reimburse personnel expenditure by the Secretary and Chief Executive of the Police Authority for Northern Ireland. [20753]

Mr. Ingram: All travelling and subsistence claims made by the Secretary and Chief Executive of the Police Authority are dealt with in accordance with Paragraph 6663 of the NICS Pay and Conditions of Service Code. They are made on a purpose designed Authority claim form which is used by all Authority staff.

Bloody Sunday

Ms Morgan: To ask the Secretary of State for Northern Ireland if she will make a statement on Bloody Sunday. [24858]

Marjorie Mowlam: I refer to my hon. Friend to the statement made by my right hon. Friend the Prime Minister last Thursday 29 January 1998, *Official Report*, columns 501–03.

Student Tuition Fees

Mr. Welsh: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 27 January 1998, *Official Report*, column *172*, on fourth year fees for eligible Northern Irish students, what factors are being considered in the ministerial discussion; and when she expects to announce a decision. [26796]

Mr. Worthington: The discussion is focused mainly on matters of equity relating to student support and costs. A decision is expected soon.

PRIME MINISTER

Iraq

Mr. Dalyell: To ask the Prime Minister what assessment he has made of the consequences of military action against Iraq in *(a)* Iraq, *(b)* the Arab world and *(c)* Iran. [26985]

The Prime Minister: Saddam has demonstrated that he is prepared to attack his neighbours by attacking Iran in 1980 and Kuwait in 1990.

So long as Saddam Hussein retains the capacity to produce weapons of mass destruction he will remain a real threat to his own people and to the whole Middle East region.

It would not be sensible to speculate on possible military action at this stage.

We, and Security Council partners, continue to pursue through diplomatic means the objective of ensuring full Iraqi compliance with the Council's demands.

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral answer of 28 January 1998, *Official Report*, column 348, to the hon. Member for Nottingham, South (Mr. Simpson), concerning Iraq, to which neighbours he was referring; and what action he has taken to ascertain their view of the efficacy of bombing without the use of ground forces. [26807]

The Prime Minister: I refer my hon. Friend to the answer I gave him on 27 January 1998, *Official Report*, column *130*.

Security Services

Mr. Gordon Prentice: To ask the Prime Minister if he will list the categories of persons who since 1 May are no longer the subject of security service interest. [26409]

The Prime Minister: The operations of the Security Service are constrained by its statutory remit which allows it to conduct investigations only into persons whom it suspects of presenting a threat to national security or to the economic well-being of the United Kingdom, or in support of the law enforcement agencies in the prevention and detection of serious crime.

Power Generators

Mr. Redwood: To ask the Prime Minister if he has seen the signed agreement reached by the Paymaster General with the power generators. [26413]

The Prime Minister *[holding answer 30 January 1998]:* No agreement was reached between the power generators and the Government. Arrangements for coal deliveries were agreed by the relevant parties.

Animal Issues

Mr. Baker: To ask the Prime Minister if he will make it his policy to rationalise departmental responsibilities for animal issues to achieve better policy co-ordination. [26786]

The Prime Minister: Ministers with responsibilities for animal welfare are actively considering what new arrangements may be needed for interdepartmental co-ordination on animal welfare policies and their presentation. An announcement will be made as soon as possible.

Biotechnology

Mr. Baker: To ask the Prime Minister if he will set out departmental responsibilities for biotechnology issues; and what steps he takes to ensure *(a)* cross-departmental co-ordination and *(b)* that environmental aspects are fully taken into account. [26787]

The Prime Minister: These issues cut across a number of Government Departments. Specific information on departmental responsibilities in respect of regulation, information sources and support for biotechnology in the UK is available through the "BioGuide", published by the DTI. Copies are available in the Library.

The President of the Board of Trade as Cabinet Minister for Science, supported by the Minister for Science, Energy and Industry, takes overall responsibility for co-ordination of biotechnology issues across Government.

The cross-departmental co-ordination of biotechnology policy is undertaken, at official level, by the Interdepartmental Group on Genetic Modification Technology (IGGMOT). IGGMOT was established under the auspices of the Office of Science and Technology in 1993 to provide a forum for consideration of biotechnology policy across Government, both domestic and international. Since its inception, IGGMOT has become increasingly important tool for the co-ordination of biotechnology policy, including environmental aspects.

The official Cabinet Committee on Science and Technology (EASO), chaired by the Government's Chief Scientific Advisor, also maintains an overview of biotechnology issues.

Women's Employment

Mr. Maclean: To ask the Prime Minister what plans he has to assist women aged over 50 years back into employment. [27047]

The Prime Minister: We shall continue with policies of economic stability and growth that create employment opportunities for all. The latest figures announced on 14 January 1998 show a continued increase in the number of people in work in the UK and a further fall in the number unemployed. Falls in unemployment have been relatively even across all age groups for both men and women.

TRADE AND INDUSTRY

British Coal (Land Holdings)

Ms Walley: To ask the President of the Board of Trade if she will list the remaining land holdings held by British Coal, indicating which are *(a)* in the process of passing to the Coal Authority and *(b)* subject to conditional planning consents relating to opencast coal mining. [25511]

Mr. Battle: British Coal retains approximately 30 properties where sales are contracted but not yet completed. In addition it holds leasehold interests in 14 office properties and approximately 200 recreational sites which are due to transfer to the Coal Industry Social Welfare Organisation shortly.

It is not intended to transfer any of these properties to the Coal Authority and none are subject to conditional planning consents to opencast coal mining.

A full list detailing all the properties will be available in the HoC library.

Industrial Tribunals

Mr. Sayeed: To ask the President of the Board of Trade if she will estimate the cost to companies of their being required to submit testimony in person at industrial tribunals. [25305]

Mrs. Beckett: The most recent Survey of Industrial Tribunal Applications collected information on the total costs for employers responding to Industrial Tribunal cases (1992 Survey of Industrial Tribunal Applications: Trelett and Banerji—Employment Department, February 1994). This did not differentiate between the costs of attending a hearing and other costs. The overall median total cost was £1,486, although this varied greatly between cases and organisations and included all costs incurred including attending a hearing, legal advice etc. The Third Survey of Industrial Tribunal Applications, which will be carried out during this year, will allow a better breakdown of the costs to both parties.

Fossil Fuel Levy

Mr. Bill O'Brien: To ask the President of the Board of Trade if she will make a statement on the reduction proposed for the fossil fuel levy. [24964]

Mr. Battle: The setting of the rate of the fossil fuel levy is a matter for the Levy Collector. On 19 December the Levy Collector announced that the rate of the fossil fuel levy for the year beginning 1 April 1998 would be 0.9 per cent.

Mr. Bill O'Brien: To ask the President of the Board of Trade if she will make a statement on what parts of the electricity generating industry the fossil fuel levy will apply; and how much will be realised with the new formulas for the fossil fuel levy. [24967]

Mr. Battle: The Fossil Fuel Levy Bill, now before the House, would result in electricity supplied from nuclear and fossil fuel sources being subject to the fossil fuel levy as well as electricity produced under Non-Fossil Fuel Obligation arrangements. The Levy Collector estimates that the levy will need to realise £119 million in 1998–99.

Mr. Redwood: To ask the President of the Board of Trade when she plans to announce the rate and incidence of the non-fossil fuel levy. [24404]

Mrs. Beckett *[holding answer 20 January 1998]:* On 19 December the Levy Collector announced that the rate of the fossil fuel levy for the year beginning 1 April 1998 would be 0.9 per cent. This is pursuant to my previous answer on 24 November 1997, *Official Report,* column *417,* and my hon. Friend the Minister for Science, Energy and Industry's answer to the hon. Member for Sevenoaks (Mr. Fallon), on 24 November 1997, *Official Report,* column *417.*

Renewable Energy

Mr. Yeo: To ask the President of the Board of Trade (1) what action she will take during the British presidency of the European Union in respect of the White Paper on Renewable Energy; [22287]

(2) what was the outcome of the meeting with European Union energy ministers on 8 December about the European Union White Paper on Renewable Energy. [22288]

Mr. Battle *[holding answer 12 January 1998]:* The Commission made a presentation of their White Paper to the Energy Council on December 8.

The theme of our current meeting will be energy and environment. During our Presidency we will initiate a detailed discussion of the White Paper and Action Plan with our partners to see what can realistically be done to promote the uptake of renewables throughout Europe. We intend to hold a debate on energy and the environment at the Energy council under our Presidency. This will address the role of renewables, and the Commission's White Paper, as a key item. Within the UK, we are

currently reviewing our policy on renewable energy including consideration of what would be necessary and practicable to achieve 10 per cent. of UK's electricity needs from renewables by 2010.

Funerals

Dr. Tonge: To ask the President of the Board of Trade if she will take action to warn *(a)* pensioners and *(b)* others about the activities of funeral directors who encourage people to opt for unnecessarily expensive funerals. [24723]

Mr. Nigel Griffiths: I share the hon. Member's concern about this issue. Funeral directors have a duty to deal fairly with people at times of stress. The codes of practice of all the funeral trade associations require their members to make a basic funeral available with its price clearly indicated. Where funeral directors do not do this, I urge consumers to report them to the relevant trade association of the Funeral Ombudsman Scheme as applicable. I am concerned that there is not enough transparency in this and in other aspects of the funeral business and I am looking to the industry in the first instance to improve consumer protection.

Gas Industry

Mr. Boswell: To ask the President of the Board of Trade what consultations she has had with representatives of the gas industry about future strategies for energy supply. [24320]

Mr. Battle *[holding answer 21 January 1998]:* The gas industry comprises a heterogeneous range of companies—over 60 gas suppliers (many of whom are in other energy businesses such as electricity or upstream oil and gas activities), the transmission network, and manufacturers and suppliers of gas equipment of all kinds. I and my officials meet, from time to time, a range of companies with gas interests, and various issues are discussed, including long-term energy supply.

Coal Industry

Mr Redwood: To ask the President of the Board of Trade if the Minister for Trade and Competitiveness in Europe has *(a)* attended meetings, *(b)* read papers and *(c)* made comments on coal industry matters in the last three months. [24264]

Mrs. Beckett *[holding answer 20 January 1998]:* Matters concerning the coal industry are the responsibility of the Minister for Science, Industry and Energy. His responsibilities also include European coal issues, dealt with at the Energy Council which he attends.

Coal industry matters have arisen only incidentally, e.g. in meetings at which the Minister for Trade and Competitiveness in Europe has been present. He has had no direct dealings with the issue.

Mr. Redwood: To ask the Board of Trade if the Paymaster General will ensure that the report on the future of the coal industry is completed before the current redundancy terms for miners end on 30 June. [25426]

Mrs. Beckett *[holding answer 26 January 1998]:* The Government are not preparing a report on the coal industry. On 22 December, the President of the Board of Trade announced details of a review of energy sources for power generation. That review is being carried out by the Department of Trade and Industry, not HM Treasury. The Department has invited representations by 16 February. The review is expected to reach conclusions before 30 June.

Mr. Redwood: To ask the President of the Board of Trade how much extra British coal she estimates will be burned in British power stations in the second quarter of 1998 as a result of the agreement facilitated by the Paymaster General. [25421]

Mrs. Beckett *[holding answer 26 January 1998]:* National Power and Eastern Electricity agreed with RJB Mining to accelerate deliveries of 600,000 tonnes between them in the April-June quarter 1998. Power Gen agreed to purchase 1.1 million tonnes from RJB in this period.

Mr. Redwood: To ask the President of the Board of Trade what assessment she has made of the impact of the revised sulphur protocol issued by the Environment Agency on coal mines and jobs in the coal industry. [25418]

Mrs. Beckett *[holding answer 26 January 1998]:* Exchanges I have had with the electricity generators suggest that, if implemented, the revised limits proposed by the Environment Agency in a recent consultation paper would have the effect of constraining their purchases of coal and coalburn. My Department is entering into discussions with the Environment Agency and the Department of the Environment, Transport and the Regions about the proposed limits.

Mr. Redwood: To ask the President of the Board of Trade to what extent the amount of coal burned will increase in the second quarter of 1998 as a result of the agreement reached by the Paymaster General with the power generators. [26783]

Mrs. Beckett: Following discussions between the electricity generators and RJB Mining in December 1997, National Power and Eastern Electricity agreed with RJB Mining to accelerate deliveries of 600,000 tonnes between them in the April-June quarter of 1998. Power Gen agreed to purchase 1.1 million tonnes from RJB in this period. The volume of coal burned in the quarter in relation to other quarters will depend upon the decisions of the individual generating companies.

Official Entertainment

Mr. Bercow: To ask the President of the Board of Trade what has been the total cost of the receptions held at her official residence. [25236]

Mrs. Beckett *[holding answer 23 January 1998]:* In relation to the costs of official receptions, I refer to my reply to the right hon. Member for Wokingham (Mr. Redwood) on 29 January 1998, *Official Report*, column *356*. The costs of any other functions have been borne privately.

Power Generators

Mr. Redwood: To ask the President of the Board of Trade which Ministers of her Department were notified of the details of the agreement reached by the Paymaster General with the power generators; and if she will publish details of the agreement. [25422]

Mrs. Beckett *[holding answer 26 January 1998]:* No agreement was reached between the Paymaster General and the power generators. Arrangements for coal deliveries were agreed between the power generators and RJB Mining. The President and I were fully aware of the discussions that led to these arrangements.

I have arranged for a record of the details of the agreement, agreed with the parties, to be placed in the Library.

Sustainable Development

Mr. Matthew Taylor: To ask the President of the Board of Trade what mechanisms she has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for her Department. [25907]

Mrs. Beckett: Sustainable development is a factor in all my Department's work. As part of the comprehensive spending review, I aim to ensure that sustainability, including environmental and social issues, is integrated in all areas and by all Directorates. I have also made sustainability a key part of the remits for my Competitiveness working Groups (business advisory panels) on Management Best Practice and innovation.

Solar Heating

Mr. Laurence Robertson: To ask the President of the Board of Trade what surveys have been carried out into the benefits of solar heating systems in houses; what discussions she has had with housebuilders regarding installing solar heating systems when building houses; and if she will make a statement. [25296]

Mr. Battle *[holding answer 27 January 1998]:* The Department of Trade and Industry (DTI) have the policy lead on solar energy technologies, whereas it is the Department of Environment, Transport and the Regions (DETR) which sponsors the construction industry. There is, of course a constructive dialogue between the Departments for implementing policy in this area.

A detailed survey was carried out in May 1995, commissioned by the DTI's New and Renewable Energy Programme. The objectives of the survey were to establish how many active solar water heating systems have been installed, how many are still in use and how they have performed. As part of the work, a questionnaire was sent to about 1400 households, 50 per cent. of which were returned. The report concluded that some 49,000 active solar heating systems had been installed in Britain, of which 42,000 were still in use. In general, systems were performing well and the majority of users were 'very satisfied' with their system. The report is available from the Renewable Energy Enquiries Bureau at ETSU—"Survey of Active Solar Heating Systems in the UK—ETSU S/P3/00238/REP".

In addition, as part of the DETR's Energy Efficiency Best Practice Programme, an R and D project is currently underway, aiming to assess the performance and economics of installing modern solar heating systems on a housing association site of new-built family houses. Following occupation, eight of the houses will be monitored to measure solar radiation and energy input into heating and domestic hot water, to establish the ratio of hot water provided by the solar system. Occupants will also be questioned on their level of satisfaction. A parallel EU-funded THERMIE project aims to establish economic factors such as installation and running costs.

There have been no discussions between DTI or DETR Ministers and housebuilders regarding installing solar heating systems when building houses. However, DTI officials have an active collaboration with the solar heating industry and DETR officials have regular contacts with the building industry on a whole range of energy saving measures in housebuilding.

Millennium Compliance

Mrs. Gillan: To ask the President of the Board of Trade if she notifies potential purchasers of obsolete information technology equipment sold by her Department that such equipment may not be millennium compliant. [25652]

Mrs. Roche *[holding answer 27 January 1998]:* Information technology equipment is only occasionally sold by the DTI. Purchasers are invariably specialist organisation which will be well aware of the potential non-compliant status of older equipment.

Mrs. Gillan: To ask the President of the Board of Trade when she expects to reply to the question from the hon. Member for Chesham and Amersham of 20 January 1998 relating to membership of the Ministerial Group on the year 2000 problem. [27074]

Mrs. Roche: I refer the hon, Member to the answer I gave her on 30 January 1998, *Official Report*, column *568*.

Civil Servants

Mr. Rhodri Morgan: To ask the President of the Board of Trade what proportion of civil service staff of grade five and above within her Department *(a)* have spent their entire civil service career within her Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26036]

Mrs. Beckett *[holding answer 28 January 1998]:* Of the Senior Civil Service currently working in the DTI 24 per cent. have spent their entire Civil Service career here; 12 per cent. have had secondment to the private sector; 31 per cent. have worked in other departments and 42 per cent. have come from other departments.

Electricity Companies

Mr. Hoyle: To ask the President of the Board of Trade if she will introduce regulations to reduce delays in obtaining repairs by requiring electricity companies to provide special emergency numbers for nursing homes and old people's homes. [26242]

Mr. Battle: The Office of Electricity Regulation is currently investigating the performance of the Public Electricity Suppliers (PES) in dealing with the aftermath of the recent storms.

The investigation includes the problems that occurred with the communication system and why it took so long to reconnect the supply of some nursing homes.

The current Codes of practice provide that PES keep a list of elderly and disabled customers.

Football World Cup

Mr. Nigel Jones: To ask the President of the Board of Trade if she has referred to the Director General of Fair Trading, the ticket allocation system for the 1998 Football World Cup; and if she will make a statement. [26264]

Mr. Nigel Griffiths: No. In the first instance the ticket allocation system for the 1998 Football World Cup is a matter for FIFA and the French organising authorities. My hon. Friend, the Minister for Sport, is concerned about the inadequacy of World Cup tickets and I understand he has discussed this with the FA. I also understand that both they and the Scottish Football Association are doing everything they can in making representations to the French World Cup organisers and to FIFA to maximise the number of World Cup tickets available for English and Scottish supporters.

Algeria

Mr. Corbyn: To ask the President of the Board of Trade what is the current level of ECGD exposure in Algeria for *(a)* defence-related equipment and *(b)* non-defence equipment; and if he will make a statement on the Government's policy in relation to trade with Algeria. [26014]

Mrs. Beckett *[holding answer 28 January 1998]:* From data readily available exposure under ECGD guarantees for defence business with Algeria was £97.8 million at end of December 1997 with a further £82 million exposure in respect of non-defence business giving total exposure of £179.8 million. Over £160 million of this total exposure has been paid as claims, but these sums have been rescheduled and thus are expected to be recovered. There is currently no medium term ECGD cover available for defence-related goods as ECGD cover for new business is primarily available for sales of equipment to the Oil and Gas sector.

The Government maintain trade relations with Algeria within the framework of the EC/Algeria Co-operation Agreement: we support the current negotiations on a new EU/Algeria *Association* Agreement, providing for reciprocal liberalised trade: we also welcome Algeria's application to accede to the World Trade Organisation.

Export Licences

Mr. Menzies Campbell: To ask the President of the Board of Trade, pursuant to her answer of 22 December 1997, *Official Report*, column *512*, if she will list the equipment covered by the categories *(a)* MI5, *(b)* ML9, *(c)* ML10, and *(d)* ML11. [24611]

Mrs. Roche *[holding answer 29 January 1998]:* Description of the goods covered in these entries are set out in Schedule 1 to the Export of Goods (Control) (Amendment No.2) Order 1996 (S.I. 1996/2663). The description of the goods covered by entry ML10 has since been amended by article 7(5) of the Export of Goods (Control) (Amendment No.3) Order 1997 (S.I. 1997/2758). These instruments are in the Library of the House.

Nuclear Reprocessing

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on the safety of the United Kingdom's nuclear reprocessing facilities. [26387]

Mrs. Beckett *[holding answer 30 January 1998]:* Reprocessing of spent nuclear fuel takes place at two sites in the UK: BNFL'S Sellafield site in Cumbria and the UKAEA's Dounreay site in Caithness. Both these sites are subject to the nuclear safety regulatory system enforced by the nuclear industry's independent safety regulator, the Health and Safety Executive (HSE). Under the nuclear site licensing regime, continued operation of any civil nuclear installation, including reprocessing facilities, is dependent on the HSE being satisfied about its safety.

Mr. Redwood: To ask the President of the Board of Trade if nuclear reprocessing will continue at each of the present sites in the United Kingdom. [26386]

Mrs. Beckett *[holding answer 30 January 1998]:* Subject to satisfying the regulatory requirements on safety and discharges, BNFL and UKAEA can be expected to fulfil their contractual commitments to reprocess spent nuclear fuel for their customers.

Indonesia

Mr. Redwood: To ask the President of the Board of Trade if rates for ECGD cover for the latest Hawk Jet order from Indonesia reflected a revised risk assessment. [26391]

Mrs. Beckett *[holding answer 30 January 1998]:* The premium rate charged reflected ECGD's assessment of the risk at the time.

ECGD's premium charge for individual transactions is fixed at the time its guarantee is issued and is not subject to review during the life of the guarantee.

Export Credits Guarantee Department

Mr. Redwood: To ask the President of the Board of Trade what is her latest estimate of ECGD losses in 1997–98. [26380]

Mrs. Beckett *[holding answer 30 January 1998]:* ECGD does not expect on its current forecast to record a trading loss in 1997–98.

Mr. Redwood: To ask the President of the Board of Trade when ECGD last revised its risk assessment of *(a)* Indonesia, *(b)* South Korea, *(c)* Malaysia, *(d)* Hong Kong and *(e)* China; and what changes it made. [26384]

Mrs. Beckett *[holding answer 30 January 1998]:* Formal risk assessments were last made as follows:

(a) for Indonesia in December 1997;

(b) for South Korea in September 1997;

(c) for Malaysia in May 1997;

(d) for Hong Kong in November 1996;

(e) for China in November 1996.

As a result, premium rates were raised for Indonesia and China and reduced for Malaysia. The precise amount will vary according to the terms of support for individual transactions.

Rates were last raised for South Korea in February 1996 and for Malaysia and Hong Kong in December 1995.

New assessments for South Korea, China and Hong Kong are currently under way and a further assessment of Malaysia is planned.

Additionally, since the onset of financial turbulence in South East Asia, ECGD is monitoring the situation continuously.

Exports

Mr. Maclean: To ask the President of the Board of Trade if she will list by category, the records which her Department maintains on exports over the last 30 years of British *(a)* agricultural machinery, *(b)* motor lorries and *(c)* motor cars. [27018]

Mr. Battle: Information on UK exports of goods is collected and published by HM Customs and Excise ("Overseas Trade Statistics of the United Kingdom, HM Customs and Excise"). In 1997 under the combined Nomenclature classification system there were approximately 60 categories of agricultural machinery, 15 categories of motor cars (excluding motor caravans) and 30 categories of lorries. The exact number of categories has varied from year to year as the classification system has been adapted to changes in the range of products. The last major revision to the classification system was 1988.

The Department holds copies of the relevant publications for 1976, but the cost of extracting the data for the relevant categories would be disproportionate. However, the 1997 edition of the Society of Motor Manufacturers and Traders' publication "World Automotive Statistics" helpfully reproduces Customs and Excise data on car, commercial vehicle, and agricultural tractor exports from 1946 to 1996. A copy of this publication is available in the Library.

Correspondence

Sir Brian Mawhinney: To ask the President of the Board of Trade when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 28 October 1997 on behalf of Mrs. Tomayan. [26374]

Mrs. Beckett *[holding answer 30 January 1998]:* I refer the right hon. Gentleman to my answer to him on 26 January 1998, *Official Report*, column *64*.

Airbus 340X

Mr. Barry Jones: To ask the President of the Board of Trade is she will make a statement about the application by British Aerospace for launch aid for the Airbus 340X. [27297]

Mrs. Beckett: I am pleased to announce that the Government have agreed to a public/private partnership with British Aerospace involving a long-term investment of up to £123 million in British Aerospace towards the design and development of the wing for the new Airbus A340. This represents a major step forward for the UK's involvement in Airbus Industries, which enjoyed its most successful year to date in 1997; it is also a further demonstration of British Aerospace's world class expertise in wing design and manufacture—expertise which it has brought to all Airbus programmes to date.

The agreement with British Aerospace continues the Government's drive to create a new partnership between Government and industry. The investment by the Government is repayable and will be on a commercial basis. The terms of the partnership reflect the risk that the taxpayer has been asked to share. The Government will monitor the programme carefully to ensure that the employment and other economic benefits are fully realised, and that all the conditions of the partnership are met.

The new Airbus A340–500 will be the longest range aircraft on the market, operating up to 8,500 nautical miles. Seven launch customers have already placed orders and commitments for around 100 A340–500/600 aircraft; this represents an excellent start which I hope bodes well for the success of the programme.

I am also delighted that Rolls-Royce will provide the engines for the new aircraft, taking the overall British interest in the aircraft to around 50 per cent. The Government announced in November that they would support Rolls-Royce in its engine development programme for this aircraft.

British Aerospace is a major investor in R&D in the UK and much of its technology is diffused to other sectors of the UK economy. Some of the new technology to be incorporated in the new wing has been researched with support from the DTI's Civil Aircraft Research and Technology Demonstration (CARAD programme.

My Department will be discussing the investment with the European Commission.

SCOTLAND

Benefits

Mr. David Marshall: To ask the Secretary of State for Scotland if he will publish for each constituency in Scotland his estimate of the numbers of *(a)* male and *(b)* female (i) lone parents, (ii) pensioners, (iii) recipients of DSS benefits and (iv) unemployed persons, (1) under the age of 18 years, (2) aged 18 to 24 years and (3) aged over 24 years. [24037]

Mr. Wilson: The numbers of lone parents and pensioners are given in the table. The source is the 1991 Census of Population.

Parliamentary constituency level information is not available for all DSS benefits. I have asked my right hon. Friend the Secretary of State for Social Security to write supplying the data that are available.

The Office for National Statistics measures unemployment using the internationally standard ILO unemployment rate. This is measured through the Labour Force Survey, which is a survey of households in the United Kingdom. This is internationally-agreed and counts as unemployed people who are: *(a)* without a paid job; *(b)* available to start work within the next two weeks

and *(c)* have either looked for work in the last four weeks or are waiting to start a job already obtained.

ONS also published figures on the number of people who are claiming Jobseeker's Allowance or National Insurance Credits. This is published monthly and is known as the Claimant Count.

The information requested can be derived only from the claimant count as the Labour Force Survey does not give detail below local authority district level. This information is available through the Nomis database in the House of Commons Library. Library staff are ready to assist in accessing the information.

1991 Census: Parliamentary Constituencies as at the 1997 General Election

		Lone parents[1]				
	Persons	*Males*	*Females*	*Males 65+/ Females 60+*	*Males 65+*	*Females 60+*
Scotland	223,170	28,940	194,230	908,486	298,115	610,371
Aberdeen Central	2,490	240	2,240	13,461	4,123	9,338
Aberdeen North	2,970	440	2,530	9,438	3,239	6,199
Aberdeen South	2,430	340	2,090	14,041	4,348	9,693
Airdrie and Shotts	3,930	530	3,400	12,407	4,026	8,381
Angus	2,550	340	2,210	14,852	4,898	9,954
Argyll and Bute	2,350	390	1,970	14,001	4,667	9,334
Ayr	2,630	310	2,320	15,481	4,964	10,517
Banff and Buchan	2,480	420	2,060	12,569	4,347	8,222
Caithness, Sutherland and Easter Ross	2,040	250	1,780	9,605	3,298	6,307
Carrick, Cummock and Doon Valley	3,410	450	2,970	15,396	5,318	10,078
Central Fife	3,440	350	3,100	12,061	4,026	8,035
Clydebank and Milngavie	3,640	440	3,200	12,945	4,110	8,835
Clydesdale	2,890	410	2,490	13,703	4,538	9,165
Coatbridge and Chryston	3,250	450	2,800	11,558	3,688	7,870
Cumbernauld and Kilsyth	2,690	330	2,360	7,337	2,366	4,971
Cunninghame North	3,180	330	2,850	14,553	4,680	9,873
Cunninghame South	3,390	340	3,060	9,524	3,151	6,373
Dumbarton	3,690	470	3,220	12,730	4,068	8,662
Dumfries	3,020	390	2,630	15,463	5,259	10,204
Dundee East	4,240	470	3,770	15,196	4,992	10,204
Dundee West	4,460	520	3,940	14,317	4,542	9,775
Dunfermline East	2,720	430	2,290	11,817	4,150	7,667
Dunfermline West	2,650	360	2,290	10,723	3,617	7,106
East Kilbride	2,940	430	2,520	12,061	3,983	8,078
East Lothian	2,640	380	2,260	14,007	4,824	9,183
Eastwood	2,960	410	2,550	14,028	4,564	9,464
Edinburgh Central	2,380	310	2,080	14,344	4,448	9,896
Edinburgh East and Musselburgh	3,500	440	3,060	15,755	5,042	10,713
Edinburgh North and Leith	3,250	350	2,900	13,003	4,074	8,929
Edinburgh Pentlands	3,370	470	2,900	12,210	3,928	8,282
Edinburgh South	2,710	280	2,440	15,810	4,700	11,110
Edinburgh West	2,900	360	2,550	14,751	4,957	9,794
Falkirk East	2,720	290	2,440	11,916	4,017	7,899
Falkirk West	2,620	230	2,380	12,778	4,262	8,516
Galloway and Upper Nithsdale	2,530	400	2,130	14,694	5,185	9,509
Glasgow Anniesland	4,880	590	4,290	16,563	5,273	11,290
Glasgow Baillieston	5,910	620	5,290	10,795	3,521	7,274
Glasgow Cathcart	4,040	470	3,570	13,221	4,124	9,097
Glasgow Govan	3,560	550	3,010	12,622	3,703	8,919
Glasgow Kelvin	2,280	290	2,000	11,983	3,617	8,366
Glasgow Maryhill	5,360	690	4,670	12,225	3,870	8,355
Glasgow Pollok	5,000	490	4,510	14,231	4,314	9,917
Glasgow Rutherglen	3,940	470	3,470	13,054	4,130	8,924
Glasgow Shettleston	4,480	550	3,930	12,709	4,092	8,617
Glasgow Springburn	5,740	740	4,990	14,010	4,413	9,597
Gordon	1,760	220	1,540	11,580	4,148	7,432
Greenock and Inverclyde	3,910	540	3,370	12,851	4,120	8,731
Hamilton North and Bellshill	3,630	510	3,120	10,309	3,341	6,968
Hamilton South	3,030	430	2,600	8,870	2,848	6,022
Inverness East, Nairn and Lochaber	2,740	430	2,310	13,546	4,513	9,033
Kilmarnock and Loudoun	3,750	420	3,330	14,377	4,654	9,723
Kirkcaldy	2,920	410	2,520	13,500	4,464	9,036
Linlithgow	2,690	450	2,240	10,204	3,508	6,696
Livingston	3,180	430	2,750	8,638	2,837	5,801
Midlothian	2,440	360	2,080	10,525	3,697	6,838
Moray	2,630	420	2,210	13,499	4,642	8,857
Motherwell and Wishaw	3,040	340	2,700	12,962	4,132	8,830
North East Fife	2,210	330	1,890	14,714	4,959	9,755
North Tayside	2,390	370	2,030	16,738	5,798	10,940
Ochil	3,020	360	2,660	11,616	3,883	7,733
Orkney and Shetland	1,270	320	960	7,257	2,580	4,677

1991 Census: Parliamentary Constituencies as at the 1997 General Election

	Persons	Lone parents[1] Males	Females	Males 65+/ Females 60+	Males 65+	Females 60+
Paisley North	3,780	450	3,330	11,153	3,444	7,709
Paisley South	3,560	460	3,100	12,545	3,952	8,593
Perth	3,190	470	2,720	15,599	5,178	10,421
Ross, Skye and Inverness West	2,890	350	2,550	12,566	4,354	8,212
Roxburgh and Berwickshire	1,950	300	1,650	12,942	4,497	8,445
Stirling	2,680	420	2,260	11,970	3,956	8,014
Strathkelvin and Bearsden	2,720	420	2,300	12,188	4,068	8,120
Tweeddale, Ettrick and Lauderdale	2,020	260	1,750	11,704	3,950	7,754
West Aberdeenshire and Kincardine	1,710	200	1,510	10,480	3,648	6,832
West Renfrewshire	2,530	370	2,160	10,015	3,365	6,650
Western Isles	1,280	200	1,080	6,190	2,123	4,067

Note:
[1] Based on a 10 per cent. sample. A common grossing factor has been applied to give an estimate for the total lone parent population in each constituency.
Source:
1991 Census of Population General Register Office for Scotland.

Right to Buy

Mr. Moore: To ask the Secretary of State for Scotland if he will list for each year form 1985–86 to 1996–97 the total value of discounts for the right-to-buy scheme for *(a)* council tenants, *(b)* Scottish Homes tenants, *(c)* new town tenants and *(d)* other public tenants in Scotland. [24394]

Mr. Macdonald: The information available for council tenants, Scottish Homes tenants and new town tenants is set out in the table. Information on Right to Buy sales to other public sector tenants is not held centrally.

Total value[1] of discounts for the right-to-buy scheme, 1985–86 to 1996–97.

£ million

	Council tenants	Scottish Homes tenants	New town tenants
1985–86	98.7	1.4	10.9
1986–87	110.6	1.6	9.6
1987–88	196.4	1.7	18.9
1988–89	317.8	0.8	22.5
1989–90	402.2	1.1	40.7
1990–91	356.3	3.7	29.5
1991–92	319.6	10.9	17.4
1992–93	327.1	13.1	15.1
1993–94	299.6	18.8	18.4
1994–95[2]	305.9	38.9	23.5
1995–96[2]	232.2	28.0	1T.4
1996–97[2]	201.9	26.8	3.3

[1] The values given are in cash terms.[2] The figures for 1994–95, 1995–96 and 1996–97 are not yet finalised.

Hospital Discharges

Mr. Gorrie: To ask the Secretary of State for Scotland how many patients were ready for discharge from hospitals in Scotland awaiting appropriate accommodation and packages of care in the community and in nursing homes at the most recent date for which figures are available. [25010]

Mr. Galbraith: Information on the number of patients ready for discharge to the community is not collected routinely.

Social Work Services

Miss Begg: To ask the Secretary of State for Scotland if he will require Scottish local authorities to have a common charging policy for social work services. [25608]

Mr. Galbraith: Local authorities are required to apply a common charging policy for people whom they place in residential nursing home care. Authorities have discretionary powers to charge for certain day and domiciliary care services. In all cases, account must be taken of a person's financial circumstances when assessing the level of charge.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Scotland what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25900]

Mr. Dewar: I have asked my noble Friend the Under-Secretary of State with responsibility for agriculture, the environment and fisheries in Scotland, whose responsibilities as Green Minister include the promotion of sustainable development, to assist colleagues in the comprehensive spending reviews in my Department. In fulfilling this role Lord Sewel will ensure that the Government's commitment to sustainable development is properly reflected in all the reviews currently being conducted in my Department.

Non-Scottish United Kingdom Students

Mr. Welsh: To ask the Secretary of State for Scotland what estimate he has made of the total financial contribution of non-Scottish United Kingdom students to the Scottish economy in off-campus expenditure for each of the last five years. [25348]

Mr. Wilson *[holding answer 26 January 1998]:* The Scottish Office has made no such estimate. However, I am aware of the report "The Impact of the Scottish Higher Education Sector on the Economy of Scotland" (the McNicholl Report), commissioned by the Committee of Scottish Higher Education Principals and published two

years ago, which suggested that non-Scottish UK students contributed £100 million annually in off-campus expenditure on goods and services.

Prison Staff Pay

Mr. David Stewart: To ask the Secretary of State for Scotland what plans he has to introduce regulations to establish a framework for the determination of prison staff's pay under the terms of the Criminal Justice and Public Order Act 1994. [26151]

Mr. McLeish: This matter is under consideration. In Scotland, discussions between management and unions in the Prison Service have been taking place on what conciliation/mediation arrangements might be appropriate, should there be a failure to reach agreement on pay.

Acute Beds (Lothian)

Mr. Chisholm: To ask the Secretary of State for Scotland (1) if he will list the number of admissions by specialty to acute beds in the Lothian Health area in *(a)* 1989–90 and *(b)* 1995–96; and the projected number of such admissions in 2002-2003. [26420]

(2) if he will list by specialty the number of acute beds in the Lothian Health area *(a)* projected for 2002–2003 and *(b)* in (i) 1989–90 and (ii) 1995–96. [26421]

(3) what was the throughput by specialty for acute beds in the Lothian Health area in *(a)* 1989–90 and *(b)* 1995–96; and what is the projected throughput for such beds in 2002–2003. [26419]

Mr. Galbraith *[holding answer 30 January 1998]:* Information on the average number of available staffed acute beds, the number of admissions to acute beds and throughput by specialty in Lothian Health Board are for the years to 31 March 1990 and 31 March 1996 and projected for the year 2003 is given in the tables which have been placed in the Library. The projected figures were provided by Lothian Health Board.

CS Gas

Mr. Godman: To ask the Secretary of State for Scotland on how many occasions police officers in *(a)* Strathclyde and *(b)* elsewhere in Scotland have discharged CS spray in the last year; how many police officers were injured; and if he will make a statement. [25831]

Mr. McLeish *[holding answer 30 January 1998]:* Operational trials of CS aerosol incapacitant spray began last October in Strathclyde and Tayside Police areas. Since the trials began the spray has been used on 3 occasions in Strathclyde and once in Tayside. On 2 occasions, officers were in the course of being assaulted when they used the spray. They suffered minor injuries, though they were fit to continue on duty: the use of the spray avoided the risk of much more serious injuries. On one occasion, the officers themselves were slightly affected by the spray, but were fit to continue on duty and suffered no lasting effects. The trials are due to end in March.

Domestic Violence

Mr. Godman: To ask the Secretary of State for Scotland what measures he proposes to deal with domestic violence,; what funds he is making available to *(a)* local authority and *(b)* voluntary association projects; and if he will make a statement. [25832]

Mr. McLeish *[holding answer 30 January 1998]:* The Government recognise that domestic violence is a serious problem which threatens many people, mainly women and children. It is unacceptable in itself and also impacts on many areas of the lives of victims and on their freedom to live their lives without fear and in the way they wish. The Cabinet Sub-Committee on Women's Issues has designated the need to tackle domestic violence as one of 3 major issues it is committed to addressing. We are taking a number of steps to combat the problem in Scotland.

Almost £240,000 has been provided this financial year to Scottish Women's Aid under the Social Work (Scotland) Act 1968.

The Urban Programme supports around 5 projects addressing the needs of women and children suffering from domestic violence and other forms of abuse. These projects will receive funding amounting to around £400,000 in 1998–99.

The previous Government commissioned a research study from Dr. Sheila Henderson of Reid-Howie Associates to inform future policy on domestic violence and addressing 3 main questions.

- What services are currently available in Scotland to women (and their children) who suffer violence at the hands of their partner?
- What gaps exist in the provision of services in Scotland, whether in the type, quantity or geographic location of services and how might these gaps be filled?
- What do service providers consider is the most appropriate role for The Scottish Office and others in the effort to combat domestic violence?

We have received a report from Dr. Henderson and will consider very carefully its wide ranging recommendations in partnership with service providers.

Nursing Students

Mr. Welsh: To ask the Secretary of State for Scotland what criteria will be used to determine which applicants to courses in nursing, midwifery and the professions allied to medicine will be successful in receiving maintenance bursaries. [26558]

Mr. Galbraith *[holding answer 30 January 1998]:* Applicants gaining a place on courses in nursing, midwifery and the professions allied to medicine will be eligible for maintenance bursaries. I expect that the total number of places available will remain at around current levels. Such bursaries for students undertaking degree courses in nursing, midwifery and the professions allied to medicine will be means-tested.

Mr. Welsh: To ask the Secretary of State for Scotland what will be the amount of maintenance bursary for nursing, midwifery and the professions allied to medicine students. [26559]

Mr. Galbraith *[holding answer 30 January 1998]:* Students undertaking full-time Nursery and Midwifery diploma courses will continue to be offered non-means tested bursaries as at present.

Students undertaking degree nursing, midwifery and professions allied to medicine courses will have access to means-tested bursaries.

Standard bursary rates for Scottish domiciled nursing and midwifery degree students, and professions allied to medicine students in academic year 1998–99 will be:

	£
Students living in the parental home	1,325
Students living outwith the parental home	1,735

Such students will also be entitled to apply for a student loan.

Mr. Welsh: To ask the Secretary of State for Scotland what the funding arrangements will be for student nurses qualified with HND/RN who wish to continue directly on to full-time degree study. [26561]

Mr. Galbraith *[holding answer 30 January 1998]:* It is not possible to qualify as a nurse with a Higher National Diploma/Registered Nurse.

Students with a Diploma in Higher Education in Nursing or Registered Nurse or Midwife who progress to a full-time degree may be given credit for their existing qualification by the institution offering the degree. Their eligibility for student support arrangements for that qualification would be on the same basis as others taking the course.

Tuition Fees

Mr. Welsh: To ask the Secretary of State for Scotland what compensation and from whom will be available to Scottish institutions for the revenue they will lose as a result of the waiving of fourth year tuition fees for Scottish domiciled students. [26562]

Mr. Wilson *[holding answer 30 January 1998]:* There is no question of Scottish institutions losing revenue as a result of the Government's decision on fourth year tuition fees for Scottish domiciled students. As I announced in my speech to the Annual Forum of the Conference of Scottish Higher Education Principals on 27 October 1997, the Student Awards Agency for Scotland will pay the tuition fee for Scottish students in Scottish higher education institution for the fourth or honours year of courses which are a year longer than comparable courses elsewhere in the UK. This is in line with the Garrick Committee's recommendation that the fees contribution from Scottish students should be equitable with that from students on comparable courses in the rest of the UK.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Scotland how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27033]

Mr. Dewar: My Department has a target of 17 working days to reply to Ministerial Correspondence and 57 per cent. of correspondence receives a reply within this target. My Department monitors performance against the target but does not keep statistics on the average time taken to answer letters from hon Members or on the length of time taken to deliver a letter after it has been typed.

SOCIAL SECURITY

Winter Fuel Payments

Mr. Burns: To ask the Secretary of State for Social Security (1) how many pensioners on income support in the West Chelmsford constituency received outdated giros to pay for their winter fuel bills; and when they can expect to receive their new giros; [26545]

(2) how much it will cost the Exchequer to rectify the sending of out-of-date giros to pensioners for winter fuel bills; [26546]

(3) how many pensioners have been adversely affected by the error in the cheques sent to pensioners receiving the additional money to help with their winter fuel bills; and when she expects them to receive their money; [26547]

(4) if she will make a statement on the reasons for the computer error that has led to the sending of out-of-date giros for winter fuel payments to pensioners on income support. [26548]

Mr. Denham: Winter fuel payments are one of a number of initiatives the Government have taken to help vulnerable people, especially the elderly, keep warm in the winter. This is the first time any Government have made a payment to all pensioners towards their heating costs.

This is an enormous and unprecedented exercise, involving the making of around 10 million payments to over seven million pensioner households at a total cost of around £200 million.

A problem occurred earlier this week which has now been rectified. Replacement girocheques along with an apology have been sent to all of the 40,801 pensioners who received out-of-date cheques.

No pensioners in receipt of Income Support in the West Chelmsford constituency should have received outdated giros for winter fuel payments.

I have set up an investigation into the error.

The administration of winter fuel payments is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Simon Burns, dated 30 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about the computer error that led to the issue of out-of-date giros for Winter Fuel payments, the cost to the Exchequer to rectify the position and in particular the number of pensioners on Income Support in your constituency who received outdated giros.

You may find it helpful if I explain that the Benefits Agency is currently engaged in issuing Winter Fuel Payments to around ten million pensioners. Priority has been given to issuing payments to the poorest pensioners—the 1.5 million who are receiving Income Support. All those payments have now been issued and should be received by the end of this week.

Computer services are provided by an external contractor through the Information Technology Services Agency (ITSA) on behalf of the Department. An error by a computer operator led to out-of-date girocheques being sent to 40,801 pensioners in receipt of Income Support. This was an isolated incident which is confined to these customers. Arrangements have been made for pensioners to receive replacement girocheques by 31 January 1998.

The five Benefits Agency District offices affected by the computer error are listed below:

Clyde Coast and Renfrew District, which includes offices of Greenock, Port Glasgow and Renfrew.

Ealing District, which includes the offices of Ealing, Acton, Nottinghill and Southall.

Glasgow East District, which includes the offices of Shettleston, Bridgeton and Provan.

West Pennine District, which includes the offices of Bury, Manchester Middleton and Rochdale.

Palace District, which includes the offices of Fulham, Crystal Palace, Dulwich, Kensington and Peckham.

The cost of remedial action will be borne by the supplier. A full investigation is now taking place.

I apologise for any inconvenience caused.

Mr. Burns: To ask the Secretary of State for Social Security what advice *(a)* the Chancellor of the Exchequer and *(b)* other Ministers in the Treasury received from civil servants on the consistency of the proposed winter fuel payments for pensioners campaign with the Civil Service rules on Government advertising; and if she will make a statement. [26792]

Mr. Denham: The Civil Service rules on Government advertising clearly state that it is right and proper for governments to use public funds for publicity and advertising to explain their policies and to inform the public of the government services available to them and of their rights and liabilities.

Within this Department a multi-media campaign was recommended, in accordance with guidelines, as the most cost effective way of making sure that pensioners had information about Winter Fuel Payments. Pensioners need to know what payments are coming to them, how and when, in order to make informed decisions about how to heat their homes.

Winter Fuel Supplement

Mr. Rendel: To ask the Secretary of State for Social Security what percentage of the winter fuel supplement she estimates will be paid after 28 February. [26171]

Mr. Denham: The additional help of £400 million over this winter and next, announced by the Chancellor on 25 November 1997, *Official Report*, columns 773–98, demonstrates the Government's commitment to help the elderly keep warm in their homes.

The administration of winter fuel payments is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Rendel, dated 29 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what percentage of the winter fuel supplement she estimates will be paid after 28th February.

This is an enormous and unprecedented exercise for the Department. All payments are being issued as quickly as possible. Payments will be issued automatically without the need to make a claim.

Current planning assumptions are that approximately 10m pensioners will receive a Winter Fuel Payment.

Priority has been given to making payments to the poorest pensioners—the one and a half million receiving Income Support and Job Seekers Allowance (Income Based). All those payments have now been made and should be received by the end of January. Payments to these pensioners totals £70 million. This represents 35% of the overall expenditure and approximately 15% of the total number of eligible pensioners.

As soon as payments have been made to the Income Support and Job Seekers Allowance pensioners, around 15 million computer records will be checked to identify other eligible pensioners. Addresses will be matched to determine whether a payment of £20 or £10 should be made. Given the sheer size of the task, it will take a number of weeks to complete. Payments will be made using the pensioners normal payment route. For example where a pensioner is paid at the Post Office they will obtain payment at the Post Office and where they are paid directly into their bank or building society, payment will be paid direct into their account. These payments will start being issued during March and represents approximately 85% of the estimated eligible pensioners.

This programme means that the vast majority of payments will be sent by the end of March.

I hope this is helpful.

Disability Living Allowance

Mr. Llew Smith: To ask the Secretary of State for Social Security (1) what assessment she has made of the difficulties faced by claimants in filling in the new questionnaire for claiming of disability living allowance; [25063]

(2) how many claimants have had their benefit stopped following the new procedure introduced for claiming disability living allowance. [25069]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Llew Smith, dated 30 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking what assessment she has made of the difficulties faced by claimants in filling in the new questionnaire for claiming Disability Living Allowance (DLA) and how many claimants have had their benefit stopped following the new procedure introduced for claiming DLA.

Minor revisions to the DLA/Attendance Allowance claim packs were made in April and October 1997. A new child specific claim pack was introduced in April 1997, following a lengthy and wideranging consultation exercise with a large number of groups representing disabled customers. The introduction of the child specific claim pack was as a direct result of concerns expressed by customers who felt that the existing DLA claim pack did not adequately cater for children. The introduction of these claim packs did not include a questionnaire for claiming DLA.

However a questionnaire was introduced for the Benefit Integrity Project (BIP). The BIP was set up in response to the recent Benefit review of DLA. Over the next two years, specially trained staff will make enquiries by postal questionnaire or home visit in over 400,000 cases to establish whether DLA is paid correctly. The BIP will look again at existing DLA awards of the higher rate of mobility combined with either the middle or highest rate of care.

The questionnaire used by the BIP is based on the DLA claim pack in use until October 1997. However, it also takes account of customer research undertaken by the Benefits Agency in 1996–97 which highlighted that more "free text" space was needed rather than using a "tick box" format. Although the questionnaire is more than 30 pages long this makes sure that people have the opportunity to fully describe their circumstances and that we obtain enough information to allow Adjudication Officers to reach properly informed decisions. Project staff are considering to what extent the improvements in the revised DLA claim pack can be introduced into the BIP questionnaire.

The most appropriate and sensitive method of gathering information from people receiving the higher rate of mobility combined with the highest rate of care is to visit them and complete an enquiry form. This form is designed to provide an up to date picture of their circumstances. The visits are by appointment and are made at least a week in advance. The letter informing the person about the appointment invites them to have a friend or carer present, reassures them the appointment can be rearranged if it is inconvenient and asks them to contact the Disability Benefits Helpline if they have any special needs, such as an interpreter. Calls to the Helpline are charged at British Telecom's local rate.

People receiving the higher rate of mobility combined with the middle rate of care are sent an enquiry form by post. They have three weeks to complete and return the form. The letter accompanying the form informs people that they can contact the Disability Benefits Helpline if they have difficulty completing or need more time to return it.

There has been no formal monitoring of the difficulties encountered by DLA customers who have been sent a questionnaire as part of the BIP. Approximately 10 people a week have made use of the BIP forms completion service, which involves a member of the BIP team. This suggests that generally people do not find completing the questionnaire difficult. The average time taken to return the questionnaire is 19 days compared with the 21 days allowed, as at 30 November 1997.

At 30 November, a total of 33,490 cases had been examined of which 6,953 have been changed. Of these changes, 2,232 have been disallowed, 3,880 reduced and 841 increased. Figures for the period to 31 December and subsequent months will be placed in the House of Commons Library.

I hope you find this reply helpful.

Disability Benefits

Mr. Cousins: To ask the Secretary of State for Social Security if she will list the number of claimants and the number of new claims of *(a)* disability living allowance care, *(b)* disability living allowance mobility, *(c)* attendance allowance and *(d)* long-term incapacity benefit in each year since 1992 in the Newcastle Benefits Agency District; and if she will estimate the age-distribution of claimants of these benefits in this district in the age bands (i) up to 30, (ii) 31 to 40, (iii) 41 to 50, (iv) 51 to 60 and (v) over 60 years. [22985]

Mr. Denham: The administration of Social Security benefits is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend. In addition, some tables have been placed in the Library.

Letter from Peter Mathison to Mr. Jim Cousins, dated 30 January 1998:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking for the number of claimants and the number of new claims of (a) Disability Living Allowance (DLA) care, (b) DLA mobility, (c) Attendance Allowance (AA) and (d) long term Incapacity Benefit (IB) in each year since 1992 in the Newcastle Benefits Agency District; and an estimation of the age distribution of claimants of these benefits in this district in the age bands (i) up to 30, (ii) 31 to 40, (iii) 40 to 50, (iv) 51 to 60 and (v) over 60 years.

The information is not available in the format requested. The new claim statistics for IB are bot available broken down into age bands. Statistics for AA are not available prior to February 1996.

Such information as is available is shown in the attached tables.

I hope you find this reply helpful.

Cabinet Committee on Women

Mrs. Gillan: To ask the Secretary of State for Social Security when the Cabinet Sub-Committee on Women last met; and when it will next meet. [27050]

Ms Ruddock: In accordance with longstanding practice, information about the proceedings of the Cabinet and Cabinet committees is not made public.

Cold Weather Payments

Mr. Wallace: To ask the Secretary of State for Social Security if cold weather payments would have been triggered for *(a)* Orkney and *(b)* Shetland for the period 17 to 20 January if the wind chill factor had been incorporated into the recorded or forecasted temperatures. [26084]

Mr. Denham: The information requested cannot be ascertained, because the existing Cold Weather Payments scheme does not contain a trigger criterion which combines wind speed with external air temperature.

A number of formulae are used to calculate the combined effects of air temperature and wind speed on the human body when in the open air ("wind chill"). The Building Research Establishment advises that this way of combining temperatures and wind speed is not appropriate when assessing heat loss from buildings, because different heat transfer mechanisms apply.

The amount of additional heating required during a spell of low air temperatures depends on a number of varying factors in addition to wind speed. These include the house type, site and location, insulation standard, the method of heating and its efficiency.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Social Security how long on average it takes her Department to answer letters from hon. Members; what target date her Department sets; what percentage receive replies within the target date; and what assessment she has made of how long it takes to deliver a letter after it has been typed. [27030]

Mr. Denham: The information is not kept in the format requested.

Our target is to reply to letters from hon. Members within 20 working days. Due to the very high volume of letters in the last six months this target was achieved for only 51 per cent. of the letters received during 1997.

We remain committed to answering all correspondence within 20 working days and are taking active measures to reduce turnaround times.

Family Credit

Mr. Willetts: To ask the Secretary of State for Social Security if he will provide a break-down of family credit recipients by gender in the last year for which figures are available. [26251]

Mr. Keith Bradley: 757,000 families are currently in receipt of Family Credit. Of these, 14,300 families are headed by a male lone parent and 336,400 by a female lone parent. The vast majority of couple families have a female recipient as there is a requirement for the female member of a couple to be the claimant. There are, however, occasional exceptions to this rule, for example, to cover mental incapacity.

Source:

1. Family Credit 5 per cent. sample of all awards.

Notes:

1. All figures have been rounded to the nearest thousand.

National Insurance Fund

Mr. Corbyn: To ask the Secretary of State for Social Security what has been the Exchequer subsidy to the National Insurance Fund for each of the last 10 years. [26852]

Mr. Denham: The amount paid to the National Insurance Fund for each year in the period from 1987–88 to 1996–97 are shown in the table.

Payments into the National Insurance Fund[1] 1987–88 to 1996–97

Year	*Amount (£ million)*
1987–88	2,135
1988–89	1,653
1989–90	NIL
1990–91	NIL
1991–92	NIL
1992–93	NIL
1993–94	7,589
1994–95	6,280
1995–96	3,575
1996–97	1,900

[1] Treasury Supplement until 1988–89; Treasury Grant from 1993–94.

Benefits Statistics

Mr. Cousins: To ask the Secretary of State for Social Security what was the total cost of non-means tested benefits in 1996–97; and what estimates he has made of the costs of means tested benefits in 1997–98 separately identifying (i) the cost of payments to customers and (ii) the cost of administration. [26981]

Mr. Denham: Information is not available in the format requested. Such information as is available is set out in the table.

Cost of payments to customers for benefit expenditure only

£ million

	1996–97	*1997–98*
Non-means tested benefit	60,152	—
Means tested benefit	—	33,530

Note:

The information about the cost of administration is not available. The information requested for 1996–97 is currently being finalised and will be included in the Departmental Report scheduled for publication following the Spring Budget Statement. The report will also contain benefit forecasts and forecasts for contributory and non-contributory benefits administration costs on a Departmental basis only. Administration costs are not forecast by individual benefit.

Source:

March 1997 Social Security Departmental Report.

Pensions Policy

Mr. Corbyn: To ask the Secretary of State for Social Security when she expects to publish her Department's proposals on pensions policy; and if she will make a statement. [27006]

Mr. Denham: The pensions review, announced by my right hon. Friend the Secretary of State on 17 July, is looking at the central areas of insecurity for elderly people. A key objective of the review is to ensure that pensioners should have an adequate pension in retirement; that they should share fairly in rising prosperity, and that public finances should be both sustainable and affordable.

The first part of the review ended on 31 October and we are now carefully considering the many responses we have received. We are also consulting on how best to take forward our proposals for Stakeholder Pensions and have asked for comments by the end of this month. We aim to publish an initial framework for change in the first half of this year. There will then be a period of further consultation before final proposals are developed.

Building Societies

Mr. Efford: To ask the Secretary of State for Social Security if she will list *(a)* the building societies used in the calculation of the standard rate of interest, *(b)* their current rate of interest and *(c)* the current standard rate of interest used to calculate income support for mortgage interest; and if she will publish the rate of interest which would apply based on the interest rates of the top 20 mortgage lenders. [26957]

Mr. Keith Bradley: The standard rate is based on the weighted average interest rate charged by building societies. A list of the societies used in the calculation of standard rate, whose combined assets represents over 95 per cent. of the industry's assets, is below, together with the basic rate currently charged to existing borrowers.

Building society	*Current interest rate (per cent)*[1]
Birmingham Midshires	8.70
Bradford and Bingley	8.45
Britannia	8.60
Chelsea	8.60
Cheshire	8.55
Coventry	8.70
Cumberland	8.60
Derbyshire	8.15
Dunfirmline	8.15
Furness	8.54
Lambeth	8.55
Leeds and Holbeck	8.45
Leek United	8.60
National Counties	8.29
Nationwide	8.10
Newcastle	8.64
Norwich and Peterborough	8.10
Nottingham	8.20
Portman	8.49
Principality	8.10
Scarborough	8.69
Skipton	8.45
Staffordshire	7.99

Building society	*Current interest rate (per cent)*[1]
Stroud and Swindon	8.55
West Bromwich	8.45
Yorkshire	8.25

Source:
[1] Moneyfacts.

It should be noted that the standard rate is calculated using the weighted average of basic rates. The most recent average figure of 8.15 per cent., published in Table 7.1L of January's "Financial Statistics", did not increase the standard rate, currently 7.97 per cent., as changes are triggered by a minimum movement of 0.25 per cent.

The rate of interest based on the top 20 mortgage lenders it not readily available and could be produced only at disproportionate cost However, a combined rate of the top building societies and banks, currently 8.53 per cent., is also published in Table 7.1L of "Financial Statistics".

DUCHY OF LANCASTER

Electronic Red Boxes

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster what estimate he has made of the savings in *(a)* transport costs and *(b)* car mileage which will result from the introduction of electronic red boxes and the electronic transfer of the information contained in them. [26395]

Dr. David Clark: The electronic red box has the potential to be a more convenient and powerful way of processing Ministers' documents, and to reduce a number of costs, including paper-handling as well as transport costs. I expect the benefits to be progressively realised as take-up and connectivity increase.

Millennium Compliance

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster when he next intends to issue a progress report on the action taken by Government departments and agencies in eliminating year 2000 computer compliance problems. [26983]

Dr. David Clark: As I said in my statement to the House on 27 November 1997, *Official Report*, columns 1104–05, I intend to review and report to the House on central Government's progress on tackling the millennium date change problem on a regular basis. Work is in hand for the first review in the spring.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Gordon Prentice: To ask the Minister without Portfolio what is the current advertising budget for the promotion of the Millennium Dome *(a)* in the United Kingdom and *(b)* overseas. [25269]

Mr. Mandelson: Resources for media advertising are incorporated in the New Millennium Experience Company's integrated communications contract awarded to M&C Saatchi after competitive tendering in August 1997. The overall value of that contract, as stated in the *Official Journal* of the European Communities on 25 June 1997, is approximately £16 million over the life of the project, including media costs, purchasing, production, direct marketing, advertising agency services and other elements of integrated communications.

HEALTH

Local Government Finance

Mr. Gerrard: To ask the Secretary of State for Health what financial allocations have been made to the Redbridge and Waltham Forest District Health Authority in each year since its establishment; and what was the real terms increase in each year compared with the previous year. [24973]

Mr. Milburn: The information requested is in the tables. However, there have been a number of changes which distort inter year comparisons.

Table 1: Revenue allocations for Redbridge and Waltham Forest District Health Authority

£000

	Allocation Cash	Allocation 1993–94 prices	Real terms increase £000	Real terms increase percentage
1993–94	159,278	159,278	—	—
1994–95	168,257	165,767	6,489	4.07
1995–96	222,861	213,679	47,912	28.90

Notes:

1. Allocations have been expressed in real terms by using the relevant gross domestic product (GDP) deflator for each year to convert them to 1993–94 prices.
2. Redbridge and Waltham Forest District Health Authority (DHA) was established in 1993–94 from the merger of Redbridge DHA and Waltham Forest DHA.
3. Allocations to DHAs were made by regional health authorities (RHA). These figures have been adjusted to take account of the effects of different regional allocation policies.
4. The 1995–96 figures are not comparable with those for earlier years. This is due to additions which were made to DHA allocations for:

(a) entry of special health authorities into the internal market.
(b) inclusion of certain former national top sliced budgets.
(c) inclusion of capital charges.

Table 2: General allocations and real term increase for Redbridge and Waltham Forest Health Authority

£000

	Allocation	Allocation 1993–94 prices	Real terms increase £000	Real terms increase percentage
1996–97	212,275	198,039	—	—
1997–98	221,589	201,294	3,255	1.64
1998–99	231,328	204,418	3,124	1.55

Notes:

1. Allocations have been expressed in real terms by using the relevant gross domestic product deflator for each year to convert them to 1993–94 prices. Consequently, the real terms increases between years will not equate to the announced real terms growth.
2. Figures for 1996–97 are not comparable with earlier years because of:

(a) the merger of DHAs and family health services authorities (FHSAs). This means that some elements of expenditure that were previously FHSA will be accounted for in the heath authority allocation.
(b) loss of population caused by boundary changes at the formation of Redbridge and Waltham Forest Health Authority in 1996–97.
(c) re-calibration to ensure that 1996–97 HA baselines were constructed on a common basis (as RHAs pursued different sub-regional allocation policies). This includes funds which were built into DHA baselines before 1996–97 which subsequently former parts of national levies.

AIDS and HIV (London)

Mr. Cox: To ask the Secretary of State for Health how many *(a)* men and *(b)* women were registered as suffering from (i) AIDS and (ii) HIV by London borough council authority in December 1997. [25432]

Ms Jowell: At the end of December 1997, the number of men and women with AIDS reported voluntarily by

clinicians to the Communicable Disease Surveillance Centre (of the Public Health Laboratory Service) as resident in London boroughs and not known to have died is shown in the table. These figures are subject to some under-reporting and take no account of movement into and away from London after first report. Similar information for diagnosed HIV infection is not available. For reasons of confidentiality the figures are not shown separately by sex.

Local Authority	*Total Cases*
Barking and Dagenham	4
Barnet	67
Bexley	6
Brent	58
Bromley	16
Camden	162
City of London	4
City of Westminster	157
Croydon	47
Ealing	60
Enfield	24
Greenwich	27
Hackney	100
Hammersmith and Fulham	158
Haringey	101
Harrow	13
Havering	2
Hillingdon	20
Hounslow	39
Islington	132
Kensington and Chelsea	183
Kingston Upon Thames	15
Lambeth	230
Lewisham	64
Merton	36
Newham	79
Redbridge	18
Richmond Upon Thames	31
Southwark	111
Sutton	5
Tower Hamlets	76
Waltham Forest	44
Wandsworth	145

Note:

Excludes 105 residents in London, local authority not known.

Minister for Mental Health

Mr. Hesford: To ask the Secretary of State for Health what plans he has *(a)* to establish a dedicated budget for and *(b)* to appoint a minister for mental health; and if he will make a statement. [25879]

Mr. Boateng: It is for health authorities to determine the resources that they allocate for mental health provision from their overall allocation, in the light of the priority accorded to mental health services in the National Health Service Priorities and Planning Guidance 1998–99 and local circumstances. Similarly, it is for local authorities to determine the level of funding they allocate to services for people with mental illness from their total resources.

In recognition of the importance which we place on mental health, we have increased the Mental Illness Specific Grant by 9 per cent. to £73.3 million for 1998–99.

These additional resources will be made available through a new £2 million fund for child and adolescent mental health services and through a £4 million local authority mental health partnership fund. This will be matched by a £4 million NHS mental health partnership fund.

We have no plans to appoint a Minister with exclusive responsibility for mental health.

Positive Care Link

Mr. Gerrard: To ask the Secretary of State for Health how much HIV/AIDS funding has been allocated by his Department to the voluntary organisation Positive Care Link for each of the last three financial years and for 1998–99. [26003]

Mr. Boateng: Positive Care Link (PCL) is in receipt of a three year grant of £30,000 per annum funding its core administration costs for the years 1996–97 to 1998–99.

PLC has also made an application for funding for a project costing £40,000 a year for three years with effect from 1998–99. A decision about this has not yet been taken.

In addition, for the years 1994–95 to 1997–98, PCL has received "earmarked" AIDS Support Grant funding of £20,000 a year (£60,000 in total) from each of the London Boroughs of Tower Hamlets, Hackney and Newham. The funding was originally awarded for "pumping-priming" purposes and PCL were informed in September 1997 that the arrangement would not be extended beyond 1997–98. PCL also receives funding from local authorities and health authorities for the provision of local services.

AIDS (Viral Load Tests)

Mr. Gerrard: To ask the Secretary of State for Health what plans he has to introduce viral load testing sensitive enough to detect viral loads of below 50 for people with AIDS using combination drug therapies. [26004]

Ms Jowell: We have no plans to specify which viral load tests should be used by the National Health Service. The choice of treatment regimen for people with HIV and AIDS is a matter for discussion between doctor and patient. The British HIV Association published guidelines for antiretroviral treatment of HIV seropositive individuals last year. These guidelines suggest treatment regimens based on biological markers including viral load measurements. The choice of which test system to use for viral load measurements needs to be informed by clinical and virological expertise.

Child Care Orders

Mr. Cox: To ask the Secretary of State for Health how many child care orders were made by each local authority in the Greater London area in 1997. [26048]

Mr. Beateng: The latest figures available are for the year ending 31 March 1996, and are given in the table.

Care orders under the Children Act 1989 made during the year ending 31 March 1996, Greater London

Authority	Number of Care Orders: Interim	Number of Care Orders: Full	Number of children who became subject to either type of order during year[3]
Inner London			
Camden	18	11	28
Greenwich[1]	33	33	46
Hackney	18	24	36
Hammersmith	15	20	35
Islington	29	16	44
Kensington	24	21	39
Lambeth	36	28	59
Lewisham	38	42	76
Southwark	69	49	94
Tower Hamlets[2]	n/a	n/a	n/a
Wandsworth	28	19	43
Westminster	48	25	68
City of London	0	0	0
Outer London			
Barking	7	14	18
Barnet	28	22	32
Bexley	8	1	9
Brent	21	14	33
Bromley	19	28	38
Croydon	61	31	79
Ealing	20	20	34
Enfield	10	12	21
Haringey[2]	n/a	n/a	n/a
Harrow	11	9	18
Havering	11	4	12
Hillingdon	21	13	21
Hounslow	19	19	33
Kingston upon Thames	3	1	4
Merton	9	10	18
Newham	16	17	31
Redbridge	17	3	18
Richmond upon Thames	9	7	13
Sutton	14	24	32
Waltham Forest	8	12	19
Total:	668	549	1,051

Notes:

[1] Estimates for Greenwich have been adjusted to take account of missing data.

[2] Figures are not available for Tower Hamlets and Haringey.

[3] Where a child became subject to a care order or an interim care order on more than one occasion during the year ended 31 March 1996, the child has only been counted once in the figures in this column.

St. George's Hospital, Tooting

Mr. Cox: To ask the Secretary of State for Health how many people live within the catchment area of St. George's Hospital, Tooting. [26050]

Mr. Milburn: Catchment area data for individual hospitals or National Health Service trusts are not collected.

St. George's Hospital provides services for most residents of the London Borough of Wandsworth and also for parts of Lambeth and Merton. The hospital also serves a much wider population with a number of its specialist services.

Health Records (Access Charges)

Mr. Dismore: To ask the Secretary of State for Health if he will make a statement on the level of charges levied on patients for access to their health records. [26260]

Mr. Milburn: Under the Access to Health Records Act 1990, holders of manual records are permitted to charge an application fee not exceeding £10 to cover the cost of retrieving, collating and examining files. Additionally, the cost of producing a photocopy of the records may be recovered. Computer records are covered by the Data Protection Act 1984. Currently, an application fee not exceeding £10 may be charged for providing copies of computer records.

MS Drug Treatments

Mr. Kidney: To ask the Secretary of State for Health what recent assessment he has made of the benefit to MS sufferers of Beta Interferon and Betaferon drug treatments; and if he will amend the guidance contained in circular EU(94)72 to promote wider use of such drugs. [26083]

Ms Jowell: As part of our health technology assessment programme, an evaluation and pharmaco-economic analysis project is being undertaken on Beta Interferon for multiple sclerosis.

We are committed to ensuring that new treatments, including new medicines, are introduced into the National Health Service as fast as possible where they represent a genuine therapeutic advance and are cost-effective. EL(94)72 asked health authorities to establish a mechanism for assessing new treatments, and most authorities have now established prescribing committees.

ME Association

Mr. Letwin: To ask the Secretary of State for Health what financial support his Department *(a)* currently gives and *(b)* plans to give to the ME Association. [26144]

Ms Jowell: The Department has provided funds to the Myalgic Encephalomyelitis Association of £37,000 from 1995–96 to 1997–98 and, in the same period, of £94,673 for their development of support services project. Funding is provided through the Section 64 scheme of grants.

Further funding is currently being considered.

Irena

Mr. Letwin: To ask the Secretary of State for Health what is his Department's policy on the natural health supplement, Irena. [26145]

Ms Jowell: The product Irena, when presented as a medicinal product, is subject to medicines legislation.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to the answer of 26 January 1998,

Official Report, column 45, from the Secretary of State for the Home Department, if he will make it his policy to collect information on the results of medical research on cannabis where a Home Office licence has been granted. [26271]

Mr. Boateng: The Department of Health routinely uses available research evidence to support policy development. There is, therefore, no need to make it policy that we will collect information on the results of medical research of cannabis where a Home Office licence has been granted.

Social Care

Dr. Cable: To ask the Secretary of State for Health what estimate the Government has made of the numbers of social care staff working *(a)* in residential and nursing homes for the elderly, in both the public and private sectors, *(b)* in residential homes for children, *(c)* as paid care assistants in the community and *(d)* as paid domestic child care. [26706]

Mr. Boateng: In September 1996, the latest date for which the information is available, the numbers of full and part time social care staff directly employed by local authorities were:

(a) residential care homes for the elderly: 59,750

(b) residential homes for children: 16,520

Information is not held centrally on items *(c)* and *(d)*. The number of social services staff in England providing home care/home help services to people in their own homes was (at the same date) 75,910.

Information on employment in the private and voluntary sectors is not held centrally. However, the report of the "Independent Sector Workforce Survey 1966" conducted by the Local Government Management Board showed that the numbers of nursing and care staff in private and voluntary residential and nursing establishments for the elderly and elder infirm in England were:

residential/dual registered homes: 156,000

nursing homes: 119,300.

Smoking

Mr. Flynn: To ask the Secretary of State for Health what has been the change in the last 10 years in the totals of *(a)* women and *(b)* men under the age of 24 years who are smokers of tobacco; and if he will make a statement. [26474]

Ms Jowell: The available information is in the table.

Prevalence of cigarette smoking amongst persons aged 16 to 24, England, 1986 to 1996

Percentage

Year	*Men*	*Women*
1986	36	35
1988	33	33
1990	34	36
1992	35	32
1994	36	34
1996	34	35

Notes:
1. Percentages rounded to the nearest whole figure.
Source:
Office for National Statistics General Household Surveys.

Any rise in young people's smoking is cause for concern. Measures to reduce smoking will be published in our White Paper on tobacco control later this year.

Prescription Charges (Exemptions)

Mr. Truswell: To ask the Secretary of State for Health what plans he has to consider the addition of *(a)* asthma and *(b)* other chronic conditions to the list of those whose sufferers are exempt from NHS prescription payments. [26346]

Mr. Milburn: All aspects of prescription charges are being examined as part of the Comprehensive Spending Review which will report in the summer. The Review in the Department of Health is being undertaken in the context of our manifesto commitment:

"if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your general practitioner happens to be or on where you live".

Hospital Waiting Lists

Mr. Boswell: To ask the Secretary of State for Health what arrangements exist for central recording of patients requiring elective surgery who are excluded from hospital waiting lists because there is little likelihood of their treatment. [26510]

Mr. Milburn: None.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Health, pursuant to his answer of 27 January 1998, *Official Report*, column *204*, if he will estimate the number of *(a)* kidney dialysis machines, *(b)* intensive care cots for premature babies and *(c)* intensive care units which cannot be repaired or replaced before 31 December 1999. [26721]

Mr. Milburn: Although little firm information is yet available as to which models of medical equipment may be affected by year 2000 problems, the Medical Devices Agency (MDA) expects them to be few in number. The MDA is not aware of any reason why it should not be possible for affected items to be upgraded appropriately or replaced in due time.

Dental Services

Mrs. Ballard: To ask the Secretary of State for Health if he will estimate by health authority area the number of patients who will be de-registered from their dentists as a result of the new regulations in *(a)* numerical and *(b)* percentage terms. [26851]

Mr. Milburn: I refer the hon. Member to the reply I gave the hon. Member for Truro (Mr. Taylor) on 22 December 1997, *Official Report*, columns *527–28*.

Continence Pads (VAT)

Mr. Burstow: To ask the Secretary of State for Health if he will publish the terms of reference given to officials in their review of VAT charging on continence pads supplied by the NHS; and if he will make a statement. [26971]

Mr. Milburn: Officials have been asked to identify ways of overcoming any financial effects which may have resulted from the Value Added Tax Order which came into effect on 1 January 1998.

Broadmoor Hospital

Mr. Flynn: To ask the Secretary of State for Health on what occasions tests using hormones have been carried out on patients at Broadmoor Hospital since 1968. [24760]

Mr. Boateng *[holding answer 22 January 1998]:* There are no summarised records of tests using hormones carried out on patients at Broadmoor Hospital since 1968. It is known that a study was conducted at Broadmoor Hospital between 1971 and 1973 under the auspice of the Special Hospitals Research Unit of the Department of Health and Social Security to measure the effect of hormones in the treatment of deviant sexual behaviour. 12 male patients participated in the study on a voluntary basis. The study's findings were published in the *British Journal of Psychiatry* (volume 125, September 1974). No records of any other tests involving hormones have been traced but hormones are used in the treatment of patients at Broadmoor Hospital on a regular ongoing basis, for example hormone replacement therapy.

HOME DEPARTMENT

Prison Ships

17. **Mr. Gordon Prentice:** To ask the Secretary of State for the Home Department what assessment he has made of the advantages and disadvantages of prison ships. [24628]

Ms Quin: The Prison Service has only one ship, Her Majesty's Prison Weare, based in Portland. This ship was obtained as an exceptional measure to cope immediately with an unprecedented surge in the prison population.

The Weare provides suitable accommodation equivalent to one medium-sized prison and thus helps to avoid costly and inappropriate use of police cells.

However, there are no plans to use further prison ships.

Public House and Club Licensing

18. **Sir Teddy Taylor:** To ask the Secretary of State for the Home Department when he expects to make a decision on the further extension of public house and club hours. [24629]

Mr. George Howarth: The previous Government carried out a consultation exercise in 1996 on the subject and it identified important concerns about the relaxation of licensing hours. Those concerns, and the issues they raise, require careful consideration. This is one of a number of licensing issues which we are looking at. I cannot at this stage say what the outcome will be or when a decision will be reached.

European Year Against Racism

19. **Mr. McNulty:** To ask the Secretary of State for the Home Department what steps he is taking to encourage the active participation by organisations in the United Kingdom in the European year against racism. [24630]

Mr. Mike O'Brien: I am pleased to report that thousands of organisations throughout the United Kingdom were involved in this initiative which ended on 31 December. After May I chaired the National Co-ordinating Committee which brought together representatives from business, industry, voluntary organisations and community and faith groups. My Department funded a public information unit at the Commission for Racial Equality which offered help and advice to thousands of organisations across the country and we also provided financial support to a number of organisations running projects under the Year. Hundreds of organisations put in bids for the £300,000 we made available after May to promote the European Year Against Racism.

Community Sentences

20. **Mr. Ainger:** To ask the Secretary of State for the Home Department what measures he plans to improve public confidence in community sentences. [24632]

Ms Quin: The Crime and Disorder Bill contains proposals which will both increase the range of community sentences available to the courts and create a new framework for the effective supervision of community sentences imposed on juvenile offenders. We are looking to the probation service both to improve its enforcement of community sentences and implement the forthcoming guidance from her Majesty's Inspectorate of Probation about supervision programmes which are effective in reducing repeat offending. We are also looking to the Comprehensive Spending Review, which is now in progress, and the prisons/probation review, in particular, to identity further measures to strengthen the credibility of community sentences as effective and demanding forms of punishment.

European Convention on Human Rights

21. **Mr. Green:** To ask the Secretary of State for the Home Department what representations he has received on the implications for privacy law of his plans to incorporate the European convention on human rights into United Kingdom domestic law. [24633]

Mr. Mike O'Brien: We have received a number of representations from media organisations and others about the possible implications for them of the Human Rights Bill. Most of the main points at issue have been discussed in the course of debates on the Bill in another place.

Prisons (Drug Testing)

22. **Dr. Iddon:** To ask the Secretary of State for the Home Department when he last reviewed the mandatory spot tests for drugs carried out in prisons. [24634]

Mr. George Howarth: The mandatory drug testing programme is being reviewed as part of a broader review of the Prison Service Drug Strategy that we have commissioned. The scope for changing the overall level of testing, for altering the balance between random and targeted testing and the implications for mandatory testing of increased levels of voluntary testing are being explored.

EU Presidency

23. **Mr. Stringer:** To ask the Secretary of State for the Home Department if he will make a statement about the priorities of his Department for the United Kingdom presidency of European Union in respect of co-operative measures. [24635]

Ms Quin: The United Kingdom Presidency in the Justice and Home Affairs field will be concentrating particularly on practical co-operation to tackle organised crime including drugs, terrorism and illegal immigration. Key objectives will be to get Europol up and running, and to take forward other uncompleted tasks in the Action Plan on organised crime agreed at the Amsterdam European Council. Priorities here will include work on the draft European Union Convention on mutual legal assistance and on measures to tackle fraud and corruption. As President I shall carry forward preparatory work on incorporation of the Schengen agreements into the European Union framework, and promote justice and Home Affairs issues in the context of enlargement of the European Union. We shall also take action to follow up the European Year Against Racism 1997.

Restorative Justice

24. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department how he will ensure that lessons learnt by the pioneers of restorative justice are built into such programmes in new police areas. [24636]

Mr. Michael: The Government is monitoring the development of restorative justice in this country and abroad. We welcome the work to develop these ideas such as that of Thames Valley Police and the Northamptonshire Diversion Scheme. Best practice from existing schemes will be taken into account of in guidance to support the implementation of the new Final Warning Scheme. Our proposals for reform of the youth court, set out in the White Paper "No More Excuses", are consistent with the principles of restorative justice and include the introduction of a specific Reparation Order.

Police Corruption

25. **Mr. Mackinlay:** To ask the Secretary of State for the Home Department what steps he is taking to ensure the thorough investigation of alleged cases of police corruption. [24637]

Mr. Michael: We are determined to provide the powers necessary to deal with corrupt officers and we are considering the current arrangements in the light of the Home Affairs Select Committee's recent report on Police Disciplinary and Complaints Procedures.

Fire Service

27. **Mr. Amess:** To ask the Secretary of State for the Home Department what recent representations he has received on the fire service in Essex. [24639]

Mr. George Howarth: My right hon. Friend has received one such representation, which was from the hon. Member.

Voluntary Sector

28. **Ms Keeble:** To ask the Secretary of State for the Home Department what measures he will bring forward to improve the relationship between the Government and the voluntary sector. [24640]

Mr. Michael: The Government place a high priority on developing and strengthening partnership between Government and the voluntary sector. The main vehicle for this will be a Compact between Government and the voluntary sector on which we are currently collaborating with the sector, and which will set out the principles which should govern the relationship.

Drug Use

29. **Mr. Robathan:** To ask the Secretary of State for the Home Department if he will commission research into the connection between the use of *(a)* cannabis and *(b)* other drugs. [24641]

Mr. George Howarth: The Home Office's research programme on drugs is kept under regular review. We have no current plans to commission new research into the connection between the use of cannabis and other drugs.

Bribery

30. **Mr. Cawsey:** To ask the Secretary of State for the Home Department what plans he has to make bribery of hon. Members an offence. [24642]

Mr. Michael: As my right hon. Friend re-iterated when he appeared before the Joint Select Committee on Parliamentary Privilege on 20 January, the Government are committed to tackling all forms of corruption, including the bribery of hon. Members. My right hon. Friend expects to make a statement on the reform of the law in this area soon, taking account of the results of the consultation exercise which he launched in June and of proposals which the Law Commission are preparing and which are awaited. He will also take account of the views of the Joint Committee on Parliamentary Privilege.

Immigration Advisers

31. **Mr. Cox:** To ask the Secretary of State for the Home Department what plans he has to regulate immigration advisers. [24643]

Mr. Mike O'Brien: A consultation paper setting out the options for the Control of Unscrupulous Immigration Advisers was published on 22 January in line with our manifesto commitment. Copies of the consultation paper have been sent to interested parties. Further copies are available on request. Comments are invited by 23 March.

Young Offenders

32. **Mr. Spring:** To ask the Secretary of State for the Home Department if he will make a statement on physical violence and abuse by pre-teenage juveniles. [24645]

Mr. Michael: In 1996 the number of children between 10 and 13 years old who were cautioned or found guilty of offences of violence against the person and sexual offences were 1,004 and 104 respectively. In 1996, 71 children between 10 and 13 were convicted of crimes of violence against the person and six children were found guilty of sexual offences. Children under ten are below the age of criminal responsibility so actions which would be an offence in the case of an adult do not appear in the criminal statistics.

Policing

33. **Mr. Lansley:** To ask the Secretary of State for the Home Department if he will make a statement on his policing objectives. [24646]

Mr. Michael: As I said in my reply to a question from my hon. Friend the Member for Watford (Ms Ward) on 3 November 1997, *Official Report*, column *29*, I have arranged for copies of the Key Objectives and Key Performance Indicators for the police service in 1998–99 to be placed in the Library.

The two new objectives which I have set for the police in 1998–99 on dealing speedily and effectively with young offenders and targetting and reducing local problems of crime and disorder reflect the particular importance which the Government attach to tackling these problems. For the first time there will also be a separate key objective on drug-related crime in the light of widespread concern that a high proportion of all crime is attributable to drug misuse. We recognise that it not the responsibility of the police alone to deal with these problems. So all three of these objectives focus on what the police can do in partnership with other local agencies.

We have kept the existing objectives requiring the police to maintain and, if possible, increase the number of detections for violent crime: to increase the number of detections for burglaries of people's homes: and to respond promptly to emergency calls from the public. We have done this to provide some continuity in the objectives and, more importantly, to reflect the fact that these continue to be issues of serious public concern.

Holloway Prison

34. **Ms Abbott:** To ask the Secretary of State for the Home Department what plans he has to visit Holloway prison to discuss women offenders. [24647]

Ms Quin: My right hon. Friend has no current plans to visit Holloway. As part of my delegated responsibilities, I visited Holloway on 16 May 1997. I propose to visit Holloway again on 7 May when I will attend a meeting of the Board of Visitors' representatives to discuss issues relating to women and young offenders.

Vulnerable Witnesses

35. **Mr. McWalter:** To ask the Secretary of State for the Home Department what plans he has to ensure that vulnerable witnesses are afforded greater protection in court. [24648]

Mr. Michael: We wish to offer greater protection in court for vulnerable witnesses, means of doing so are currently being considered by the inter-departmental review of vulnerable or intimidated witnesses, which were announced by my right hon. Friend on 13 June 1997. The review, which is nearing completion, is wide-ranging and is covering procedures relating to the investigation stage through to the trial itself, including ways to assist vulnerable and intimidated witnesses to give their best evidence safely to the court.

Anti-social Behaviour

36. **Mrs. Brinton:** To ask the Secretary of State for the Home Department what measures he is proposing to tackle disorderly and anti-social behaviour. [24649]

Mr. Michael: The Crime and Disorder Bill contains a number of tough new powers to deal with anti-social behaviour. There will be an anti-social behaviour order which local authorities and the police will be able to seek from a court to restrict such conduct, with firm penalties for anyone who breaches an order; a child safety order, which is a welfare-based order to prevent children from behaving in an anti-social manner; local child curfews to protect both young children and their local communities and the establishment of statutory local crime prevention partnerships between local authorities and the police.

Mr. Pike: To ask the Secretary of State for the Home Department what plans he has to deal with criminal anti-social behaviour in neighbourhoods. [24631]

Mr. Michael: Anti-social behaviour which harasses and intimidates neighbours is unacceptable and the Government are determined to take action against it. The Crime and Disorder Bill includes a number of tough new powers to deal with such conduct, including anti-social behaviour orders; child safety orders; local child curfews; and statutory crime prevention partnerships between local authorities, the police and others.

Prisons (In-cell Television)

37. **Miss Widdecombe:** To ask the Secretary of State for the Home Department pursuant to his answer of 15 January 1998, *Official Report*, column *285*, when he expects to make a decision about the future of in-cell television; and if he will make a statement. [24650]

Ms Quin: The case for wider availability of in-cell television has been raised in a number of contexts, including the Learmont report in 1995, the all-party Home Affairs Committee report in March 1997, and reports by Her Majesty's Inspector of Prisons. The Government are reconsidering policy in this area and will announce a decision as soon as possible. Any extension of in-cell television would preserve the principles that this privilege should be earnable and similarly liable to be forfeited, and that prisoners should substantially meet the costs involved.

Terrorism (Information)

38. **Mr. Randall:** To ask the Secretary of State for the Home Department if he will make a statement on the supply of information relating to terrorism to the United States of America. [24651]

Mr. Straw: The UK and the US co-operate closely in the fight against terrorism.

Prisons (Drug Testing)

Mr. Flynn: To ask the Secretary of State for the Home Department what is his assessment of the results of random drug tests in prison. [24618]

Mr. George Howarth: A comparison of mandatory drug test results from 1996–97 with those from April to October last year shows a reduction from 19.9 per cent. to 17.4 per cent. of random samples testing positive for cannabis. Similarly, the percentage of random samples testing positive for the opiates has fallen from 5.4 per cent. to 4 per cent. The causes of these trends are not yet established. Work is currently underway to review the entire Prison Drug Service Strategy. In addition, the results of two pieces of research on the effects of mandatory drug testing are expected imminently. Together, this should provide a clearer picture and indicate how these encouraging trends might be maintained.

Immigration and Nationality Directorate

Mr. Allan: To ask the Secretary of State for the Home Department what plans he has to alter immigration and nationality directorate staffing levels to respond to the changing work load. [24638]

Mr. Mike O'Brien: The Immigration and Nationality Directorate's staffing levels depend on the resources available for immigration work. Plans for 1998–99 reflect the previously agreed funding but the future allocation of resources will be assessed in the light of the Comprehensive Spending Review.

Probation Officers (Prisons)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department (1) for what reasons the Merseyside Probation Service has not been contacted to supply the probation input into HMP Altcourse; [24174]

(2) what contractual arrangements exist for seconded probation officers at Her Majesty's Prisons at *(a)* Mold, *(b)* Doncaster, *(c)* Blakenhurst and *(d)* Buckley Hall; [24175]

(3) if the contractual arrangements for the secondment of probation officers will be used at *(a)* Her Majesty's Prison in Altcourse and *(b)* the new prison at Bridgend; [24176]

(4) if he will make a statement on the terms and conditions of employment of the private social workers at Her Majesty's Prison, Altcourse. [24281]

Ms Quin *[holding answer 22 January 1998]:* At Altcourse prison, the contractor and Merseyside Probation Service have now entered into an agreement for the secondment to the prison of probation officers.

The contracts for the Wolds and Parc prisons require the contractor to negotiate the terms of probation service input with the local probation service. Responsibility for the provision of probation service staff at Blakenhurst, Buckley Hall and Doncaster prisons lies with the relevant Prison Service area manager.

The contractual conditions for seconded probation officers at the six privately managed prisons now open, Altcourse, Blakenhurst, Buckley Hall, Doncaster, Parc (Bridgend) and Wolds are drawn from the Framework Document published by the Prison Service under cover of Instruction to Governors 30/93 and entitled "National Framework for the Throughcare of Offenders in Custody to the Completion of Supervision in the Community". The Framework Document also applies to the secondment of probation officers to directly managed prisons. The terms and conditions of service of the qualified social workers at Altcourse prison are a matter for their employer, Group 4.

Immigration

Mr. Cox: To ask the Secretary of State for the Home Department if he will list the prisons in England and Wales where *(a)* men and *(b)* women are being held under the Immigration Act 1988 powers. [26002]

Mr. Mike O'Brien: The available information on persons detained in prison establishments in England and Wales under immigration powers as at 31 December 1997, by gender, is given in the table.

Table 1. Persons recorded as being detained in prisons in England and Wales[1] solely under Immigration Act powers, by gender, as at 31 December 1997[2]

Prison establishment	*Total detainees*
Male detainees	
Belmarsh	9
Birmingham	3
Blakenhurst	5
Bristol	7
Brixton	9
Bullingdon	5
Chelmsford	3
Doncaster	3
Elmley	3
Haslar	124
High Down	19
Holme House	2
Leeds	9
Manchester	2
Norwich	4
Pentonville	3
Reading	2
Rochester	188
Wandsworth	8
Wormwood Scrubs	16
Other	7
Total—Male Detainees	431
Female detainees	
Holloway	16
Total—Female Detainees	16

[1] Figures exclude persons detained in immigration detention centres and police cells.

[2] Data are provisional.

Mr. Singh: To ask the Secretary of State for the Home Department how many posts were abolished in the Immigration and Nationality Directorate in the 1996–97 financial year; and how many job losses are planned for the 1997–98 financial year. [26516]

Mr. Mike O'Brien: Over the financial year 1996–97, the total number of posts increased by ten. Current projections for 1997–98 indicate a decrease of around 150 posts.

Mr. Dismore: To ask the Secretary of State for the Home Department when he will decide on the review of the refusal to grant Mr. Farrakhan permission to visit the United Kingdom; and if he will make a statement. [26261]

Mr. Mike O'Brien: We are carefully considering the representations we have received from a wide range of groups and individual members of the public. A decision on whether Mr. Farrakhan should continue to be excluded from the United Kingdom will be taken once that consideration has been completed.

Former Prisoners

Mr. Burnett: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* standard and *(b)* future of post-release supervision programmes for former prisoners. [25983]

Ms Quin: The Probation Service is currently expected to supervise prisoners released on licence in accordance with the 1995 National Standards. Her Majesty's Inspectorate of Probation review the quality and effectiveness of this work as part of the process of inspecting each area probation service in England and Wales. All reports are placed in the Library. The general conclusion from recent reports is that in most cases the overall quality of supervision was satisfactory, although more could and should be done to improve compliance with the 1995 Standards.

Her Majesty's Inspectorate will shortly be publishing guidance on effective supervision programmes, drawing on the results of inspection and of research. This will apply both to supervision following release and to supervision under community sentences. All probation services will be expected to make use of this guidance. In addition, we shall be considering possible changes to the 1995 National Standards in the light of experience of their operation: legislative and other changes since their issue: and the outcome of the prisons/probation review.

Rehabilitation (Prisoners)

Mr. Burnett: To ask the Secretary of State for the Home Department if he will make a statement on trends in the standard and availability of rehabilitation and education programmes for prisoners *(a)* between 1984 and 1990 and *(b)* since 1991. [25984]

Ms Quin: The Government are committed to the provision of constructive regimes in prisons targeted at reducing offending behaviour. To this end, we are helping the Prison Service to make the best use of its resources and improve the delivery of regimes.

The Prison Service has always laid stress on the need for rehabilitation and education programmes. Rule 1 of the Prison Rules 1964, as amended, says that the purpose of the training and treatment of convicted prisoners shall be to encourage them to lead a good and useful life.

The broad trend over the years in the standards and availability of such programmes has been to target resources on needs more effectively. Latterly, and particularly since the Prison Service was given Agency status in 1993, this has focused on what research shows to work in reducing re-offending.

In 1991, a central unit to develop offending behaviour programmes was established: it developed the Sex Offender Treatment Programme, delivery of which began in 1992; and in 1993–94 it introduced two more cognitive skills programmes designed to address the impulsive and self-centred approach to life commonly found in repetitive offenders.

Competitive tendering of prison education was introduced in 1993. This involved the development of educational priorities around a national Prison Service core curriculum which includes literacy, numeracy, information technology and life and social skills.

More recently the Prison Service has adopted an accreditation process and associated key performance indicator to encourage development, by Prison Service establishments and others, of programmes to address offending behaviour which reach a required level of effectiveness in reducing re-offending.

Suicides (Prisons)

Mr. Burnett: To ask the Secretary of State for the Home Department what was the rate of suicide amongst (i) young people and (ii) adults *(a)* serving custodial sentences and *(b)* held on remand, for each year since 1983. [25985]

Ms Quin: The table gives the rate per 100,000 average daily population (ADP) for each category of prisoner requested.

Suicide rates for prisoners 1984–1997

	Remand		Sentenced	
Year	21 years and under	over 21 years	21 years and under	over 21 years
1984	70	171	10	52
1985	97	182	10	41
1986	64	161	22	22
1987	117	332	46	48
1988	213	195	24	46
1989	254	276	69	49
1990	276	290	32	72
1991	142	180	51	78
1992	235	249	110	40
1993	74	315	39	63
1994	267	249	75	87
1995	179	258	103	77
1996	374	262	45	48
1997	201	328	140	56

Notes:

1. Data prior to 1984 are not available in a format which would allow the calculation of the rate of suicides per ADP.
2. Not all self-inflicted deaths conclude with a verdict of suicide.

Fine Defaulters

Mr. Burnett: To ask the Secretary of State for the Home Department if he will make a statement on his policy on custodial sentences for fine defaulters. [25986]

Mr. Michael: A court judgment (Cawley in 1995) has made it clear that the power to imprison fine defaulters should be used only as a last resort. Before imprisoning a fine defaulter, the court must be satisfied that the default is due to the offender's wilful refusal or culpable neglect to pay and it must have tried or considered all other methods of enforcing payment before rejecting them as inappropriate or unsuccessful.

It must be remembered that, in some cases, the imminence of a short prison sentence leads to the payment of fines which have been outstanding for some time, during which the offender has made no effort to pay them. However, prison is an expensive option and we are keen to explore other options for dealing effectively with defaulters. That is why we are currently piloting provisions contained in the Crime (Sentences) Act 1997 which allow courts to impose community service orders, curfew orders enforced by electronic monitoring, or a disqualification from driving on fine defaulters who might otherwise be committed to custody. These pilots began on 2 January in Norfolk and Manchester and will run for 18 months.

The Working Group on the Enforcement of Financial Penalties chaired by the Lord Chancellor's Department also continues to identify and promote good practice in the enforcement of financial penalties. This Group's objective is to find ways of enabling the courts to enforce payment of financial penalties more effectively without resorting to imprisonment unless this is absolutely unavoidable.

The measures which have been taken to encourage good practice have resulted in a decrease in the number of people being sent to prison for fine default from a high of 22,469 in 1994 to 8,555 in 1996.

Prisoner Statistics

Mr. Burnett: To ask the Secretary of State for the Home Department what his Department estimates will be the number of prisoners held *(a)* on remand, *(b)* awaiting sentence and *(c)* serving a custodial sentence, in (i) 1997–98, (ii) 1998–99 and (iii) 1999–2000. [25990]

Ms Quin: The figures are given in the table. Long term projections of the prison population in England and Wales have been published in a Home Office Statistical Bulletin (issue 2/98) on 29 January 1998.

Projected prison population 1997–98—1999–2000

Sex/type of custody	*Year 1997–98*	*1998–99*	*1999–2000*
Male			
Untried	8,200	8,200	8,200
Convicted unsentenced	3,400	3,900	4,100
Sentenced	47,400	50,200	54,200

Projected prison population 1997–98—1999–2000

Sex/type of custody	*Year 1997–98*	*1998–99*	*1999–2000*
Female			
Remand[1]	600	600	700
Sentenced	2,100	2,400	2,700

[1] No separate projections are made of untried and convicted unsentenced female prisoners.

Child Prostitution

Mr. Sheerman: To ask the Secretary of State for the Home Department how many children under the age of 16 years were prosecuted for engaging in prostitution in each of the last five years. [26166]

Mr. Michael: I refer my hon. Friend to the reply I gave to the right hon. Member for Berwick upon Tweed (Mr. Beith) on 27 January 1998, *Official Report*, columns *140–42*.

Data Protection

Mr. Mitchell: To ask the Secretary of State for the Home Department what estimate he has made of the cost to *(a)* industrial, *(b)* charitable and *(c)* voluntary organisations, of implementation of the measures contained in the Data Protection Bill [*Lords*], in respect of (i) initial and (ii) annual revenue running costs; and what estimates have been made by EU institutions of such costs in (1) the United Kingdom and (2) other member states. [26044]

Mr. George Howarth: A compliance cost assessment for the 1995 European Communities Data Protection Directive to which the Data Protection Bill gives effect is included in the Regulatory Appraisal, a copy of which is in the Library. Costs to business are estimated at £836 million initially, and £630 million a year thereafter. Costs for charities and voluntary organisations are estimated at £120 million initially, and £37 million a year thereafter.

I am not aware of any assessment by European Union institutions of the costs of the Directive as adopted.

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the decision of the Data Protection Registrar's Management Board, on 16 January, that the Security and Intelligence Services should register under the Data Protection Act 1984; and if he will make a statement. [26291]

Mr. George Howarth: I know of no such decision.

Speed Cameras

Mrs. May: To ask the Secretary of State for the Home Department what is the total sum collected in fines for speeding where the offence was identified using a speed camera, broken down by police force in each of the last five years for which figures are available. [26157]

Mr. Michael: The information requested is not available centrally nor is information available to distinguish whether or not speeding offences dealt with by fines were detected by automatic cameras. However,

the average fine for all speeding offences in England and Wales is given in the table, together with the number of camera detected offences dealt with by court proceedings.

The majority of speeding offences detected by automatic cameras are dealt with by fixed penalty notice, the current charge being £40. The number of such offences for England and Wales is also contained in the table.

Such figures by individual police force area could be obtained only at disproportionate cost.

Speeding offences by how detected and how dealt with and average fines

	Camera detected offences dealt with by fixed penalty	*Camera detected offences dealt with by court proceedings*	*Average fine for speeding (all offences)* £
1992	—	290	87
1993	25,767	6,390	127
1994	95,510	20,630	113
1995	170,014	36,916	107
1996[1]	212,600	49,800	101

[1] Provision figures

Durham Prison

Mr. Steinberg: To ask the Secretary of State for the Home Department how many *(a)* male and *(b)* female prisoners have died (i) in each of the last five years and (ii) in December 1997 at HMP Durham. [26225]

Ms Quin: The table shows how many male and female prisoners have died in each of the last five years at Durham prison. In December 1997 one death occurred.

Deaths of prisoners at HMP Durham

Year	*Male prisoners (Number of deaths)*	*Female prisoners (Number of deaths)*
1993	1	—
1994	—	—
1995	2	—
1996	2	—
1997	3	—

Persistent Young Offenders

Mr. Letwin: To ask the Secretary of State for the Home Department what plans he has to measure the effectiveness of his Department's measures to reduce the time from arrest to sentencing for persistent young offenders; and if he will collect regular and prompt statistics on the interval between arrest and sentencing. [26149]

Mr. Michael: Since coming to office, the Government have carried out a survey of persistent young offenders dealt with by the youth justice system in 1996. That survey indicated that in 1996 the average time between arrest and sentence for persistent young offenders was 142 days. The Government are committed to halving that figure to 71 days. To monitor progress towards that pledge, we are ensuring that systems are put in place to produce regular data on the time between arrest and sentence for persistent young offenders. In March of this year, we will also be contacting all Youth Courts to find out what progress has been made locally to tackle delays and to establish fast tracking arrangements for persistent young offenders. It is intended that the monitoring of a clearly identified group of persistent offenders will ensure that it is clear whether our objectives are being met. However, it is intended that the youth justice system will also fast-track those who would be regarded as persistent on common-sense judgment but who fall outside the monitoring definition of "persistent offenders"—for instance "spree" offenders. We will ensure that the youth justice system hits the real targets.

Altcourse Prison

Maria Eagle: To ask the Secretary of State for the Home Department how many prisoners have been transferred into Altcourse Prison, Fazakerley since 1 December 1997; [26072]

(2) how many prisoners have been transferred out of Altcourse Prison, Fazakerley since 1 December 1997; and how many of these requested a transfer. [26073]

Ms Quin: At 28 January 1998, 14 prisoners had been transferred to Altcourse prison since 1 December 1997 directly from another prison; all were transferred at their own request.

At 28 January 1998, 3 prisoners had been transferred out of Altcourse to another prison since 1 December 1997, of whom 2 had requested their transfer.

Right to Silence

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the impact of the reform of the right to silence as implemented by the Criminal Justice and Public Order Act 1994; and if he will assess the advantages of returning the law to the previous position on the right to silence. [26297]

Mr. Michael: The Home Office Research and Statistics Directorate has been monitoring the effects of the 1994 right to silence legislation since its introduction. The findings of the first part of the research, published last December, covered the changes in the frequency of the suspect's use of the right to silence in police interviews. The key findings were a significant reduction in the use of right to silence in police interviews. This reduction applied to both the number of suspects giving complete "no comment" interviews and those who refused to answer questions on a selective basis. The research also shows that those accused of serious offences still exercise their right of silence more frequently than other criminals. The second part of the research is due to be published in the spring and will look at the wider impact of the provisions on the criminal justice system. I shall take a close interest in the findings of this research.

Bail Support and Enforcement Programmes

Mr. Clappison: To ask the Secretary of State for the Home Department what measures he has *(a)* introduced and *(b)* planned since 1 May 1997 to extend bail support and enforcement programmes. [26300]

Ms Quin: Clause 29 of the Crime and Disorder Bill places a duty on local authorities, acting in co-operation with other local agencies, to ensure that bail support for juvenile defendants is available in their area. The youth offending teams established by local authorities under clause 30 will be able to provide the support themselves or oversee the placement of the bailee with an appropriate community programme or voluntary sector provider.

Asylum Seekers

Kali Mountford: To ask the Secretary of State for the Home Department if he will list those countries from which he considers people need not claim political asylum. [26347]

Mr. Mike O'Brien: In accordance with our international obligations, we consider all applications for asylum in the United Kingdom on their merits and against the criteria for recognition as a refugee contained in the 1951 United Nations Convention relating to the Status of Refugees. Anyone who satisfies those criteria will be granted asylum.

Mr. Godman: To ask the Secretary of State for the Home Department (1) what plans he has to accommodate asylum and immigration detainees in Scotland in premises other than HM Prisons; and if he will make a statement; [25218]

(2) what recent representations he has received concerning the use of prisons to accommodate asylum and immigration detainees in Scotland; and if he will make a statement. [25216]

Mr. Mike O'Brien: Due to the relatively low numbers of persons held in Scottish prisons under sole immigration powers, it would be difficult to justify a custom built facility solely for Immigration Act detainees. However, further discussions are being held with the Scottish Prison Service to explore any possible alternatives.

A number of letters has been received from members of the public and interested groups urging support for Early Day Motion 253, which contains an amendment seeking the construction of an immigration detention centre at Glasgow airport.

Mr. Godman: To ask the Secretary of State for the Home Department (1) if he will list the privately-owned detention centres used for the accommodation of asylum and immigration detainees in terms of *(a)* size and *(b)* ownership and location; and if he will make a statement; [25215]

(2) how many detention centres are used to house asylum and immigration detainees; and if he will make a statement. [25217]

Mr. Mike O'Brien: Tinsley House Detention Centre at Gatwick Airport, Sussex, is leased by the Immigration Service from Lynton PLC and has 150 detention spaces.

Campsfield House Detention Centre at Kidlington, Oxfordshire, and Harmondsworth Detention Centre near Heathrow Airport are both owned by the Home Office and have current capacity for 110 and 91 detainees respectively.

Firearms (Compensation)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department how many outstanding unpaid claims there were for compensation under the Firearms (Amendment) Act 1997 on 21 January. [26218]

Mr. Michael *[holding answer 29 January 1998]:* On 21 January 1998, there were 18,482 claims awaiting processing under Options A and B and 10,411 claims awaiting processing under Option C, the great majority of which are mixed claims on which the Options A and B elements have been paid.

The total number of claims received as of 21 January under Options A, B and C was 40,078.

Mr. William Ross: To ask the Secretary of State for the Home Department (1) how many applicants under the terms of the 1997 Firearms Amendment Acts for compensation for pistols, revolvers and accessories have *(a)* served notice on the Home Office stating intention to sue for payment and *(b)* issued proceedings in the county courts, listing in each case (i) the number of guns involved, (ii) the name of each court and (iii) the current state of the action; [26553]

(2) how many prospective litigants, and litigants, in cases of outstanding claims for compensation under the terms of the 1997 Firearms Amendment Acts for compensation for pistols and revolvers and accessories have been sent letters stating that costs will be claimed against them if they proceed with their actions against the Home Office. [26549]

Mr. Michael *[holding answers 30 January 1998]:* The number of claimants indicating an intention to sue for early payment of firearms compensation is not recorded. County Court proceedings have been issued in four such cases, as follows:

Court	*Number of guns involved*	*Current position*
Ilford	2	Case struck out as disclosing no reasonable cause of action
Cheltenham	3	Awaiting hearing
Norwich	8	Awaiting hearing
West London	2	Subject to Appeal

The Appeal in the fourth case above is by the Home Office against a District Judge's refusal to strike out the case as disclosing no reasonable cause of action. A further case, before a Sheriff Court in Scotland, has been struck out.

Under Order 38, Rule 1(3) of the County Court Rules and Order 62 Rule 3(3) of the Rules of the Supreme Courts, the normal practice in interlocutory applications is that costs are borne by the unsuccessful party. Standard correspondence from the Treasury Solicitor warns Plaintiffs of this, especially where a case involves a litigant in person who may be unaware of the rules relating to costs.

Winwick Prison

Helen Jones: To ask the Secretary of State for the Home Department if the new prison planned for Winwick will be designed to hold category A prisoners if necessary. [26077]

Ms Quin *[holding answer 29 January 1998]:* No. The proposed new prison at Winwick would be built to category B standards and there is, at present, no requirement to locate category A prisoners there.

In the event of such a requirement arising in the future, the additional security measures which would be necessary would need planning approval from the local planning authority.

Prisoners (Drug Addiction)

Mr. Flynn: To ask the Secretary of State for the Home Department what percentage of the total number of prisoners in the United Kingdom are known to be drug addicts. [26540]

Mr. George Howarth: Between 1 April 1996 and 31 March 1997, Prison Service establishments in England and Wales reported 13,191 notifiable drug addicts under the Misuse of Drugs (Notifications of and Supply to Addicts) Regulations 1973 and 8,839 non-notifiable drug addicts. The figures are aggregates for the year and cannot meaningfully be expressed as a percentage of the daily prison population.

Colchester Young Offenders Institution

Mr. Clappison: To ask the Secretary of State for the Home Department if he will publish the study of the experimental regime at Colchester Young Offenders Institution carried out by Dr. Kate Painter of Cambridge University's Institute of Criminology. [26307]

Ms Quin *[holding answer 29 January 1998]:* It is our intention to publish the study of the experimental regime at Colchester Young Offender Institution carried out by the Institute of Criminology at the University of Cambridge when it is complete.

Winchester Prison

Mr. Oaten: To ask the Secretary of State for the Home Department if he will make a statement on the budget for Winchester Prison in the next financial year; and what estimate he has made of the maximum number of prisoners who will be held in the prison over that period. [26249]

Ms Quin *[holding answer 30 January 1998]:* The budget for Winchester prison has not been finalised but the governor was informed this week that the indicative baseline budget for the financial year 1998/99 is £10,323,610. This figure includes an additional £381,840 allocated to the prison to maintain staff safety, control and regime protection.

The current operational capacity of Winchester prison is 612 prisoners and, while there are no immediate plans to change this number, it will be reviewed as and when the prison population changes.

Medical Research (Animal Tissues)

Mr. Baker: To ask the Secretary of State for the Home Department how many animals by species not subjected to a licensed procedure under the Animals (Scientific Procedures) Act 1986 have been culled in each year since 1980 so that their tissues can be used for medical research; and if he will make a statement. [26824]

Mr. George Howarth: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Newport, West (Mr. Flynn) on 6 November 1997, *Official Report*, column *282*.

Lewes Prison

Mr. Baker: To ask the Secretary of State for the Home Department when he plans to publish the Inspector's Report into Lewes Prison; and if he will make a statement. [26825]

Ms Quin: Under the protocol procedures for the handling of the Chief Inspector's inspection reports, Ministers approve publication of a report once the Director General of the Prison Service has confirmed its factual accuracy. The Prison Service is currently considering the factual accuracy of the Chief Inspector's draft report of the inspection of Lewes Prison. I will make a decision about publication in the light of the Director General's advice.

Handguns

Mrs. Gillan: To ask the Secretary of State for the Home Department how many handguns have been surrendered under the Firearms Amendment Acts; how many have been *(a)* destroyed and *(b)* disposed of by other means; and if he will list each of those means. [26565]

Mr. Michael: A total of 142,000 handguns were surrendered to police forces during the three months period which ended on 30 September.

The majority of these firearms will be destroyed under local arrangements in each police force area once the claimant has received compensation from the Home Office Firearms Compensation Section. A very small number may be retained by police forces for training purposes or passed on to museums for public display. There is no central record of firearms which have been disposed of to date in these ways.

To keep administration to a minimum, we are not collecting information on disposal during the course of the operation but once the compensation process has been completed, each police force will be asked to confirm the number of weapons destroyed or otherwise disposed of.

Family Court Welfare Service

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what proposals he has for the Family Court Welfare Service; and if he will make a statement. [25488]

Ms Quin: I refer my hon. Friend to the reply I gave to the hon. Member for Maidenhead (Mrs. May) on 21 January 1998, *Official Report*, column *588*.

European Court of Human Rights

Sir Nicholas Lyell: To ask the Secretary of State for the Home Department what right of appeal to the European Court of Human Rights at Strasbourg will be available *(a)* to the Government and *(b)* to a public body under the provisions of the terms of the Human Rights Bill in the event of an adverse judgment against them in the House of Lords. [27005]

Mr. Mike O'Brien: The Human Rights Bill cannot and does not affect the terms of the European Convention on Human Rights. Accordingly, it will still be the case that a person, non-governmental organisation or group of individuals claiming to be a victim of a violation of the Convention may apply to the Strasbourg institutions, and it will still be the case that the Government, and other authorities not themselves claiming to be victims of a violation of the Convention, may not.

Police Expenditure

Mr. Tyrie: To ask the Secretary of State for the Home Department, pursuant to the Prime Minister's oral answer of 28 January 1998, *Official Report*, column 347, by how much he has increased the amount planned for expenditure on the police for 1997–98. [26850]

Mr. Michael: The spending power of police authorities in England and Wales increased by £247 million, or 3.7 per cent. in 1997–98 under the spending plans of the previous Government.

Our proposals for 1998–99 will allow the overall spending of police authorities in England and Wales to increase by £258 million, or 3.7 per cent. over 1997–98 to around £7.15 billion. This is a healthy increase for the police at a time of restraint on public expenditure.

Mr. Yeo: To ask the Secretary of State for the Home Department if he will list for each police authority in England the cost of the extra employers' pension contributions those authorities will have to make as a result of the abolition of the tax credits to pension funds. [26834]

Mr. Michael: There will be no such costs in relation to the employment of police officers. The police pension scheme is not based on a pension fund, but is financed on a pay-as-you-go basis. Only civilian staff employed by police authorities in England are members of the Local Government Pension Scheme (LGPS). It will not be possible to indicate future employer pension costs arising from the abolition of tax credits to local authority pension funds until the completion of the 1998 LGPS valuation exercise.

Prisons (Medical Services)

Helen Jones: To ask the Secretary of State for the Home Department what discussions he has had with the Prison Service to ensure the quality of on-site medical services in privately-run prisons. [26078]

Ms Quin *[holding answer 29 January 1998]:* I hold regular discussions with the Director General for the Prison Service about the broad range of prison issues, including healthcare.

Contractually managed prisons are required to provide medical services to prisoners to specification agreed with, and monitored by, the Prison Service. This includes the provisions of on-site care to a standard equivalent to that available from the National Health Service and appropriate to the needs of prisoners.

WALES

Local Government Finance

Mr. Gareth Thomas: To ask the Secretary of State for Wales if he will make a statement on local government revenue spending and grant support for 1998–99. [27389]

Mr. Ron Davies: I have given very careful consideration to the representations I have received. I chaired a meeting of the Welsh Consultative Council on Local Government Finance on 15 December 1997 and met a delegation from Welsh local government last week at which settlement matters were discussed.

I have decided to confirm total standard spending (TSS) at £3,090.5 million and aggregate external finance (AEF) at £2,701.9 million for 1998–99. The increases on 1997–98 in TSS and AEF are 4.0 per cent. and 3.2 per cent. respectively. TSS includes £352.9 million to fund police authorities; £50.3 million extra for schools; an additional £4.4 million for 4 year old education; and £190.2 million for care in the community. I acknowledge that the settlement will mean some authorities will have to make tough decisions, I too have had to make hard decisions on spending priorities within the Welsh block. Under the provisional capping limits I announced in December, Welsh local authorities will be able to increase their year-on-year revenue spending, on average, by 4.8 per cent. The increase for police authorities is 3.8 per cent. In the circumstances I believe it to be a fair deal for local government in Wales.

AEF will comprise £1,799.9 million in revenue support grant; £612.0 million in distributable non-domestic rates; £258.8 million in specific grants (including police grant); and £31.2 million to help local authorities limit council tax increases. Actual council tax levels will depend on the budgetary decisions of individual local and police authorities.

I am laying the Local Government Finance Report (Wales) 1998–99 before the House today together with the Limitation of Council Tax (Relevant Notional Amounts) Report (Wales) 1998–99 and the Special Grant Report (No 2) (Wales) 1998.

I am placing final settlement details for individual local authorities and police authorities in the Library of the House. My decisions are subject to the approval of the House of Commons.

New Deal

Mr. Brady: To ask the Secretary of State for Wales, pursuant to his oral answer of 21 January 1998, *Official Report*, column 1001, by what date the Minister expects welfare savings resulting from the New Deal in Wales to exceed the cost of the New Deal programme in Wales. [25787]

Mr. Hain: The New Deal for 18–24 year olds started this month in Swansea and West Wales and will be extended from April to the rest of Wales. We expect the New Deal to make a real difference in improving the employability of our young people and helping them to move from unemployment into work. The impact of the New Deal and our other welfare policies will be carefully evaluated and the question of benefit savings will be considered as part of this.

Mr. Barry Jones: To ask the Secretary of State for Wales how much new deal money is allocated for Alyn and Deeside; if he will make a statement. [26153]

Mr. Hain: The level of funding to be made available to the Employment Service District of North East Wales, which covers Alyn and Deeside, will depend on the take up; it is not possible to be more precise at this stage.

The New Deal will help young and long term unemployed people to secure sustainable employment. We want to give people the self-respect that comes from working and we want to give the Welsh economy the talent and skills that it needs to compete now and into the next century. Through the New Deal and our other Welfare to Work policies we will attack unemployment and the despair that it brings and help people to escape from poverty and welfare dependency.

Mr. Barry Jones: To ask the Secretary of State for Wales how many New Deal places he proposes for Alyn and Deeside. [26152]

Mr. Hain: The latest forecast by the Employment Service suggests that some 400–500 placements will be required in the Local Authority area of Flintshire, which covers the Parliamentary Constituency of Alyn and Deeside, for New Deal clients aged 18–24 in the year April 1998 to March 1999.

Mr. Barry Jones: To ask the Secretary of State for Wales what the principal objective of the New Deal is. [26154]

Mr. Hain: The principle objectives of the New Deal are to help young and long term unemployed people into work and to enhance their employability.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Wales how many non-career civil servants have been appointed to his Department since 1 May 1997. [25839]

Mr. Ron Davies: The number of casual, fixed term appointees and Special Advisers appointed since 1 May 1997 is 169.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Wales what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25904]

Mr. Win Griffiths: My right hon. Friend is currently carrying out a Comprehensive Spending Review of the Department's spending priorities. The Government's objective of promoting sustainable development will continue to be taken fully into account as part of that Review.

Farm Incomes

Mr. Alan W. Williams: To ask the Secretary of State for Wales if he will list the average net annual income for farmers in Wales from 1990 to the present. [25788]

Mr. Win Griffiths: The information requested is as follows:

Levels of net farm income for all dairy and livestock farms in Wales

Year	*Income £000/Farm*
1989–90	12.3
1090–91	10.5
1991–92	14.0
1992–93	16.9
1993–94	18.3
1994–95	11.6
1995–96	23.2

Housing Starts

Mr. Barry Jones: To ask the Secretary of State for Wales how many new home starts there were in (i) Flintshire and (ii) the constituency of Alyn and Deeside in 1995–96; and how many are proposed for 1998–99. [26155]

Mr. Win Griffiths: In 1995–96 there were 449 new home starts in Flintshire in all sectors. 278 of these were in the constituency of Alyn and Deeside. Information on the number of all starts proposed for 1998–99 is not available. I will write to my hon. Friend with estimated housing association starts as soon as the information is available.

School Nurses

Mr. Ruane: To ask the Secretary of State for Wales how many school nurses were employed by each health authority in Wales in each of the past five years. [26210]

Mr. Win Griffiths: Information concerning directly employed NHS nursing staff by area of work is collected centrally but school nurses are included with "Other community nursing staff" and not, therefore, separately identifiable. The following table shows the whole-time equivalent number of "Other 1st level community nursing staff" in post at 30 June 1997. (This excludes district nurses and health visitors.) Although they are employed by NHS Trusts they are shown in the table under the Health Authority area in which the Trust is situated.

Other 1st level community nursing staff in post at 30 June 1997 (Wte)

Health authority area	*Number*
Bro Taf	109
Dyfed Powys	109
Gwent	42
Morgannwg	36
North Wales	115
Total	411

School Governors

Mr. Gareth Thomas: To ask the Secretary of State for Wales how many disputes between minor authorities as to co-option on school governing bodies his Department has had to resolve in each of the last 10 years. [26156]

Mr. Hain: School governors decide who to co-opt onto their governing body. The Secretary of State has no locus in these appointments. The Secretary of State has a role when two or more town/community councils are entitled to nominate a representative to a single place on a governing body and cannot reach agreement on the appointment. In the last 5 years the Secretary of State has adjudicated in one case. Information covering the last 10 years is not readily available.

Prescription Fraud

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on prescription fraud. [26697]

Mr. Win Griffiths: The responsibility for detecting and preventing fraud in the NHS in Wales lies with Health Authorities. To assist with the detection and prosecution of fraud in the Family Health Services, including prescription fraud, I announced on 26 November the establishment of a new anti-fraud unit within the Welsh Health Common Services Authority. My officials are now working closely with Health Authorities and WHCSA to produce detailed plans of action for combating fraud in the FHS. When complete, these plans will be published.

Inward Investment

Mr. Wigley: To ask the Secretary of State for Wales what steps he is taking to ensure the wider geographical spread of inward investment in Wales. [27148]

Mr. Hain: My right hon. Friend and I are determined that the whole of Wales will enjoy economic and industrial success through the attraction of inward investment and, importantly, through the growth of indigenous companies. The Welsh Office and the Welsh Development Agency will continue to focus on those areas which need the most help and we will make every effort to steer new inward investment projects to our priority areas.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Wales how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27029]

Mr. Ron Davies: For the period 1 May-31 December 1997 the average length of time taken to reply to letters was 13.65 working days. The target date set by my Department is 15 working days, and the percentage which received replies within the target date was 73.5 per cent. Statistics are not kept on the length of time it takes to deliver a letter after it has been typed.

FOREIGN AND COMMONWEALTH AFFAIRS

Civil Service Staff

Mr. Rhodri Morgan: To ask the Secretary of State for Foreign and Commonwealth Affairs what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26031]

Mr. Tony Lloyd *[holding answer 28 January 1998]:* About 10 per cent. of staff equivalent to Grade 5 and above, joined the FCO from other Government departments and at least a third have had (or are on) secondments, loans or attachments outside the FCO. In the past, about three quarters of these have been to other Government departments or Governments overseas, but we have been expanding our Interchange programme and the number of loans to the private sector has increased. More precise information could be provided only at disproportionate cost.

BBC Monitoring Service

Mr. Browne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he proposes to set an external financing limit for the BBC Monitoring Service in 1997–98. [26839]

Mr. Fatchett: The external financing limit for 1997–98 for the BBC Monitoring Service will be set at £1,183,000. The creation of the EFL reflects the change in the funding arrangements of the BBC World Service Monitoring Service from grant in aid subscription based funding, which I announced on 5 November 1997, *Official Report*, column *201*.

Ministerial Meetings

Mr. Mullin: To ask the Secretary of State for Foreign and Commonwealth Affairs what action was taken following the meeting between the Under Secretary of State, the right hon. Member for Manchester, Gorton (Mr. Kaufman) and the hon. Member for Sunderland, South on 5 November. [26404]

Mr. Tony Lloyd: On 5 January 1998, the UK joined with other EU Partners in making a demarche to the Jamaican Government about their decision to withdraw from the first Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).

Kenya

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received, and what assessment his Department has made, of human rights violations in Kenya. [26704]

Mr. Tony Lloyd: We receive reports from a variety of sources about human rights in Kenya. We are particularly concerned about the persistent problem of police brutality and the evidence of torture and extra-judicial killings. The Kenyan Government are bound under international obligations to end such practices. We will play a full part in ensuring that pressure for such progress is maintained.

We have been deeply concerned by recent violence in parts of Kenya's Rift Valley, which appears to have both ethnic and political origins. Our High Commission in Nairobi issued a public statement on 28 January, in concert with other diplomatic missions, expressing concern over the slow and ineffective response by the Kenyan security forces. The statement also urged the Government of Kenya to take prompt, effective action to put an end to the violence and to bring its perpetrators to justice.

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Kenyan authorities in respect of reported human rights violations; and if he will make a statement. [26701]

Mr. Tony Lloyd: We maintain a vigorous dialogue with the Kenyan Government on human rights issues through our High Commission in Nairobi and at Ministerial level when the occasion arises. My right hon. Friend the Foreign Secretary raised human rights issues with the then Kenyan Foreign Minister during the Commonwealth Heads of Government meeting in Edinburgh. The subject was also raised during my right hon. Friend the Prime Minister's meeting with President Moi on 4 January and my telephone conversation with the new Kenyan Foreign Minister on 28 January.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Kenya in respect of recent reports of violence. [26975]

Mr. Tony Lloyd: Our High Commission in Nairobi issued a public statement on 28 January in concert with other diplomatic missions, expressing concern over the slow and ineffective response by the Kenyan security forces to recent ethnic clashes in various parts of Rift Valley Province. The statement also urged the Government of Kenya to take prompt, effective action to put an end to the violence and to bring its perpetrators to justice. I reiterated our concern over recent events during a telephone conversation with the Kenyan Foreign Minister on 28 January.

Human Rights

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs how the Government's ethical approach to international relations will be applied to the combating of reported human rights violations in *(a)* Kenya and *(b)* Algeria. [26703]

Mr. Tony Lloyd: We have made our concerns about civil and political rights abundantly clear to the Kenyan authorities. Human rights remains an important issue in our bilateral dialogue with the Government of Kenya. Concerns over police brutality have, for example, led to decisions under the revised criteria for licensing arms exports to reject applications for various categories of riot control equipment for the Kenyan police.

On Algeria we, along with EU partners, have made clear our concern for the protection of the Algerian people from terrorist attacks. During the EU Troika mission to Algiers on 19–20 January, we made clear the concerns of the British and European people and pressed the Algerians to accept a visit by UN Special Rapporteurs. We will reiterate our concerns to the Algerian authorities in our regular contact with them.

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what negotiations and meetings he has had with other EU members regarding human rights violations in Kenya and Algeria. [26705]

Mr. Tony Lloyd: On Kenya, our High Commission in Nairobi are in regular contact with EU partners on the question of human rights violations. The subject is also discussed in the relevant EU Working Groups.

Human rights and other issues concerning Algeria are also discussed regularly with EU partners. The most recent discussions were held at Foreign Minister level at the General Affairs Council in Brussels on 26 January when my hon. Friend, the Minister of State for Foreign and Commonwealth Affairs, Derek Fatchett, reported on the EU ministerial Troika visit that he led to Algiers on 19–20 January.

Department for International Development

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to co-ordinate policy objectives with the Department for International Development. [26344]

Mr. Tony Lloyd: The White Paper on international development, which was presented to Parliament in November 1997, sets out the Government's agreed objectives. Ministers and officials of the Department for International Development and this Department have regular meetings to discuss policy and operational matters.

EU Councils

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Councils of the European Union for February; and if he will list major European Union events for the next six months. [26532]

Mr. Doug Henderson: The following Councils are scheduled:

Monthly forecast of business for February 1998

Date	*Venue*	
12 February 1998	Brussels	Research Council
16 February 1998	Brussels	Ecofin Council
16–17 February 1998	Brussels	Agriculture Council
23–24 February 1998	Brussels	General Affairs Council
26 February 1998	Brussels	Telecom Council

The following subjects are likely to be discussed:

12 February: Research Council

Proposal for an EP and Council decision on the Fifth Framework Programme of the EC for research, technological development and demonstration and demonstration activities (1998–2002): Common position.

Proposal for a Council decision on the Fifth Framework Programme of the European Atomic Energy Community for research and training activities (1998–2002): Political agreement.

Article 130j decision—rules of participation: Exchange of views (possible item).

Divers—Working document on the specific programmes: Progress report by the Commission (possible item).

A points.

16 February: Ecofin Council

Agenda not yet available.

16–17 February: Agriculture Council

Organisation for Economic Coordination and Development Agriculture Ministerial: EU Coordination.

Reform of the tobacco regime: Commission presentation.

Reform of the olive oil regime: Commission presentation.

Operation of ewe premium: Report.

Agrimoney developments 1996/97: Report.

Laying hens in battery cages (possible item).

Veterinary equivalence agreements (possible item).

23–24 February: General Affairs Council

Enlargement.

Lomé: Orientation discussion.

Estonia: Adoption of EU position for Association Council (possible A point).

Latvia: Adoption of EU position for Association Council (possible A point).

Lithuania: Adoption of EU position for Association Council (possible A point).

EU/Malta: Commission Communication on future relations (possible item).

EU/Russia Summit: Information point.

ASEM II: Progress Report following senior officials meeting.

Western Balkans.

Middle East Peace Process.

Cyprus (possible item).

Belarus (possible item).

Generalised System of Preferences: Extension of Lome trade terms to Non-ACP Least Developed Countries.

Generalised System of Preferences: social/environmental incentive clause (possible A point).

Third Country meetings in margins: Estonia, Lithuania and Latvia Association Councils.

26 February: Telecom Council

Commission Communication to the European Parliament and the Council on an International Charter for Global Communications: Debate and (possible) Conclusions.

Green paper on the implications for the regulatory framework of convergence between telecommunications, audiovisual and information technology: Open debate.

Proposal for a European Parliament and Council Directive on connected telecommunications equipment and the mutual recognition of the conformity of equipment: (possible) Common Position.

Commission Communication on the implementation of telecommunications legislation: Presentation (possible item).

Proposal for a European Parliament and Council Decision on universal mobile telecommunications system: Presentation (possible item).

Proposal for a European Parliament and Council Directive on digital signatures and security of communications: Presentation (possible item).

Commission Communication on the century date change problem: Presentation (possible item).

European Calendar: February-July 1998

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

Date	*Venue*	*Event*
February 1998		
3	Brussels	Political Committee
9–11	Costa Rica	EU/San José Group
11–12	Brussels	Select Committee on Trade and Industry visit
12	Brussels	Research Council
12–13	Panama	EU/Rio Group
12–13	London	Political Committee
13–15	Cambridge	Internal Market (Informal)
16	Brussels	Ecofin Council
16–17	Brussels	Agriculture Council
16–20	Strasbourg	European Parliament Plenary
23–24	Brussels	General Affairs Council
26	Brussels	Telecom Council
March 1998		
3	Brussels	Political Committee
9	Brussels	Ecofin Council (t.b.c.)
9–10	Manchester	UK Presidency Conference
9–13	Strasbourg	European Parliament Plenary
12–13	London	Joint Social and Education (Informal)
14–15	Edinburgh	Foreign Ministers' Informal
15–17	Macclesfield	Seminar for Cultural and Audiovisual Ministers
16–17	Brussels	Agriculture Council
17	Brussels	Transport Council
19	Brussels	Political Committee
19	Brussels	Justice and Home Affairs Council
20–22	York	Ecofin Informal
23	Brussels	Environment Council
24	Brussels	Fisheries Council
30	Brussels	Internal Market Council
30–31	Brussels	General Affairs Council
30–31	Strasbourg	European Parliament Plenary
31–1 April	Moscow	G8 Energy Ministerial
April 1998		
1–3	Strasbourg	European Parliament Plenary
2–4	London	ASEM II
6	Luxembourg	Social Affairs Council
6–8	Birmingham	Audiovisual Conference
7	Brussels	Political Committee
16	Brussels	Political Committee
20–21	Luxembourg	Agriculture Council
21	Luxembourg	Ecofin Council
23	Luxembourg	Consumer Affairs Council
24–26	Chester	Environment and Transport (Informal)
27–28	Luxembourg	General Affairs Council
29–30	Brussels	European Parliament
30	Luxembourg	Health Council
May 1998		
1–3	Brussels	Ecofin and Special EMU Council
5	Brussels	Political Committee (t.b.c.)
7	Brussels	Industry Council
10–12	Newcastle	Agriculture (Informal)
11	Brussels	Energy Council
11	Brussels	Euro-Med Energy Ministerial

Date	Venue	Event
12	Brussels	Political Committee
11–15	Strasbourg	European Parliament Plenary
14	London	EU/Canada
14–16	London	conference on Culture and Employment
15–17	Birmingham	G7/8 Summit
18	London	EU/US Summit
18	Brussels	Development Council
18	Brussels	Internal Market
19	Brussels	Telecommunications Council
25–26	Brussels	General Affairs Council
25–26	Brussels	Agriculture Council
27–28	Brussels	European Parliament Plenary
28	Brussels	Culture and Audiovisual Council
28–29	Brussels	Justice and Home Affairs Council
June 1998		
2	Luxembourg	Political Committee
4	Luxembourg	Education and Social Affairs Committee
8	Luxembourg	Fisheries Council
8–9	Luxembourg	General Affairs Council (t.b.c.)
15–16	Cardiff	European Council
15–19	Luxembourg	European Parliament Plenary
16–17	Luxembourg	Environment Council
17	Luxembourg	Joint Environment and Transport Council
18	Luxembourg	Transport Council
22	Luxembourg	Research Council
22–23	Luxembourg	Agriculture Council
29–30	Luxembourg	General Affairs Council (t.b.c.)
July 1998		
6	Brussels	Ecofin Council
6–7	Luxembourg	Political Committee
8–10	Luxembourg	Employment/Social Affairs/Women (Informal)
13	Luxembourg	Political Committee
13–14	Luxembourg	General Affairs Council
17–19	Luxembourg	Environment Council (Informal)
20–21	Luxembourg	Agriculture Council
23	Luxembourg	Political Committee
27	Luxembourg	Budget Council

General Affairs Council

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will report on the outcome of the General Affairs Council held on 26 to 27 January in Brussels. [26533]

Mr. Doug Henderson: 24 of the 25 A Points in document 5487/98, the text of which will be placed in the Libraries of the House as soon as it is available, were approved. Germany asked for the point on the adoption of a common position with a view to adopting a directive of the European Parliament and the Council on the approximation of the laws, regulations and administrative provisions of the Member States relating to the advertising and sponsorship of tobacco products to be withdrawn.

At the instigation of the UK Presidency, the General Affairs Council adopted as an A Point a new EU Common Position on Afghanistan. It supports UN peace efforts and promotes work on respect for human rights (particularly the rights of women) and the fight against drugs.

The Council noted the resolutions adopted by the European Parliament listed in Documents 11496/97 and 11502/97. Copies of these documents will also be placed in the Libraries of the House as soon as they become available.

The Council opened with an open debate on the Presidency work programme for the first half of 1998. My right hon. Friend the Foreign Secretary, as President of the Council, highlighted the main issues in the coming months: EMU, unemployment, crime and drugs, enlargement, and making Common Foreign and Security Policy more effective. The President of the Commission then explained the Commission's programme with reference to the Presidency's intentions. Other Member States commented and gave their full support to the programme's implementation.

In discussion of relations with the Western Balkans, Ministers welcomed the formation of a new Government in Republika Srpska and, in particular, the commitment by the new Prime Minister, Mr. Dodik, to cooperate fully on the implementation of the Dayton/Paris peace agreement. The Council agreed to provide an initial 6 million ecu in financial assistance. The appropriate Council bodies, in close coordination with the Office of High Representative, will be taking this forward urgently.

The Council welcomed the intended immediate Presidency/Commission visit to Banja Luka to review further assistance for the new government. The Council also looked forward to receiving detailed recommendations on the Commission's proposals for modifying procedures for delivering aid.

The Minister of State, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) reported to the GAC on the Troika Mission which he led to Algeria from 19–20 January. The Council reaffirmed the strong commitment of the Union to remain engaged and agreed to take forward the EU/Algeria dialogue, notably through the negotiations for the EU/Algeria Association Agreement and the proposed meeting between Foreign Minister Attaf and the UK Presidency. The Council expressed its regret that offers of humanitarian assistance had not so far been taken up: they remained on the table. The Council also urged greater transparency on the part of the Government of Algeria. It regretted that the Government had not been able to provide unhindered access for international organisations, NGOs and the media. It looked to the Government of Algeria to accept a visit by representatives of the United Nations in the near future and encouraged greater contact between Algerian and European parliamentarians.

The Presidency briefed the Council on its proposed handling of the European Conference launch in London on 12 March, the launch of the accession process on 30 March and the start of accession negotiations on 31 March.

On China, my right hon. Friend the Foreign Secretary reported on his recent visit to China and Hong Kong. The Council agreed this proposal for an EU/China summit and the need for an intensified dialogue on human rights questions.

Ministers expressed their concern at the increase in violence in Burundi and the stalled regional-sponsored peace process. The EU will review the situation in the Great Lakes region in early February, once the EU Special Envoy for the Great Lakes has returned from the region, and consider further action.

Sir L. Brittan presented the Commission proposal for removing Russia and China from the list of Non-Market Economies for the purposes of anti-dumping. The Presidency informed Member States that they expected to deal with this issue formally at the February GAC.

The GAC took note of the written report on the seventh EU/Japan Summit (Tokyo, 12 January 1998).

In response to the major influx of migrants from Iraq and the neighbouring region, the Presidency has drawn up a 46 point action plan covering elements from all three pillars to deal with the problem. It has also established initial contact with the Turkish government and the UNHCR. The Action Plan was adopted and will be considered at the Justice and Home Affairs Council on 29–30 January. Progress will be reviewed at the next GAC on 30 March.

The Council had a lengthy discussion on Iran and agreed that, given Iran's record of support for terrorism and its efforts to acquire weapons of mass destruction, the EU should keep in place and develop measures to deter and impede Iranian activity in these areas, including by working for greater EU/US cooperation in these shared areas of real concern. However, the Council also agreed that recent political events in Iran were encouraging and merited a review of the common position adopted by the General Affairs Council on 29 April 1997. Until this review is completed, the existing common measures will remain in force.

The Council discussed the situation in the Middle East Peace Process in the light of my right hon. Friend the Foreign Secretary's recent visit to Washington, the visit to Israel and the Occupied Territories by the Minister of State, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) and President Clinton's talks with Prime Minister Netanyahu and President Arafat.

The Council reiterated that full and unconditional implementation of commitments made by the parties under the existing agreements is essential to restore mutual confidence in the peace process and provide a firm basis for a full resumption of negotiations on the Palestinian track. It stressed in particular the need for early progress on credible and significant further redeployments in line with the commitments made at the time of the Hebron Agreement, as well as on other outstanding commitments under the Interim Agreement. The Council also underlined the importance of maximum and sustained cooperation between the parties in fighting terrorism, and of the avoidance of unilateral acts which pre-empt final status talks, in particular on settlements and Jerusalem.

The Council reiterated its support for US efforts to restore momentum in the peace process and reaffirmed its intention to play an active role in support of the negotiations, including through the activities of its Special Envoy, Ambassador Moratinos.

The Commission presented a communication on the role of the European Union in the Peace Process and its future economic assistance. The Communication will be discussed in depth at a later Council meeting.

In the margins of the GAC, Ministers also held the first Cooperation Council with Russia following the entry into force of a partnership and cooperation agreement with Russia on 1 December 1997. There was a useful discussion on foreign policy issues, and the EU and Russia agreed to continue with ongoing consultation on key foreign political topics.

There was also a Political Dialogue meeting with Albania at Foreign Minister level on 27 January. EU Ministers gave their full support to helping Albania achieve reconciliation and a return to normality but stressed that primary responsibility lay with the Albanians themselves. The meeting reinvigorated the contact between the parties under the 1992 Cooperation Agreement.

Euro-Mediterranean Process

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the effect of recent events in Algeria on the Euro-Mediterranean Process under the United Kingdom presidency of the European Union. [26522]

Mr. Doug Henderson: The UK Presidency is committed to using the Euro-Mediterranean process to increase co-operation and trust throughout the region; to liberalise trade and to promote investment in the region. The recent tragic events in Algeria underline the importance of the European Union having a wide-ranging dialogue with Algeria, including through the Euro-Mediterranean process.

Arms Sales

Mrs. Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom proposals for an EU Code of Conduct on Arms Sales include a system for parliamentary scrutiny and accountability in member states. [26972]

Mr. Tony Lloyd: Our proposals for an EU Code of Conduct develop the EU's eight Common Criteria agreed in 1991 and 1992 using language in the UK's national criteria announced by my right hon. Friend, the Foreign Secretary on 28 July 1997, *Official Report*, columns 26–29. Those criteria did not include prior parliamentary scrutiny of licence applications and we are not proposing such a requirement in the Code of Conduct.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the French Government concerning his proposed EU code of conduct on arms sales; and if he will make a statement. [26963]

Mr. Tony Lloyd: Following a number of contacts at Ministerial and official level with the French Government, we have succeeded in agreeing on a draft text for an EU

Code of Conduct on arms sales. We have now circulated this draft to EU partners and look forward to discussing it with them in detail, with a view to having the Code adopted by Council Declaration during our Presidency of the EU.

The text which we have circulated develops the eight EU Common Criteria agreed at the Luxembourg and Lisbon European Councils of June 1991 and June 1992, using language from the UK's national criteria announced by my right hon. Friend the Foreign Secretary on 28 July 1997, *Official Report*, columns *26–29*. It also includes a no-undercut mechanism which will involve notifying all partners of denials of export licences and provide for bilateral consultation if one partner is considering a similar export to that which another partner has refused.

If agreed, these measures will break important new ground in regulation of the arms trade. Never before has a no-undercut mechanism been applied to conventional arms exports.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress he is making in agreeing on EU code of conduct on arms sales during the United Kingdom's presidency of the EU; and when he intends to publish the code. [26962]

Mr. Tony Lloyd: I refer the hon. Member to my earlier answer. At present, the text of the Code of Conduct is being discussed by EU Member States. We will publish it as soon as final agreement has been reached.

Zimbabwe

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Zimbabwe in respect of violations of its Declaration of Rights agreed at Lancaster House on any property or interest of property. [26956]

Mr. Tony Lloyd: The Government of Zimbabwe have not, so far as we are aware, violated any of the Declaration of Rights agreed at Lancaster House.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with the Department for International Development concerning aid provision to Zimbabwe during the United Kindgom's presidency of the EU. [26960]

Mr. Tony Lloyd: The Department for International Development and this Department consult regularly about policy towards Zimbabwe, including the provision of aid, and will continue to do so during our Presidency.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to raise the proposed seizure of land by the Government of Zimbabwe with his fellow EU foreign ministers during the United Kingdom's presidency. [26961]

Mr. Tony Lloyd: We regularly consult our EU partners about African issues, including Zimbabwe's land acquisition programme, and will continue to do so during our Presidency.

Indonesia

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received concerning Her Majesty's Government's proposals to provide training assistance to the Indonesian police force. [26955]

Mr. Fatchett: We have received representations from Members of Parliament, NGOs and members of the public expressing a number of views on the question of training assistance for the Indonesian police force and the best ways of contributing to the human rights situation in Indonesia.

South Africa

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs what are his priorities for the EU-South Africa trade talks during the United Kingdom presidency; and if he will make a statement. [26974]

Mr. Tony Lloyd: Early progress in negotiating a Trade and Cooperation Agreement, together with parallel agreements on fisheries and wines and spirits, between the EU and South Africa is a priority for our Presidency. We shall press for an outcome on terms that are liberal, WTO-compatible, and of benefit to both parties. We are in close contact with the Commission, the South Africans, and other EU member states to that end.

Algeria

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will visit Algeria. [26976]

Mr. Fatchett: My right hon. Friend the Foreign Secretary has no current plans to visit Algeria.

European Convention on Human Rights

Sir Nicholas Lyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the occasions on which Her Majesty's Government have been obliged to bring forward *(a)* primary legislation and *(b)* secondary legislation, in order to comply with the United Kingdom's treaty obligations to keep its domestic law in conformity with the European Convention on Human Rights. [27078]

Mr. Tony Lloyd: Primary legislation has been brought forward in order to implement the judgments of the European Court of Human Rights in the following cases:

Sunday Times (1979)
Young, James and Webster (1981)
X (Mental patient) (1981)
Campbell and Cosans (1982)
Malone (1984)
O, H, W, B and R (Parental access) (1987)
Thynne, Wilson and Gunnell (1990)
Boner and Maxwell (1994)
Hussain and Singh (1996)
Chahal (1996)

Secondary legislation has been brought forward in order to implement the judgments of the European Court of Human Rights in the following cases:

Golder (1975)
Dudgeon (1981)
Silver and Others (1983)
Abdulaziz, Cabales and Balkandali (1985)

McCallum (1990)
Campbell (1992)
McMichael (1995)
Benham (1996)

In relation to the cases of Fox, Campbell and Hartley (1990), Findlay (1997) and Coyne (1977), changes in primary legislation had already been made which in the Government's view ensured that United Kingdom law was compatible with the judgments of the European Court of Human Rights.

Primary and secondary legislation may have also been enacted in order to implement decisions of the Committee of Ministers in cases where reports of the European Commission of Human Rights have been transmitted to them under Article 32 of the Convention, but this information could be provided only at disproportionate cost.

Egyptian Dissidents

Mr. Soames: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been Her Majesty's Government's response to the Egyptian Government over their complaints about the presence of dissidents in London. [26978]

Mr. Fatchett: We have reiterated to the Egyptian Government our commitment to support them in their fight against terrorism. We continue to work closely with Egypt to this end. Any new information about alleged suspicious activities in the United Kingdom is thoroughly investigated. Where this yields evidence that individuals—or organisations—are engaged in terrorism, action is taken in conformity with our law. We discussed these points, and the relevant laws, with Dr. Al Baz, President Mubarak's adviser, when he visited London in December.

Overseas Travel

Mrs. McGuire: To ask the Secretary of State for Foreign and Commonwealth Affairs how much was spent for *(a)* official foreign travel and *(b)* incidentals on the (i) spouses and (ii) partners of the previous two Secretaries of State for Foreign and Commonwealth Affairs in each year of their tenure. [26316]

Mr. Robin Cook: *[pursuant to his reply, 29 January 1998, c. 389–90]:* Owing to an administrative error, the figures given in the first answer to my hon. Friend were incorrect.

Mrs. Rifkind did not attend the EU Informal Foreign Minister's Meeting in Tralee 6–8 September 1996 due to ill health.

The cost of Mrs. Rifkind's visit to Switzerland (Davos) for the World Economic Forum, 31 January - 2 February 1997 was £846.64 and not £4,405.00 as previously stated.

A revised table is printed below.

Dates	*Minister*	*Venue*	*Purpose of visit*	*Spouse cost including travel and incidentals (£)*
1994				
7–10 July	The then Foreign Secretary, Lord Hurd	Italy (Naples)	G7 Economic Summit	307.84
11–20 September	Lord Hurd	Thailand, Vietnam, Hong Kong and Japan	Bilateral	10,495.66
26–29 September	Lord Hurd	USA (New York)	UNGA	3,977.66
29 September-3 October	Lord Hurd	Canada	Bilateral	209.64
Total				14,990.80
1995				
18–19 March	Lord Hurd	France (Carcassonne)	EU/FM Informal meeting	966.44
19–28 March	Lord Hurd	South Africa	State Visit	2,385.28
7–8 May	Lord Hurd	Norway (Oslo)	Accompanying TRH Duke and Duchess of Kent	98.16
25–26 June	Lord Hurd	Germany (Bonn)	Anglo-German Summit	565.00
8–10 September	The then Foreign Secretary Sir Malcolm Rifkind	Spain (Santander)	EU Ministers Informal Weekend	2,310.00
Total				6,324.88
1996				
3–12 January	Sir Malcolm Rifkind	Azerbaijan, Armenia Uzbekistan, Hong Kong and China	Bilateral	7,366.70
6–12 January	Sir Malcolm Rifkind	Hong Kong and China	Bilateral	4,956.00
8–10 March	Sir Malcolm Rifkind	Malta and Italy	Bilaterals and EU Foreign Minister's Informal Meeting	1,557.50
25–29 March	Sir Malcolm Rifkind	Poland and Czech Republic	State Visit	835.00
8–17 April	Sir Malcolm Rifkind	Barbados, Jamaica, Mexico, Brazil and Bolivia	Bilateral	12,757.89
23–27 September	Sir Malcolm Rifkind	USA (New York)	United Nations General Assembly	4,454.02
27 October-1 November	Sir Malcolm Rifkind	Thailand (Bangkok)	State Visit	150.00 Estimate
31 October-6 November	Sir Malcolm Rifkind	Vietnam, Israel UAE and Yemen	Bilateral	7,500.00 Estimate
Total				39,577.11

Dates	Minister	Venue	Purpose of visit	Spouse cost including travel and incidentals (£)
1997				
31 January-2 February	Sir Malcolm Rifkind	Switzerland (Davos)	World Economic Forum	846.64
15–16 March	Sir Malcolm Rifkind	Netherlands (Apledoorn)	EU Informal Foreign Ministers Meeting	848.48
Total				1,695.12

AGRICULTURE, FISHERIES AND FOOD

Beef Imports

Mr. Walter: To ask the Minister of Agriculture, Fisheries and Food what guidance has been given to those authorities responsible for border inspection posts to inspect consignments of beef imported from outside the European Union for specified risk materials. [27002]

Mr. Rooker: An instruction, in the form of an Animal Health Circular, was issued to Official Veterinary Surgeons and Divisional Veterinary Managers responsible for Border Inspection Posts on 23 December. The Circular, numbered AHC97/231, has been deposited in the Ministry's Whitehall Place library and is available to the public on demand.

Hill Livestock Compensatory Allowance

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he has received approval from the EU Commission for his HLCA package announced on 22 December; and if he will make a statement. [25674]

Dr. John Cunningham *[holding answer 28 January 1998]:* Consultation with the Commission is still in progress. I hope to be able to make a statement very soon.

Farmers (Early Retirement)

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce an early retirement scheme for farmers. [25671]

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce an EU early retirement scheme for the UK agriculture industry; what level of resources is estimated to be available; and how soon the scheme will become available. [25240]

Mr. Morley *[holding answer 28 January 1998]:* Options for a possible early retirement scheme for the livestock sector are under consideration. Any scheme will have to accord with the relevant EC Regulation No. 2079/92. We will consult the industry on this initiative as soon as possible.

Imported Meat

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to ensure that no imported meat is from animals fed on animal by-products. [25613]

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to prohibit the import of pigmeat from animals fed meat and bonemeal; and if he will make a statement. [26396]

Mr. Rooker *[holding answer 28 January 1998]:* Conditions on Intra-Community trade in meat, and third country imports, are subject to Community rules. These do not include requirements relating to the feed of the animals from which the meat was obtained. Commission Decision 94/381/EC prohibits the feeding of mammalian protein, with certain exceptions, to ruminants. In addition, Switzerland has equivalent provisions in its national legislation. Thus, all countries which have reported cases of BSE in home-bred animals have restrictions on the feeding of mammalian protein to ruminants.

Within the UK, to prevent the risk of cross examination between different types of feed, there is also a ban on feeding mammalian meat and bone meal to all farmed livestock. The UK has had far more cases of BSE than anyone else and that is why our measures go considerably further than those taken elsewhere.

Beef Labelling

Mr. Plaskitt: To ask the Minister of Agriculture, Fisheries and Food if he will review the regulations regarding the labelling of beef in supermarkets. [25801]

Mr. Rooker: I have no plans to review arrangements for the labelling of beef in supermarkets. The Government have recently launched the beef labelling scheme, which takes full effect from 31 March 1998. From that date all retail outlets, including supermarkets, will be required to seek prior approval from a competent authority for use of any detailed information, such as geographic origin, which cannot easily be verified at the point of sale. While the Scheme will be voluntary in the first instance I expect the majority of beef sold retail will be covered.

Spongiform Encephalopathy (Cats and Dogs)

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* carried out and *(b)* evaluated on spongiform encephalopathy in (i) cats and (ii) dogs. [25919]

Mr. Rooker: Apart from their inclusion in studies of the PrP gene sequences of species that are apparently resistant to BSE, MAFF has no specific programme of research on spongiform encephalopathies in canines. A survey carried out in 1990/91 on the brains of hounds culled for a variety of reasons from packs in all parts of Britain found no conclusive evidence of spongiform change. The outcome was, however, hampered by the fact that the majority of the 444 brains examined did not come from animals that were suffering from neurological disease.

With respect to cats, MAFF receives notifications of diagnoses of spongiform encephalopathy in domestic and exotic felidae. In collaboration with colleagues in universities and other institutes, MAFF scientists have

defined lesion profiles and methodology for confirmation of diagnosis. Epidemiological analyses are also in progress.

Farming (Financial Support)

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the cost to an average family of the financial support paid to the farming industry in each of the last five years. [26471]

Mr. Rooker: During the most recent five years for which data are available, the cost of the Common Agricultural Policy in the UK is estimated to have been between £12 and £15 per week for a typical family of four. This consists of costs to consumers due to higher prices for food and expenditure by taxpayers. In addition, UK taxpayer expenditure on national agricultural policies was typically of the order of £1 per week for a family of four, although it was closer to £2 per week in 1996.

These estimates are based on calculations by the Organisation for Economic Co-operation and Development of total transfers resulting from agricultural policies in the European Union, with adjustments in respect of the abatement to the United Kingdom's contribution to the European budget.

The estimates are likely to overstate the savings which could be made by UK consumers and taxpayers if the CAP were removed; in the absence of support, world prices would be higher than at present.

Unpasteurised Milk

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food in which EU member states the sale of unpasteurised milk *(a)* has been banned at any time since 1968 and *(b)* is currently banned, with the dates concerned in each case. [27049]

Mr. Rooker: In addition to the ban in Scotland since 1983, retail sales of unpasteurised cows' drinking milk have been banned in the Republic of Ireland since July 1996. On 1 January 1998 Germany banned the serving of unpasteurised milk in catering in all regions. Other member states permit the sale of such milk under restrictions of varying types.

Correspondence

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food when the Minister of State will reply to the letter of 5 December from the right hon. Member for Penrith and the Border on a constituency matter. [27048]

Mr. Rooker: I replied to the letter of 5 December 1997, from the right hon. Member, enclosing correspondence from Mr. R. Carruthers of Low Moat Fishing on 29 January 1998.

Vitamin Supplements

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 27 January 1998, *Official Report*, column *209*, for what reasons he has not made an assessment of the professional status or qualifications of those who have written to him about the proposed controls on food supplements containing vitamin B6; and if he will make a statement. [26790]

Mr. Rooker: We have received a large number of unsolicited representations on the subject of the Government's proposed controls on vitamin B6 in dietary supplements, many in the form of standard letters. It is our policy to reply to all representations received, regardless of the status of the correspondent. We see no reason to either record or assess the qualifications of those making representations.

The regulations required to implement the proposed controls on dietary supplements will be the subject of a formal consultation exercise and, subject to the views of respondents, the responses received will be made publicly available.

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what criteria he uses to assess the relative merits of the advice from *(a)* the Committee on Toxicity and *(b)* other independent scientists who have made representations to the Ministry on the safety of vitamin B6; and if he will make a statement. [26397]

Mr. Rooker: The role of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) is to provide independent advice on matters within its remit. Its members are recognised nationally and internationally as experts in their disciplines which include the interface between toxicology and nutrition. Representations from scientists criticising the COT's advice on the safety of vitamin B6 have been copied to the COT secretariat and, where appropriate, to the Chairman of the COT for comment.

Food Product Labelling

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what steps he will take during the United Kingdom presidency to complete negotiations on a standard European Union-wide system of food product labelling to indicate genetically-modified ingredients; and if he will make a statement. [25753]

Mr. Rooker: During the UK presidency I will be pressing for agreement to be reached as quickly as possible on a standard EU wide system of labelling for genetically modified food ingredients that is both practical and meaningful to consumers.

Beef Export Ban

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will list the actions so far taken by the United Kingdom Government to meet the requirements agreed at the EU summit in Florence in order to get the ban on beef exports lifted; and what additional actions now remain to be taken. [25251]

Dr. John Cunningham *[holding answer 26 January 1998]:* The Agreement secured at the EU summit in Florence permits the progressive resumption of exports on fulfilment of five pre-conditions. The following action has been taken to meet those pre-conditions:

The selective slaughter programme has been implemented: 59,347 animals have been slaughtered under the scheme up to 16 January 1998.

A compulsory animal identification and movement recording system has been introduced. All cattle born or imported after 1 July 1996 are registered on a computerised database and may be moved only if accompanied by a valid passport recording the animal's movement history. A total of 3,984,010 cattle passports had been issued up to 10 January 1998.

Legislation for the removal of mammalian meat and bone meal from feed mills and farms has been implemented and the European Commission confirmed that arrangements were acceptable after an inspection in July 1996.

2,001,921 animals have been culled under the Over Thirty Month Slaughter Scheme up to 11 January 1998. Meat and bonemeal and tallow from carcases rendered under the scheme is being securely stored until it can be incinerated.

Controls on slaughterhouses to ensure the removal of Specified Bovine Materials (SBM) have been strengthened.

BSE

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if there have been any findings of the BSE agent in the dorsal root ganglia of cattle born after 1 August 1996. [25455]

Dr. John Cunningham *[holding answer 26 January 1998]:* No cattle born after 1 August 1996 have yet been reported as showing signs of clinical BSE.

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food if he will publish the number of confirmed cases of BSE *(a)* for each year since 1990 and *(b)* for each month since January 1997. [25804]

Mr. Rooker: The following tables show:

(a) the number of cases of BSE confirmed in Great Britain for each year since 1990

Year of confirmation	*Number of cases*
1990	12,829
1991	22,613
1992	34,712
1993	36,271
1994	25,579
1995	15,451
1996	8,740
1997	4,847

(b) the number of cases of BSE confirmed in Great Britain for each month since January 1997

Month of confirmation	*Number of cases*
January	659
February	550
March	423
April	471
May	391
June	458
July	410
August	169
September	327
October	404
November	288
December	297

Fishing Industry

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on how and when he will be implementing his plans to safeguard Britain's fishing industry from the effects of quota hoppers. [25456]

Dr. John Cunningham *[holding answer 26 January 1998]:* I am currently awaiting the Commission's views on detailed proposals for ensuring that all British registered fishing vessels maintain a real economic link with those populations in the UK dependent upon fisheries and related industries. Those proposals are based on a consultation paper issued in July 1997 and subsequent discussions with all sectors of the fishing industry. Once the Commission's views are known, an announcement will be made on the way forward.

BSE (Canine Immunity)

Mr. Blizzard: To ask the Minister of Agriculture, Fisheries and Food what research his Department has *(a)* commissioned and *(b)* evaluated into the potential for canine immunity to BSE-related disease to be used to develop vaccines for BSE and CJD. [25920]

Mr. Rooker: Any resistance that canines may have to infection with BSE may not be associated with an immune response. Indeed there is no "immunity" in the traditional sense of the word with any of the TSEs, so consequently vaccination in its recognised form is unlikely to be possible. In experimental studies in mice, defects in the immune system actually lead to resistance to infection with TSE agents.

Current thinking suggests that "resistance" to infection is associated with significant differences in amino acid sequences of the "incoming infectious agent" and the amino acid coded for by the PrP gene of the animal being challenged. The greater the disparity, the greater the resistance to infection. Studies are currently in place to evaluate the extent of differences in PrP gene sequences of some species, including canines, that appear to be resistant to BSE. These studies are incomplete.

Non-career Civil Servants

Mr. Burns: To ask the Minister of Agriculture, Fisheries and Food how many non-career civil servants have been appointed to his Department since 1 May 1997. [25843]

Mr. Morley: The table sets out the number of civil servants appointed by my Department and its Agencies since 1 May 1997 on casual and fixed-term contracts, and other appointments of a temporary or conditional nature including Special Advisers.

Department	*Staff on fixed term contracts*	*Staff on casual contracts*	*Other non—permanent staff*
Core MAFF	83	508	31
Pesticides Safety Directorate	0	9	0
Veterinary Medicines Directorate	0	0	1
Veterinary Laboratories Agency	7	61	0
Meat Hygiene Service	75	0	0
Farming and Rural Conservation Agency	47	39	2

Department	Staff on fixed term contracts	Staff on casual contracts	Other non—permanent staff
Central Science Laboratory	18	36	1
Centre for Environment, Fisheries and Aquaculture Science	38	35	0
MAFF total	268	688	35

Animal Welfare (Transportation)

Mr. Cohen: To ask the Minister of Agriculture, Fisheries and Food how many prosecutions were brought under the Welfare of Animals during Transport Order 1994, relating to the importation of non-human primates for research purposes. [25752]

Mr. Morley: This information is not readily available and could be obtained only at disproportionate cost.

Rendered Bovine Material (Disposal)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what is the total tonnage of rendered bovine material currently held in store; and what plans he has for its disposal. [25877]

Mr. Rooker: Some 307,700 tonnes of meat and bonemeal (MBM) and 159,500 tonnes of tallow from cattle rendered under the Over Thirty Month (OTM) and Selective Cull (SC) Schemes are being safely and securely stored in the UK. The Government are considering a number of options for the disposal of these products. I refer the hon. Member to the reply given to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson) on 15 January 1988, *Official Report*, column *294*, in which I stated that the Intervention Board has now terminated the restricted stage of its 1997 incineration tender in order that it can pursue disposal options which appear to offer a better prospect of safe, prompt and economical disposal of waste from these schemes. In the interim some MBM is already being burned in high temperature waste incinerators and a number of rendering plants are burning tallow produced from the OTM and SC Schemes as a fuel to power the rendering process.

Beef Bones (Disposal)

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what advice he plans to issue on the disposal of beef bones for which there is no longer a commercial market. [25876]

Mr. Rooker: Such bones must be disposed of in accordance with the requirements of the Animal By-Products Order 1992, as amended, which is enforced by local authorities. An explanatory note on the 1997 amendment to the Order and which covers butchers' waste is being sent to local authority bodies and is available to inquirers. I am sending a copy to the hon. Member and have arranged for one to be placed in the Library of the House.

Sheep Exports

Angela Smith: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to prevent live sheep being exported from the United Kingdom for slaughter in France at the Eid-el-Kebir festival; and if he will make a statement. [25641]

Mr. Morley: A judgment against the United Kingdom in the European Court of Justice has made clear that there are severe constraints on our power to prevent the export of livestock because of the way they may be treated in the Member State of destination. We are however considering the position. We will in particular be contacting the French government to seek their assurance that steps will be taken to prevent a repeat of the sort of scenes that have occurred with the Festival of Eid-el-Kebir in recent years.

Food Standards

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what measures he is taking to ensure that food standards in other member states of the EU match those in the United Kingdom. [25861]

Mr. Rooker: Most areas of food law are harmonised in the EU through EC legislation. The UK negotiates hard to make sure that the health of the consumer is properly safeguarded at home and abroad.

Sustainable Development

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25902]

Mr. Morley: In accordance with the terms of reference for the Government's Comprehensive Spending Review, the Department is reviewing all aspects of its expenditure and determining how best its programme can contribute to the Government's objectives, including in particular the aims of enhancing opportunity and fairness and promoting employment and investment for sustained economic growth.

Farming Industry (Meetings)

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food how regularly Ministers meet representatives of the farming industry; what formal fora for discussion exist; and if he will make a statement. [25295]

Dr. John Cunningham: I and my Ministerial team are in regular contact with representatives of the farming industry at both a national and regional level.

EDUCATION AND EMPLOYMENT

Tuition Fees

Mr. Welsh: To ask the Secretary of State for Education and Employment what plans he has to pay the fourth year of tuition fees for eligible English and Welsh students beginning degrees at Scottish universities from 1998 onwards; and if he will make a statement. [27046]

Dr. Howells: Students domiciled in England and Wales who begin degree courses at Scottish universities from 1998 onwards will be eligible for financial support with the payment of fees for each year of their course, depending on their parents' or spouse's and their own income. My right hon. Friend the Secretary of State has no plans for the whole fourth-year tuition fee to be paid out of public funds for all such students, regardless of income.

Mr. Welsh: To ask the Secretary of State for Education and Employment at what income level EU migrant workers resident in England and applying to a Scottish university for a four year degree will be means tested for eligibility for the fourth year tuition fee. [26973]

Dr. Howells: From 1 September 1998, new entrants to full-time higher education domiciled in England will be eligible for assistance with their fees for all years of their courses. An EU migrant worker living in England who is eligible for assistance is entitled to be treated no less favourably than a UK national who is similarly eligible and living in England. It is not possible to say now what the relevant income figures will be in assessing eligibility for assistance with fees in four years' time.

Child Care

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many new child care places have been created since 1 May 1997. [27076]

Mr. Alan Howarth: The number of new out of school child care places created by the Out of School Childcare Initiative is collected cumulatively within each financial year. For the financial year 1997–98, 5,278 new places have been created up to 28 December 1997.

Mrs. Gillan: To ask the Secretary of State for Education and Employment what is the average cost of a current child care place; and what was the average cost in 1996. [27077]

Mr. Alan Howarth: The average cost of child care places is not collected on a national basis. However, the third evaluation of Out of School Childcare Initiative, based on a survey of 145 schemes and undertaken in the second half of 1997, found that the average weekly charge for an after-school place was £18.60, a before and after school place £29.50, and a holiday place £50.40. The report was published on 22 January and a copy has been placed in the Library.

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many child care places were created by the out of school child care initiative in each of the years *(a)* 1995, *(b)* 1996 and *(c)* 1997. [27075]

Mr. Alan Howarth: The number of new out of school child care places created by the Out of School Childcare Initiative is collected on a financial year basis and is as follows: in 1994–95, 22,286 places, in 1995–96 35,182 places, and in 1996–97 12,446 places.

School Budgets

Mr. McLoughlin: To ask the Secretary of State for Education and Employment, pursuant to the answer of 26 January 1998, *Official Report*, column *91*, what extra amount per pupil would be made available to schools if all local authorities held back the same percentage as Dudley Metropolitan Borough Council. [26853]

Mr. Byers: The following table gives the information requested as a listing of local education authorities in England for 1997–98. The figures are derived from the budget statements produced by the local education authorities under section 122 of the 1996 Education Act.

Extract—Section 122 Budget statements (England) 1997–98
Extra amount per pupil which would be made available to schools if all local authorities held back the same percentage as Dudley Metropolitan Borough Council (96.3 per cent. of PSB)

Authority	£
Corporation of London	261
Camden	233
Greenwich	34
Hackney	129
Hammersmith and Fulham	100
Islington	96
Kensington and Chelsea	198
Lambeth	179
Lewisham	102
Southwark	170
Tower Hamlets	173
Wandsworth	137
Westminster	175
Barking/Dagenham	172
Barnet	147
Bexley	82
Brent	41
Bromley	151
Croydon	101
Ealing	145
Enfield	150
Haringey	254
Harrow	132
Havering	90
Hillingdon	124
Hounslow	146
Kingston	130
Merton	137
Newham	238
Redbridge	91
Richmond	125
Sutton	88
Waltham Forest	56
Birmingham	99
Coventry	114
Dudley	0
Sandwell	82
Solihull	39
Walsall	146
Wolverhampton	78
Knowsley	90
Liverpool	71
St. Helens	131
Sefton	142
Wirral	119
Bolton	170
Bury	64
Manchester	96
Oldham	93
Rochdale	54
Salford	109
Stockport	158
Tameside	117
Trafford	145
Wigan	74
Barnsley	144
Doncaster	172
Rotherham	108
Sheffield	139

Extract—Section 122 Budget statements (England) 1997–98
Extra amount per pupil which would be made available to schools if all local authorities held back the same percentage as Dudley Metropolitan Borough Council (96.3 per cent. of PSB)

Authority	£
Bradford	111
Calderdale	158
Kirklees	148
Leeds	50
Wakefield	156
Gateshead	217
Newcastle	148
North Tyneside	85
South Tyneside	141
Sunderland	53
Isles of Scilly	141
Bath and North East Somerset	128
Bristol	144
North Somerset	142
South Gloucestershire	158
Hartlepool	103
Middlesbrough	145
Redcar and Cleveland	147
Stockton on Tees	126
Hull	110
East Riding	144
North East Lincolnshire	111
North Lincolnshire	158
North Yorkshire	120
York	131
Luton	118
Milton Keynes	120
Derby City	142
Poole	64
Bournemouth	214
Darlington	162
Brighton and Hove	151
Portsmouth	120
Southampton	80
Leicester City	169
Rutland	103
Stoke-on-Trent	113
Swindon	112
Bedfordshire	62
Berkshire	56
Buckinghamshire	92
Cambridgeshire	160
Cheshire	94
Cornwall	177
Cumbria	78
Derbyshire	135

Extract—Section 122 Budget statements (England) 1997–98
Extra amount per pupil which would be made available to schools if all local authorities held back the same percentage as Dudley Metropolitan Borough Council (96.3 per cent. of PSB)

Authority	£
Devon	105
Dorset	103
Durham	151
East Sussex	117
Essex	125
Gloucestershire	88
Hampshire	108
Hereford/Worcester	118
Hertfordshire	58
Isle of Wight	127
Kent	131
Lancashire	129
Leicestershire	147
Lincolnshire	155
Norfolk	81
Northamptonshire	60
Northumberland	89
Nottinghamshire	137
Oxfordshire	83
Shropshire	84
Somerset	114
Staffordshire	72
Suffolk	75
Surrey	114
Warwickshire	134
West Sussex	130
Wiltshire	132
England	115

Mr. Burstow: To ask the Secretary of State for Education and Employment if he will list by local education authority *(a)* the percentage of their schools budget that is not delegated to schools, *(b)* the amount in *(a)* expressed in pounds per pupil and (c) the amount not delegated to schools allocated for special educational needs expressed in pounds per pupil; and what proportion (c) represents of (b). [26833]

Mr. Byers: The following table gives the information requested as a listing of local education authorities in England for 1997–98. The figures are derived from the budget statements produced by the local education authorities under section 122 of the 1996 Education Act.

Section 122 Budget Statement (England) 1997–98

	Non-delegated total as % of GSB % *(a)*	*GSB less ASB per pupil* £ *(b)*	*All S.E.N. (non-delegated) funding per pupil* £ *(c)*	*Column (c) as % of column (b)* % *(d)*
Corporation of London	35.8	1,657	0	0.0
Camden	33.5	1,283	136	10.6
Greenwich	22.7	690	14	2.1
Hackney	28.4	961	57	5.9
Hammersmith and Fulham	25.3	873	51	5.8
Islington	32.7	1,133	55	4.9
Kensington and Chelsea	27.2	1,050	95	9.0
Lambeth	26.3	929	141	15.2
Lewisham	20.2	604	22	3.7
Southwark	27.6	871	68	7.8
Tower Hamlets	32.9	1,148	106	9.2
Wandsworth	25.8	840	122	14.5
Westminster	30.2	1,040	98	9.5
Barking/Dagenham	30.7	912	111	12.2
Barnet	30.0	858	130	15.1

Section 122 Budget Statement (England) 1997–98

	Non-delegated total as % of GSB % (a)	*GSB less ASB per pupil* £ (b)	*All S.E.N. (non-delegated) funding per pupil* £ (c)	*Column (c) as % of column (b)* % (d)
Bexley	24.3	559	56	10.0
Brent	25.2	722	30	4.2
Bromley	31.6	805	133	16.5
Croydon	28.1	763	77	10.1
Ealing	26.0	720	116	16.2
Enfield	30.5	865	91	10.5
Haringey	34.8	1,149	113	9.8
Harrow	22.5	614	111	18.1
Havering	18.1	429	77	18.0
Hillingdon	21.7	535	25	4.6
Hounslow	27.6	815	43	5.3
Kingston	21.3	499	77	15.4
Merton	18.5	453	111	24.5
Newham	30.3	842	106	12.6
Redbridge	23.5	609	20	3.3
Richmond	17.8	446	101	22.7
Sutton	29.6	821	38	4.6
Waltham Forest	25.5	752	4	0.5
Birmingham	22.4	589	57	9.6
Coventry	24.1	622	58	9.4
Dudley	19.6	447	26	5.8
Sandwell	21.9	510	55	10.9
Solihull	19.8	457	56	12.3
Walsall	23.0	538	61	11.3
Wolverhampton	25.1	602	39	6.5
Knowsley	23.1	573	23	3.9
Liverpool	24.5	592	45	7.5
St. Helens	23.9	574	70	12.1
Sefton	21.0	494	62	12.5
Wirral	24.4	569	52	9.1
Bolton	27.7	656	128	19.6
Bury	21.5	464	19	4.2
Manchester	27.2	696	26	3.7
Oldham	24.3	588	46	7.8
Rochdale	23.4	536	53	10.0
Salford	32.5	863	64	7.4
Stockport	26.8	938	124	13.2
Tameside	34.9	858	52	6.0
Trafford	29.6	668	72	10.8
Wigan	23.4	583	25	4.3
Barnsley	30.5	687	107	15.6
Doncaster	26.6	659	106	16.0
Rotherham	23.6	539	57	10.5
Sheffield	35.2	949	75	7.9
Bradford	35.1	916	103	11.2
Calderdale	32.6	790	115	14.6
Kirklees	28.0	666	74	11.1
Leeds	26.3	675	21	3.1
Wakefield	36.9	957	87	9.1
Gateshead	36.3	1,033	94	9.1
Newcastle	26.0	659	53	8.0
North Tyneside	27.6	685	65	9.6
South Tyneside	26.3	607	63	10.4
Sunderland	21.9	516	53	10.3
Isles of Scilly	25.8	1,164	164	14.1
Bath and North East Somerset	21.4	537	73	13.7
Bristol	22.0	563	43	7.7
North Somerset	29.8	806	77	9.5
South Gloucestershire	23.1	691	102	14.8
Hartlepool	21.1	453	52	11.5
Middlesbrough	25.2	602	63	10.4
Redcar and Cleveland	22.9	522	68	13.1
Stockton on Tees	22.3	510	49	9.6
Hull	22.5	521	52	9.9
East Riding	23.1	563	53	9.3
North East Lincolnshire	21.6	501	49	9.9
North Lincolnshire	26.0	629	58	9.3
North Yorkshire	21.5	511	66	12.9
York	21.0	471	67	14.3

Section 122 Budget Statement (England) 1997–98

	Non-delegated total as % of GSB % *(a)*	*GSB less ASB per pupil* £ *(b)*	*All S.E.N. (non-delegated) funding per pupil* £ *(c)*	*Column (c) as % of column (b)* % *(d)*
Luton	27.0	637	42	6.6
Milton Keynes	30.2	729	60	8.3
Derby City	29.1	628	101	16.2
Poole	28.0	612	68	11.0
Bournemouth	35.4	877	98	11.2
Darlington	23.9	515	85	16.4
Brighton and Hove	25.8	650	94	14.5
Portsmouth	28.6	776	40	5.1
Southampton	19.2	465	24	5.2
Leicester City	24.2	570	98	17.2
Rutland	20.5	442	61	13.8
Stoke-on-Trent	23.6	520	51	9.8
Swindon	24.5	533	79	14.8
Bedfordshire	23.5	556	20	3.7
Berkshire	17.4	394	26	6.5
Buckinghamshire	29.5	739	40	5.5
Cambridgeshire	33.2	826	148	18.0
Cheshire	22.0	515	58	11.3
Cornwall	29.9	745	136	18.3
Cumbria	25.7	600	63	10.6
Derbyshire	30.4	691	100	14.4
Devon	24.7	588	73	12.4
Dorset	20.0	433	58	13.4
Durham	28.1	682	89	13.0
East Sussex	27.2	705	58	8.3
Essex	26.2	628	98	15.7
Gloucestershire	24.9	559	75	13.4
Hampshire	21.4	510	26	5.1
Hereford/Worcester	24.7	577	85	14.7
Hertfordshire	22.5	537	76	14.2
Isle of Wight	21.0	486	90	18.6
Kent	24.3	563	99	17.6
Lancashire	25.5	608	104	17.2
Leicestershire	22.9	533	74	14.0
Lincolnshire	24.2	587	106	18.0
Norfolk	24.6	618	65	10.6
Northamptonshire	23.8	555	32	5.7
Northumberland	24.2	561	68	12.1
Nottinghamshire	26.7	599	59	9.8
Oxfordshire	25.4	625	66	10.6
Shropshire	28.5	703	42	5.9
Somerset	23.5	555	101	18.2
Staffordshire	23.7	527	57	10.7
Suffolk	20.3	480	47	9.8
Surrey	26.7	692	73	10.6
Warwickshire	28.1	687	80	11.7
West Sussex	21.6	510	67	13.1
Wiltshire	28.9	691	80	11.6
England	25.6	633	70	11.0

Examination Papers (Marking)

Mr. Boswell: To ask the Secretary of State for Education and Employment what information his Department collates on the average time taken and payment made for marking *(a)* GCSE examination and *(b)* A-level examination papers. [26393]

Dr. Howells: Data are not collected centrally on the time taken to mark GCSE and GCE A-level examinations. The marking timetable is determined by the need to notify candidates of their results in August each year.

The Department does not collate information on the average payment made for marking. However in 1997, the average fees charged by awarding bodies in respect of GCSE and GCE A-level examination entries were £16 and £29 respectively. These fees include payment to the awarding bodies for the marking of examination papers.

Correspondence

Mr. Allan: To ask the Secretary of State for Education and Employment when he will be sending a substantive reply to the letter from the hon. Member for Sheffield, Hallam dated 27 June 1997 concerning the Astra Group Pension Scheme. [24665]

Dr. Howells: Department for Education and Employment officials are seeking a speedy resolution to the ex-Astra issues, but are still working on the "package" of measures potentially to assist ex-employees of the Department who transferred to Astra. Negotiations also

involve other Departments—including HM Treasury and the Government Actuary's Department—and due partly to the legal complexities involved, these have been protracted.

The precise nature of the package should be agreed soon, and this Department will be contacting the appropriate former employees with details as soon as it is able. The hon. Member will also be informed.

Training (Voluntary Sector)

Mrs. Organ: To ask the Secretary of State for Education and Employment what assessment he has made of the contribution of the voluntary sector to training provision for people with learning disabilities. [24857]

Dr. Howells: There has been no central assessment of the voluntary sector's contribution to training people with learning disabilities.

Training and Enterprise Councils (TECs) are responsible for delivering publicly funded, high quality training programmes, which include provision for people with learning disabilities. It is for TECs to contract appropriately with local providers. The Department and TECs value highly the contribution of the voluntary sector in helping people with learning disabilities take full advantage of training opportunities.

Student Fees

Mr. Hancock: To ask the Secretary of State for Education and Employment (1) what percentage of college fees have been paid in accordance with his Department's deadlines by each local education authority in each of the last three years; [24861]

(2) what percentage of student maintenance awards have been paid on time by each local education authority in each of the last three years. [24862]

Dr. Howells: The Department's guidance to local education authorities is that they should:

pay students the first instalment of their maintenance award at the start of their first term, and further payments at the start of each term after that; and

pay tuition fees direct to universities and colleges on time—either by the dates set in the Education (Mandatory Awards) Regulations or within one month of receiving a valid fee invoice, whichever is later.

The Department does not routinely monitor LEAs' performance against these targets. Some information on mandatory awards is available from the Audit Commission's yearly reports on 'Local Authority Performance Indicators': these include an indicator for the percentage of new mandatory awards paid by each LEA by 10 October each year. Copies of the reports are in the Library.

Mr. Hancock: To ask the Secretary of State for Education and Employment how many inquiries from students and parents concerning student maintenance and fees awards were received by local education authorities in each of the last three years. [24860]

Dr. Howells: This information is not collected centrally.

Mr. Hancock: To ask the Secretary of State for Education and Employment what assessment he has made of the resources required by the Student Support Agency to meet the volume of inquiries currently managed by local education authorities and to deal with them to the same standards. [24859]

Dr. Howells: We have had a preliminary look at this but we have made no detailed assessment of the resources required by a student support agency to meet the volume of inquiries currently managed by local education authorities and to deal with them to the same standards.

I refer the hon. Member to the reply I gave to the hon. Member for New Forest, West (Mr. Swayne) on 22 January 1998, *Official Report*, column *700*, in relation to the future arrangements for the administration of HE student support and to our planned review of options.

Further Education

Mr. Gerrard: To ask the Secretary of State for Education and Employment how many complaints have been made to him under section 57 of the Further and Higher Education Act 1992; what was the subject matter of the complaints; and what was the outcome. [24978]

Dr. Howells: My right hon. Friend receives many representations about the activities of the governing bodies of further education colleges and they are followed up where it seems appropriate to do so. The Department does not maintain a register of all complaints.

Mr. Gerrard: To ask the Secretary of State for Education and Employment (1) what plans he has to amend the regulations concerning governing bodies of further education colleges; [24974]

(2) what plans he has to include representatives of local education authorities on the governing bodies of further education colleges; [24975]

(3) what plans he has to ensure that staff and students are represented on the governing bodies of further education colleges. [24976]

Dr. Howells: My right hon. Friend the Secretary of State expects to announce his plans for the future constitution of governing bodies of further education colleges in the forthcoming White Paper on Lifelong Learning.

Mr. Gerrard: To ask the Secretary of State for Education and Employment how many governors have been removed from the governing bodies of further education colleges as a result of being found unfit to serve; and what were the reasons for these findings. [24977]

Dr. Howells: Decisions on whether a Member of a governing body is unfit are matters for the governing body. The Department does not collect such information.

Mr. Gerrard: To ask the Secretary of State for Education and Employment if he proposes to exempt participants on further education teacher training courses from the payment of tuition fees. [24979]

Dr. Howells: The £1,000 tuition fee contribution to be introduced for new students in 1998–99 will not apply to students on courses of initial teacher training, including courses for further education teachers, other than students

on a BEd, BA or BSc degree course. This reflects the importance which the Government attach to enhancing the quality of teaching and encouraging the effective training of teachers.

Special Education Provision

Mr. Martin Bell: To ask the Secretary of State for Education and Employment if the Green Paper on special educational provision existed in draft form when he took office. [24980]

Ms Estelle Morris: No: the Green Paper drew on the Labour Party's consultation document, 'Every Child is Special', published in March 1997. The Green Paper was drafted in the period July to October last year, in consultation with the National Advisory Group on Special Educational Needs.

Class Sizes

Mr. Amess: To ask the Secretary of State for Education and Employment what progress has been made in reducing classroom sizes in Southend since 31 July. [25266]

Mr. Byers: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Pudsey (Mr. Truswell) on 29 January 1998, *Official Report*, column *370*.

Veterinary Students

Mr. Clappison: To ask the Secretary of State for Education and Employment what estimate he has made of the proceeds which will be received by Her Majesty's Treasury as a result of the imposition of tuition fees on veterinary students under his proposals for the funding of higher education. [25513]

Dr. Howells: Under the new higher education funding system being introduced from 1998–99 universities and colleges will receive £1,000 for every home or EU full-time undergraduate new entrant—from the student and/or from the local authority depending on income assessed. We estimate that this will amount to around £130 million in England in 1998–99, after allowance has been made for costs of some 5 per cent. for collection and any default. This includes tuition fees for new veterinary undergraduates.

The Government have made it clear that the savings from the introduction of tuition fees would be used to improve quality, standards and opportunity for all in further and higher education. For 1998–99 we have announced an extra £165 million for higher education to spend, including a total of £129 million for higher education institutions.

Mr. Clappison: To ask the Secretary of State for Education and Employment how many veterinary students are currently in receipt of *(a)* full and *(b)* part maintenance grants. [25518]

Dr. Howells: Information on the subject of study of award holders is not collected centrally.

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to the letter of 9 January from the Parliamentary Under-Secretary of State for Education and Employment, the hon. Member for Pontypridd (Dr. Howells), what estimate he has made of the extent of the deficit in veterinary graduates qualifying from United Kingdom veterinary schools. [25517]

Dr. Howells: Veterinary graduates are employed largely in private practice and the Government do not attempt to forecast demand for them or to estimate whether supply does or does not meet requirements. However, the increase in the numbers of overseas registrations as shown by the Royal College of Veterinary Surgeons' registration statistics suggests that demand for veterinary graduates in the UK is not being met from UK registered graduates.

Registered Veterinary Graduates

Year	*UK*	*Commonwealth, foreign and EU*	*Total*
1995	369	469	838
1996	384	531	915

The Royal College of Veterinary Surgeons is currently conducting a survey to gauge the needs of the profession in future years.

Mr. Clappison: To ask the Secretary of State for Education and Employment what research he has conducted into the manpower demand of the public sector for graduates in veterinary medicine. [25516]

Dr. Howells: Most veterinary graduates are in private practice. Neither this Department nor the Ministry of Agriculture, Fisheries and Food conducts research into, or attempts to forecast, public sector demand for veterinary graduates. The Royal College of Veterinary Surgeons conducts periodic labour market research to gauge the needs of the profession.

Mr. Clappison: To ask the Secretary of State for Education and Employment (1) what research he has *(a)* commissioned and *(b)* evaluated into the levels of indebtedness likely to be experienced by graduates and students of veterinary medicine as a result of his proposals for the funding of higher education; [25514]

(2) if he will estimate the total cost, including tuition fees and maintenance, of a five year veterinary course for students with a family income of *(a)* less than £23,000 per annum, *(b)* between £23,000 and £35,000 per annum and *(c)* over £35,000 per annum under his proposals for the funding of higher education. [25515]

Dr. Howells: The amount that a student of veterinary medicine will be able to borrow under the student loans scheme will depend on a variety of factors including the length of the course, the place of study, and the student's and his or her parents' or spouse's income. A student

completing a five year course who began studying in 1999 and took out the full loan available each year might expect to have borrowed a total of between £13,205 and £17,255 in 1998 prices, depending on his or her individual, parental or spouse's income.

The level of monthly repayments that graduates will be expected to make will depend entirely on their incomes. In this respect the position of veterinary students will be no different from that of students of any other discipline. The Government have not, therefore, seen the need to commission specific research into the effects of their proposals on veterinary students.

The following table indicates in 1998 prices the contributions to fees and maintenance that parents would be expected to make, where their income was taken into account, for each year of a five year course outside London. Similar scales apply to spouses where appropriate. No parent or spouse will be expected to contribute more under the new arrangements to the cost of fees and maintenance combined than they would contribute to the cost of maintenance alone under the existing arrangements.

£

Income[1]	*Annual parental contribution to fees*	*Annual parental contribution to maintenance*	*Maximum loan available to student for full year*
Low income	0	0	3,545
Middle income	1,000	0	3,545
High income	1,000	810	2,735

[1] The contribution parents are expected to make will depend, as now, on their *residual income*, rather than gross income. The total incomes to which the residual income figures correspond will vary according to individual circumstances. The residual income below which no contribution is expected ("low income") is £16,945: on average this might equate to a total income of around £23,000. The residual income at which parents will be expected to contribute the full £1,000 towards fees ("middle income") is £27,119, which on average might equate to a total income of around £35,000. The residual income at which the maximum contribution towards fees and maintenance is expected ("high income") is £34,068. Contributions between these points are on a sliding scale.

Further and Higher Education (Cornwall)

Ms Atherton: To ask the Secretary of State for Education and Employment what developments to increase the provision of further and higher education he plans in Cornwall. [25627]

Dr. Howells: My right hon. Friend announced last November additional funding for further education totalling £83 million. The allocation of funding to individual colleges is the responsibility of the Further Education Funding Council for England, who have a duty to ensure that adequate and sufficient provision is made.

In respect of higher education it is for the Higher Education Funding Council for England, in partnership with institutions, to consider the provision of higher education in Cornwall having regard to national needs.

New Deal

Mr. Willetts: To ask the Secretary of State for Education and Employment what discussions his Department has had with the European Commission on the compatibility of the unemployment subsidy in the new deal with EU competition policy. [26224]

Mr. Andrew Smith: The European Commission's guidelines on aid to employment published in 1995 make clear that the Commission is generally sympathetic towards measures which are intended to encourage firms to recruit individuals who have difficulty finding work.

Officials from the Department will be meeting officials from the Commission to inform them about the new deal and answer any questions the Commission may wish to raise.

Mr. Willetts: To ask the Secretary of State for Education and Employment when the Government proposes to extend the new deal from 18 to 24-year-olds to 25 to 34-year-olds. [26226]

Mr. Andrew Smith: I announced on 5 January that we would develop pilots, for introduction in the autumn, with a view to extending the new deal to people over 25 who have been unemployed for a year or 18 months. These will need to be thoroughly evaluated before decisions can be taken on the time or nature of a full extension.

Written Answers to Questions

Tuesday 3 February 1998

TREASURY

Labour Market Statistics

Ms Lawrence: To ask the Chancellor of the Exchequer what changes are planned to labour market statistics. [27823]

Mr. Willetts: To ask the Chancellor of the Exchequer when the Government expects to publish the conclusions of the Office of National Statistics review of unemployment statistics. [27185]

Mrs. Liddell: The Office for National Statistics is announcing today a new approach to the presentation of labour market statistics following widespread public consultation. This will deliver a more rounded assessment of the UK's increasingly complex labour market.

From April, one news release a month will present a coherent picture of the labour market. It will use all available statistics. There will be no change to any definition of unemployment. But greater weight than previously will now be given to the Labour Force Survey which uses internationally agreed definitions as recommended by the International Labour Organisation. The release will focus on people in employment, on unemployed people who are seeking work and, people who are economically inactive. All three sectors are equally important in understanding the labour market.

The programme of improvements is designed to make labour market statistics both user relevant and user friendly, and includes: an extension of the range of indicators on a monthly basis; LFS information will be released every month as an average of the latest three months' data; for the first time whole economy employment and ILO unemployment statistics will be published monthly on a consistent basis; the publication of labour force survey data on a UK basis; the incorporation of labour force survey data in the regional labour market first releases; the publication of new indicators relating to jobs and businesses derived from employers' survey; improved earnings data to reduce the number of revisions.

The ONS will be organising a series of workshops and seminars. These will build on recently published articles explaining how the various statistical measures inter-relate.

The announcement follows an extensive period of consultation with data users. Independent academic experts have been consulted about changes to the methodology ONS uses in producing its labour market statistics.

Personal Tax Allowance

Mr. Prior: To ask the Chancellor of the Exchequer if he will estimate the total reduction in annual tax revenue, if the personal tax allowance was increased to £10,000. [26528]

Dawn Primarolo: The estimated cost at 1998–99 levels of increasing both the non-aged personal allowance and the aged personal allowance to £10,000 is £29 billion.

Bank of England

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what assessment Her Majesty's Government have made of the argument advanced by the Bank of England in the papers circulated at the symposium from 20 January on the application of regulations stemming from Article 109I of the Maastricht Treaty to the United Kingdom and their treatment by English courts; and if he will make a statement. [26720]

Mrs. Liddell *[holding answer 2 February 1998]:* I refer the hon. Member to the answer I gave him on 27 January 1998, *Official Report*, column *158*.

Far East (Economic Instability)

Mr. Redwood: To ask the Chancellor of the Exchequer (1) what has been the cost to United Kingdom public funds of support to Asia in respect of the recent economic problems; [26382]

(2) if he will list the total cost to UK public funds of financial aid to the Far East arising from economic instability. [27061]

Mrs. Liddell *[holding answer 30 January 1998]:* To date, there has been no direct cost to the Exchequer of support to Asia in respect of the recent financial difficulties. The UK contribution to the financial assistance provided to several Asian countries has been through loans from the international financial institutions.

Pensions

Mr. Fallon: To ask the Chancellor of the Exchequer how many senior staff employed on short-term contracts with regulatory bodies established under the Financial Services Act 1986 are entitled to the full benefits of the public service final year salary pension scheme; and for what reasons they are so entitled. [26484]

Mrs. Liddell: There are no senior staff working in the Financial Services Authority or any of the Self-Regulatory Organisations who are entitled to benefits under the Principal Civil Service Pension Scheme.

Personal Investment Authority

Mr. Fallon: To ask the Chancellor of the Exchequer on what date the Chief Executive of the Personal Investment Authority gave notice of her resignation; on what date it took effect; what was the basis of her financial settlement with the Authority; and what would have been the saving to public funds if she had been paid within the strict terms of her contract. [26486]

Mrs. Liddell: The Personal Investment Authority is a private body. No public funds are involved.

Individual Savings Accounts

Mr. Cousins: To ask the Chancellor of the Exchequer if lone parents will be allowed to hold ISAs in excess of £50,000 in the event of transfer of savings or resources from an absent parent as part of a divorce or separation settlement. [22972]

Mr. Geoffrey Robinson: No such proposal is included in the consultative document on the individual savings account (ISA) published on 2 December.

Mr. Fallon: To ask the Chancellor of the Exchequer if the holder of the new individual savings account who invests up to the proposed £50,000 limit and whose investment increases beyond the limit will be able to withdraw the excess and re-invest it irrespective of the limit on annual contributions. [26235]

Mr. Geoffrey Robinson: The £50,000 overall limit for the ISA is a limit on contributions. An ISA will be able to grow to over £50,000 and full tax relief will be given on it. As proposed, any amounts withdrawn from the ISA will be able to be re-invested subject to the annual and overall investment limits.

Mr. Fallon: To ask the Chancellor of the Exchequer if he will estimate the revenue implications if *(a)* 50 per cent. and *(b)* 75 per cent. of those holding more than £50,000 in TESSA and PEP investments transferred into the new individual savings account transferred the excess into tax-favoured national savings products. [26232]

Mr. Geoffrey Robinson: The cost would depend on the amounts individuals held above the proposed £50,000 overall investment limit for individual savings accounts, and the extent to which they were able to take advantage of the different limits for the various tax favoured national savings products.

Dr. Cable: To ask the Chancellor of the Exchequer what steps he has taken to establish the level of savings providers' proposed administrative and selling charges to savers of up to *(a)* £100, *(b)* £250 and *(c)* £1,000 per annum under the ISA scheme. [25226]

Mr. Geoffrey Robinson: Charges will depend on the final form of the scheme. In designing the ISA we have sought to replicate so far as possible existing PEP and TESSA procedures, and we intend to keep costs to providers as small as possible.

Dr. Cable: To ask the Chancellor of the Exchequer what plans he has to recruit additional staff in the Inland Revenue to administer the ISA scheme. [25231]

Mr. Geoffrey Robinson: The number of staff required by the Inland Revenue will depend on the final form of the scheme.

Mrs. Lait: To ask the Chancellor of the Exchequer how much tax the Treasury expects to forgo annually with the introduction of ISAs and what tax has been forgone on an annual basis since the introduction of PEPs and TESSAs. [22570]

Mr. Geoffrey Robinson: The Government are planning to spend at least as much on the introduction of individual savings accounts as on PEPs and TESSAs, and have budgeted accordingly. The estimated annual costs of PEPs and TESSAs since their introducion are as follows.

£ million

Year	*PEPs*[1]	*TESSAs*	*Total*
1986–87	Negligible	—	Negligible
1987–88	5	—	5
1988–89	15	—	15
1989–90	20	—	20
1990–91	65	25	90
1991–92	120	200	320
1992–93	170	250	420
1993–94	230	300	530
1994–95	325	350	675
1995–96	450	450	900
1996–97[2]	600	350	950
1997–98[2]	800	450	1,250

[1] Including the CGT cost of capital gains within personal equity plans.
[2] Provisional.

Economic and Monetary Union

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list the amendments required to legislation on *(a)* banknotes and *(b)* the Bank of England in the event of the UK adhering to stage 3 of EMU. [26071]

Mrs. Liddell: Under Article 105a(1) of the Treaty (Article 16 of the ESCB Statute) the Governing Council of the ECB has the exclusive right to authorise the issue of banknotes within the Community. The ECB and the national central banks may issue such notes. Banknotes issued by the ECB and the national central banks shall be the only such notes to have the status of legal tender within the Community. In the event of the UK proceeding to Stage Three of EMU, Article 105a(1) would apply to the UK.

The Treaty requirements for central banks in Stage Three of economic and monetary union are described in Articles 107 and 108 of the Treaty and in the ESCB Statute (Protocol No. 3 to the Treaty). In the event of the UK joining EMU, national legislation, including the Statutes of the Bank of England, would have to be made compatible with the Treaty and the Statute. The Bank of England would also have to meet the Treaty specification for central bank independence.

Own Share Purchases

Mr. Gibb: To ask the Chancellor of the Exchequer how many public limited companies bought back their own shares between *(a)* 1 July and 31 December 1997, *(b)* 1 July and 31 December 1996 and *(c)* 1 July and 31 December 1995. [22892]

Mr. Geoffrey Robinson: Companies House does not record share buy-backs by type of company. The London Stock Exchange records "purchases of own securities" by listed companies, but these include other securities as well as shares.

Companies House does not provide a break-down by type of company for those who have bought back their own shares. It does, however, have a form ("Section 169") which a company is required to return to Companies House when it undertakes the purchase of its own shares.

Total returns from all companies (including private as well as public limited companies) recorded under "Section 169s", for the dates asked for were as follows:

1 July–31 December 1997: 1,610

1 July–31 December 1996: 1,349

1 July–31 December 1995: 1,470.

The London Stock Exchange records the number of announcements made by listed companies identified as "purchases of own securities". These include other securities as well as shares. The announcements for the dates asked for were as follows:

1 July–31 December 1997: 576

1 July–31 December 1996: 306

1 July–31 December 1995: 228.

Civil Servants

Mr. Forth: To ask the Chancellor of the Exchequer how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26918]

Mrs. Liddell: The information requested is as follows in respect of Treasury officials:

(a) one has resigned;

(b) none have retired before pensionable age; and

(c) two have moved to different responsibilities within the department.

All are responsible to the Chancellor of the Exchequer.

Heavily Indebted Poor Countries Initiative

Dr. Tonge: To ask the Chancellor of the Exchequer if he will make a statement on progress to date in implementing the Highly Indebted Poor Countries Initiative. [27170]

Mrs. Liddell: The Executive Boards of the International Monetary Fund and the World Bank have reached decisions on the timing and scale of relief for four countries under the Heavily Indebted Poor Countries Initiative. Uganda will be provided with relief in April this year. Bolivia will benefit in September, and Guyana will be the third beneficiary in December. Agreement has also been reached that Burkina Faso will be granted HIPC relief in April 2000 if it too continues with its IMF-backed economic reform programmes. Decisions by the Boards in favour of granting HIPC relief to Mozambique, Cote d'Ivoire, Mali and Mauritania are expected to be made soon.

National Register of Assets

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what assets have been identified in the National Register which are surplus to requirements; and what is the timetable for their disposal. [26808]

Mr. Geoffrey Robinson: It will be for each department individually, as part of the Comprehensive Spending Review, to identify those assets which are surplus to requirements and make arrangements for their disposal.

TESSAs and PEPs

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate (i) the revenue forgone in the operation of *(a)* PEPs and *(b)* TESSAs in each full year of their existence, (ii) the take up of TESSAs and PEPs in (1) each decile of income and (2) each region and nation of the United Kingdom and (iii) the revenue forgone in respect of CGT separately. [23659]

Mr. Geoffrey Robinson: Available information is in the tables. The regional distribution of take-up is based on current estimates that about 4½ million people have a TESSA, and over 3 million people have one or more PEP, representing 10 per cent. and 8 per cent. of the UK adult population respectively.

Estimated cost of tax relief for PEPs and TESSAs

£ million

Year	*PEPs*			*TESSAs*
	Income tax	*CGT*	*Total*	
1986–87	neg	neg	neg	—
1987–88	5	neg	5	—
1988–89	15	neg	15	—
1989–90	20	neg	20	—
1990–91	45	20	65	25
1991–92	90	30	120	200
1992–93	120	50	170	250
1993–94	140	90	230	300
1994–95	200	125	325	350
1995–96	300	150	450	450
1996–97[1]	400	200	600	350
1997–98[1]	500	300	800	450

[1] Provisional.

neg = negligible.

Per cent.

Region	*Estimated regional take-up[1] of*	
	TESSAs	*PEPs*
United Kingdom	10	8
England	11	8
North	10	7
North West	9	7
Yorkshire and Humberside	11	7
East Midlands	10	6
West Midlands	10	7
East Anglia	12	9
South East	11	9
South West	10	10
Wales	10	7
Scotland	8	7
Northern Ireland	10	5

[1] Based on the population aged 18 and over.

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the number of void *(a)* PEPs and *(b)* TESSAs identified in each year of the last three years and the average number of years of tax liability recovered in respect of each void PEP or TESSA. [23658]

Mr. Geoffrey Robinson: Numbers of PEPs and TESSAs made void because the holder had subscribed to more than one PEP or TESSA in a tax year are as follows:

	PEPs	*TESSAs*
1994–95	1,118	1,406
1995–96	1,028	473
1996–97	1,954	905

Figures for PEPs and TESSAs made void for other breaches of the PEP and TESSA Regulations, and for the average number of years of tax liability recovered, are not available.

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the distribution of (i) TESSA and (ii) PEP holders and the tax revenue forgone to those holders amongst the regions and nations of the United Kingdom. [23660]

Mr. Geoffrey Robinson: Regional distributions of PEP and TESSA holders based on Inland Revenue records for 1995–96 are given in the table. The value of funds held in TESSAs follows the same pattern as the distribution of holders, and the regional distribution of the cost of tax relief is expected to be broadly similar. The regional distribution of the value of funds held in PEPs is not available from Inland Revenue records.

Per cent.

Region	*Regional distribution of holders of*	
	TESSAs	*PEPs*
United Kingdom	100	100
England	86	86
North	5	4
North West	10	10
Yorkshire and Humberside	9	7
East Midlands	7	6
West Midlands	9	8
East Anglia	4	4
South East	34	36
South West	8	11
Wales	5	4
Scotland	7	8
Northern Ireland	2	2

Earnings

Ms Squire: To ask the Chancellor of the Exchequer (1) if he will list the average weekly earnings *(A)* including and *(B)* excluding overtime for part-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain, broken down for men and women in (i) manual employment, (ii) non-manual employment and (iii) in total; [27331]

(2) if he will list the proportion of full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain with hourly gross earnings (A) including and (B) excluding overtime below (i) £6.61, (ii) £6.15 (iii) £4.61 and (iv) £3.80 broken down by (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers; [27328]

(3) if he will list the percentage of workers on adult rates of pay in part-time employment whose hourly earnings (A) including and (B) excluding overtime pay are less than (i) £4.61 per hour, (ii) £6.15 per hour, (iii) £6.60 per hour and (iv) average weekly earnings in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain, broken down by (1) male manual, (2) male non-manual (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers (7) all manual, (8) all non-manual and (9) all workers; [27330]

(4) if he will list the percentage of full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain earning in gross (A) including and *(b)* excluding overtime less than (i) £249.97 per week, (ii) £233.13 per week and (iii) £174.85 per week broken down by (1) male manual (2) male non-manual, (3) all male workers, (4) female manual, (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers; [27327]

(5) if he will list the average gross weekly earnings (i) including and (ii) excluding overtime for full-time workers in *(a)* Scotland, *(b)* each of the unitary local authority areas in Scotland and *(c)* Great Britain for (1) all manual, (2) all non-manual and (3) all workers; [27326]

(6) if he will list for *(a)* Scotland, and *(b)* each of the unitary local authority areas in Scotland and (1) average weekly earnings, (2) weekly median earnings and (3) the distribution of earnings for those earning *(a)* under the point below which 10 per cent. of earners fall, *(b)* the point above which 10 per cent. of earners exceed, broken down by (i) manual, (ii) non-manual and (iii) all workers. [27329]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Rachel Squire, dated 3 February 1998:

The Chancellor of the Exchequer has asked me to reply, as the Director of the Office for National Statistics, to your recent questions (27326, 27327, 27328, 27329, 27330 and 27331) on earnings in the unitary local authority areas in Scotland, Scotland as a whole and in Great Britain.

The information requested can only be provided at disproportionate cost. There is a considerable amount of data available in the House of Commons library. This provides various distribution ranges of hourly earnings excluding overtime, by location. Areas covered range from parliamentary constituencies and local authority districts to Government Office regions and Great Britain.

Lone Parents

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the numbers of lone parents in *(a)* 1980, *(b)* 1985, *(c)* 1990 and *(d)* 1995 in each region and nation, together with an estimate of what proportion of families with children such lone parents represent; and what proportion are (i) under 18 years, (ii) under 25 years, (iii) 26 to 40 years and (iv) 40 years and above. [26942]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Jim Cousins, dated 3 February 1998.

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS), to your question on numbers of lone parents.

Estimates of the number of lone parents are not regularly available by region and nation, although estimates of the number of one-parent families with dependent children, OPFs, in Great Britain have been made:

	1980	*1985*	*1990*	*1995*
Number of OPFs (thousands)	830	970	1,230	[1]1,570
OPFs as a percentage of all families with dependent children	12	14	18	22

[1] Provisional estimate.

Estimate of the numbers of one-parent families in the countries, regions, and counties of Great Britain in 1991, derived from census data, were published in *Population Trends*, 78 (Table 8, page 15)—a copy of which is available in the House of Commons Library.

The available information on the age profiles of lone parents is as follows (based on 1992–95 data for Great Britain):

Percentages

Age group	*Lone mothers*	*Lone fathers*
16–19	2	1
16–24	16	2
25–39	59	34
40–59	25	64

Under-fives

Mrs. Gillan: To ask the Chancellor of the Exchequer how many children under five years of age there are in the United Kingdom; and what are the projections for such numbers in *(a)* 1998, *(b)* 1999 and *(c)* 2000. [27073]

Mrs. Liddell *[holding answer 2 February 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mrs. Cheryl Gillan, dated 3 February 1998:

The Chancellor of the Exchequer has asked me, as Director of the Office for National Statistics (ONS), to reply to your recent question on the number of children under five years of age.

There were an estimated 3.763 million children aged under five in the United Kingdom in 1996. The Government Actuary's 1996-based projections are for (a) 3.673 million in 1998, (b) 3.631 million in 1999 and (c) 3.611 million in 2000.

Government Surveys

Mr. Swinney: To ask the Chancellor of the Exchequer what use is made of (i) computer-aided personal interviewing and (ii) remote telephone or postal interviewing in *(a)* the Family Expenditure Survey, *(b)* the Family Resources Survey, *(c)* the British Household Panel Survey, *(d)* the New Earnings Survey, *(e)* the General Household Survey, *(f)* the Social Attitudes Survey and *(g)* other government surveys. [26086]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. John Swinney, dated 3 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on types of interviewing used in surveys.

All main interviewing on the Family Expenditure Survey, the Family Resources Survey and the General Household Surveys are carried out by computer assisted personal interview (CAPI). Neither telephone nor postal methods are used on any of these surveys except occasionally to follow up queries or to carry out routine probity checks. Telephone interviewing is used for interviewing on waves 2–5 of the Labour Force Survey wherever possible although the initial wave is carried out by CAPI. Most other surveys carried out by ONS are done by CAPI. The main exceptions are the National Food Survey and the International Passenger Survey. From time to time there are also some ad hoc surveys for which the most appropriate design involves telephone or postal interviewing methods.

The New Earnings Survey is carried out by postal questionnaire to employers. At present there is no use of CAPI and there are no plans to introduce it in the immediate future.

Information regarding the British Household Panel Survey can be obtained from Nick Buck (01206 873 066) at the ESRC Research Centre on Micro-Social Change at the University of Essex.

The Social Attitudes Survey is conducted independently by Social and Community Planning Research. Information regarding the survey can be obtained from Lindsay Brook (0171 250 1866) at Social and Community Planning Research.

Economically Inactive People

Ms Perham: To ask the Chancellor of the Exchequer what estimate he has made of the number and proportion of people of working age who are economically inactive who are aged *(a)* 25 or under, *(b)* 26 to 45, *(c)* 46 to 54, *(d)* 55 to 59 and *(e)* 60 to 65 years who are (i) available for work, (ii) long-term sick/disabled, (iii) looking after family home, (iv) carers, (v) students, (vi) early retired and (vii) other. [26185]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Linda Perham, dated 3 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on those who are economically inactive.

The latest estimates from the quarterly Labour Force Survey are shown in the table. Please note that the age groups shown are slightly different from those requested in order to be consistent with standard age groups. For example the upper age band has been taken as 60–64 (and refers only to men) because men aged 65 and all women aged 60 and above are over working age.

Inactivity by age and whether available to start work within two weeks

Great Britain

		Age				
	All working age[1]	*16–24*	*25–44*	*45–54*	*55–59*	*60–64 (men)*
Total economically inactive (thousands)	7,174	1,452	2,670	1,360	1,059	635,000
of which						
Available	741	189	317	116	66	52

Inactivity by age and whether available to start work within two weeks

Great Britain

	All working age[1]	Age 16–24	25–44	45–54	55–59	60–64 (men)
Not available[2]	6,434	1,262	2,352	1,244	993	583
Long term sick/disabled	1,988	73	548	600	473	295
Looking after family/home	2,266	254	1,424	377	194	17
Students	919	767	140	12	[3]—	[3]—
Retired	477	[3]—	[3]—	54	191	232
Others	779	168	239	202	132	38
Total inactive (per cent.)	100	100	100	100	100	100
of which						
Available (per cent.)	10.3	13.0	11.9	8.6	6.3	8.2
Not available[2] (per cent.)	89.7	87.0	88.1	91.4	93.7	91.8
Long term sick/disabled (per cent.)	27.7	5.0	20.5	44.1	44.7	46.4
Looking after family/home (per cent.)	31.6	17.5	53.4	27.7	18.3	2.6
Students (per cent.)	12.9	52.8	5.2	0.9	[3]—	[3]—
Retired (per cent.)	6.7	[3]—	[3]—	3.9	18.1	36.6
Others (per cent.)	10.9	11.6	9.0	14.8	12.4	6.0

[1] Working age is defined as men age 16–64 and women aged 16–59.
[2] Not available to start work in the next two weeks including a few people who could not state whether or not they are available. Includes all those not wanting work.
[3] Sample size too small for reliable estimate.
Source:
Labour Force Survey, summer 1997.
Carers, defined here are those who are inactive because they look after a dependent adult, are a subset of those looking after family/home. Information about carers is only collected in the autumn LFS. In autumn 1996 in Great Britain an estimated 6 per cent. of those who were unavailable for work because they are looking after family/home were carers.

ATTORNEY-GENERAL

Child Prostitution

Mr. Sheerman: To ask the Attorney-General what was the cost of prosecuting children under the age of 16 years for soliciting in the last year for which figures are available. [26167]

The Attorney-General: The information sought is recorded only on individual case files and is not collected or collated centrally. This information requested could therefore be collected by the Crown Prosecution Service only at disproportionate cost. Home Office statistics from 1989 and 1994 show a decline in convictions for this offence in the 14 to 17 year old age group.

Mr. Sheerman: To ask the Attorney-General if he will cease the prosecution of children under the age of 16 years who engage in prostitution; and if he will make a statement. [26168]

The Attorney-General: Prostitution itself is not a criminal offence. However, a person who loiters or solicits for the purposes of prostitution does commit a criminal offence. The overriding principle is that the young person is protected from harm. In such cases the public interest may require the prosecution of a young person who persistently and voluntarily returns to prostitution. Each case is considered on its own merits.

PRIME MINISTER

Ministerial Visits

Mr. Wilshire: To ask the Prime Minister if he will make it his policy to use the same definition of partner when deciding whether a Minister can be accompanied on an overseas visit at public expense by someone other than his or her spouse as is used in immigration cases. [25866]

The Prime Minister *[holding answer 27 January 1998]:* No. Where a Minister wishes to be accompanied on an overseas visit at the public expense it must be for official purposes; it must be in the public interest; and it must receive my prior approval.

Mr. Forth: To ask the Prime Minister if he will state, for the purpose of authorisation of ministerial travel, the definition of partner. [26691]

The Prime Minister: The key principle governing travel remains the same as that which applied under the previous Administration: anyone who accompanies a Minister at a cost to the public purse, be they spouse, partner or official, must do so for official purposes; it must be in the public interest; and it must be with my prior approval. The Government will continue to adhere to this principle.

Mr. Wilshire: To ask the Prime Minister when permission was first given under paragraph 83 of the Ministerial Code for someone not married to a Minister making an overseas trip to accompany him or her at public expense. [25772]

The Prime Minister *[holding answer 27 January 1998]:* It is not the practice to disclose details of Ministerial correspondence.

Security and Intelligence Services

Mr. Baker: To ask the Prime Minister for what reason he does not identify budget heads separately for MI5, MI6 and GCHQ within the Cabinet Office (Security and Intelligence Services) Class XVIII Vote 2. [26281]

The Prime Minister *[holding answer 29 January 1998]:* The individual budgets for the Intelligence and Security Agencies have not been identified within the Single Intelligence Vote for reasons of national security. I keep this under review.

Special Advisers

Mr. Tyrie: To ask the Prime Minister how many career civil service posts have been filled by special advisers since 1 May 1997. [26938]

The Prime Minister: Two Special Advisers in my office—Jonathan Powell and Alastair Campbell—are employed under the terms of the amended Civil Service Order in Council allowing them to undertake some duties which would previously have been performed by career civil servants.

Green Ministers

Mr. Baker: To ask the Prime Minister if he will ensure that the Minister responsible for co-ordinating the green Ministers is a member of the Cabinet. [26788]

The Prime Minister *[holding answer 2 February 1998]:* My right hon. Friend the Secretary of State for the Environment, Transport and the Regions leads our "greening Government" initiative, and chairs the Cabinet Committee on the Environment.

Correspondence

Sir Teddy Taylor: To ask the Prime Minister, pursuant to his answer of 26 January 1998, *Official Report*, column 67, relating to the letter sent to him by Mr. Graham Horwood of 66 St. Andrews Road, Shoeburyness, on 17 August 1997, when the letter was forwarded to the Minister for Science, Energy and Industry; and when a reply was sent by that Minister to Mr. Horwood. [26509]

The Prime Minister *[holding answer 2 February 1998]:* The letter was inadvertently forwarded to the Department for the Environment, Transport and the Regions before being passed to the Department of Trade and Industry for reply at official level. Unfortunately, there is no record of receipt of this letter, but action was initiated on receipt of Mr. Horwood's later letter and I understand a response has been sent.

European Council Meetings

Mr. Flight: To ask the Prime Minister what representations he has received from other member states concerning note-keeping procedures at European Council meetings. [27258]

The Prime Minister: None.

HOME DEPARTMENT

Police Grant

Mr. Cawsey: To ask the Secretary of State for the Home Department how he plans to allocate police grant in 1998–99. [27704]

Mr. Straw: I laid before the House yesterday the Police Grant Report (England and Wales) 1998–99 (HC 492). The Report sets out my determination for 1998–99 of the aggregate amount of grants that I propose to pay under section 46(2) of the Police Act 1996, and the amount to be paid to each police authority including the Receiver for the Metropolitan Police District.

Allocations for each police authority are set out in the table. The table also shows allocation approved by Parliament for 1997–98.

£ million

Police authority	*1997–98 allocation*[1]	*1998–99 allocation*[1]
English Shire forces		
Avon and Somerset	158.7	164.3
Bedfordshire	58.9	60.9
Cambridgeshire	68.2	71.9
Cheshire	101.1	104.7
Cleveland	75.2	80.4
Cumbria	58.6	59.0
Derbyshire	95.3	97.7
Devon and Cornwall	158.6	167.4
Dorset	66.6	67.8
Durham	73.3	78.1
Essex	155.9	158.4
Gloucestershire	60.1	61.5
Hampshire	180.0	189.1
Hertfordshire	92.4	94.1
Humberside	105.9	110.6
Kent	168.5	178.9
Lancashire	167.7	174.9
Leicestershire	97.3	99.1
Lincolnshire	61.5	60.7
Norfolk	78.1	80.9
North Yorkshire	71.9	75.6
Northamptonshire	60.0	62.8
Nottinghamshire	119.3	123.0
Staffordshire	111.8	111.1
Suffolk	63.4	66.0
Surrey	91.8	84.2
Sussex	155.2	162.6
Thames Valley	208.2	219.3
Warwickshire	50.6	51.1
West Mercia	106.3	110.0
Wiltshire	62.2	63.4
English Metropolitan forces		
Greater Manchester	351.2	364.8
Merseyside	227.3	233.3
Northumbria	193.4	205.4
South Yorkshire	158.8	165.4
West Midlands	353.4	371.9
West Yorkshire	267.5	279.5
London forces		
Metropolitan Police[2]	1,688.0	1,715.3
City of London[3]	61.6	57.1
English total	6,483.9	6,682.6
Welsh forces		
Dyfed-Powys	49.9	51.1
Gwent	64.5	67.3
North Wales	71.2	73.2
South Wales	155.1	161.3
Welsh total	340.8	353.0
Total	6,824.7	7,035.5

[1] Rounded to the nearest £100,000. The Allocation is the sum of all police grant, SSAs and damping grant.

[2] Figure for the Metropolitan Police does not include funding allocated to the Receiver under the Other Services Block SSA for school crossing patrols, Magistrates' Courts and the Probation Service.

[3] Figure for the City includes Police SSA and Grant, but excludes other SSAs e.g. Capital Financing which are allocated to the Common Council of the City of London as a whole in respect of all its functions.

Rohypnol

Mr. Flynn: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of rapes in 1997 which involved the drug Rophypnol. [26469]

Mr. George Howarth: There are insufficient data on which to make such an estimate.

Parliament (State Opening)

Mr. Flynn: To ask the Secretary of State for the Home Department what were the costs of policing the state opening of Parliament in each of the last five years; and how many police manpower hours were used. [26477]

Mr. Michael: The policing costs for the state opening of Parliament for 1993 are not available. The policing costs for 1994 to 1997, at current rates, are as follows:

	£	*Police manhours*
1997	376,328	14,712
1996	345,293	13,384
1995	350,390	13,536
1994	350,709	13,544

These costs reflect the direct opportunity policing costs incurred on the day. They exclude the costs incurred by the Metropolitan Police in providing the permanent security service within the grounds and buildings of the Palace of Westminster but include an estimate of the overtime costs incurred by these officers. They also include catering costs and erection of barriers. They do not include the opportunity costs involved with pre-event planning and post-event debriefs.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Home Department (1) what assessment he has made of the changes in the numbers of *(a)* cautions for cannabis possession or dealing, *(b)* prosecutions for cannabis possession or dealing, *(c)* fines for cannabis possession or dealing and *(d)* prison sentences for cannabis possession or dealing in each of the past 10 years; and if he will make a statement; [26482]

(2) how many *(a)* cautions for cannabis possession or dealing, *(b)* prosecutions for cannabis possession or dealing, *(c)* fines for cannabis possession or dealing and *(d)* prison sentences for cannabis possession or dealing there were in each of the past 10 years. [26481]

Mr. George Howarth: Information for 1986 to 1995 (the latest available) is given in the table. Data are not available in the form requested before 1986.

Between 1986 and 1995, the number of cautions for possession of cannabis increased nine-fold. The number of prosecutions doubled. The use of fines went up by two-thirds and the number of custodial sentences stayed much the same but with variations from year to year.

The use of cautions for possession with intent to supply cannabis unlawfully increased sixteen-fold and the number of prosecutions went up two and a half times. The use of fines and custodial sentences for such offences about doubled over the period covered with variations from year to year.

Cautioning for the unlawful supply of cannabis showed a ten-fold increase, while prosecutions doubled. Like offences for possession with intent to supply unlawfully, the use of fines and custodial sentences varied from year to year but essentially stayed about the same over the period.

As a proportion of those dealt with for possession of cannabis, the use of cautioning increased from 35 to 62 per cent. The equivalent figures for possession with intent to supply unlawfully rose from less than 2 per cent. to just under 8 per cent.; for unlawful supply the respective figures were less than four and less than 16 per cent. The use of fines for simple possession offences fell from just over a half in 1986 to about one fifth in 1995.

Cannabis offences dealt with by type of offence, United Kingdom, 1986–1995

Type of offence and how dealt with

Year	*Unlawful possession*				*Procession with intent to supply unlawfully*				*Unlawful supply*			
	Caution	*Prosecution*	*Fine*	*Custody*	*Caution*	*Prosecution*	*Fine*	*Custody*	*Caution*	*Prosecution*	*Fine*	*Custody*
1986	4,048	11,493	7,998	983	16	954	141	598	31	849	166	495
1987	5,778	11,878	8,130	929	9	1,122	152	676	48	1,046	216	522
1988	8,273	14,049	9,752	987	10	1,146	185	660	55	943	200	441
1989	11,674	17,654	12,329	1,145	53	1,514	266	758	58	1,101	244	513
1990	16,185	19,281	12,975	909	43	1,638	340	685	129	1,277	294	519
1991	19,256	18,470	11,514	1,041	60	1,605	338	631	145	1,212	262	470
1992	21,824	14,875	8,828	717	101	1,648	291	619	203	1,045	197	389
1993	30,404	18,846	10,010	614	207	2,292	282	686	313	1,405	191	384
1994	38,602	24,025	13,358	769	234	2,883	351	873	394	1,532	190	450
1995	40,391	24,386	13,355	930	271	3,294	299	1,125	349	1,893	220	575

Note:

"Dealing" has been taken to mean possession with intent to supply unlawfully and unlawful supply.

Source:

Home Office Research and Statistics Directorate, Crime and Criminal Justice Unit.

Employment Offers

Mr. Beith: To ask the Secretary of State for the Home Department how many applications to accept offers of outside employment have been made by officials of his Department which have been *(a)* approved, *(b)* approved with conditions and *(c)* disapproved; how many offers of employment have been reported (i) in total, (ii) by officials in procurement and contract work where there was an intention to take up the offer and (iii) by officials in procurement and contract work where there was no intention to take up the offer; if he will set out the information by category of employer; and if he will make a statement. [25980]

Mr. Straw: The Business Appointment Rules in their current form were introduced with effect from 1 April 1996. Since then, 24 applications to accept offers of employment have been approved, two of which were approved with conditions. No applications have been refused.

There have been reports of offers of employment (which did not lead to applications) from five members of staff across the Department and the agencies (but comprehensive information is not available from the Prison Service). No applications have been received in the period from staff engaged exclusively in procurement and contract work.

The variety of prospective employers is such that they do not fall into readily identifiable categories for purposes of presenting this information.

Asylum Seekers

Mr. Singh: To ask the Secretary of State for the Home Department how many asylum seekers have been waiting for *(a)* more than one year, *(b)* more than three years and *(c)* more than five years for an initial decision on their asylum applications. [26711]

Mr. Mike O'Brien: As at 31 December 1997, there were 51,795 applications for asylum in the United Kingdom, excluding dependants, awaiting an initial decision. The available breakdown of these cases, by year of application, is given in the table.

Asylum applications awaiting an initial decision as at 31 December 1997, by year of application[1]

Year of application	*Percentage*
Pre 1994	25
1994	15
1995	25
1996	15
1997	20
Total	51,795 (100)

[1] Estimates rounded to the nearest 5 per cent.

Lewes Prison

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the dates of recorded attempted suicides in Lewes Prison since 1 January 1997. [26826]

Ms Quin *[holding answer 2 February 1998]:* There have been no incidents of attempted suicide reported at Lewes prison from 1 January 1997 to date.

Since 1 April 1997, attempted suicide has not been used as an incident reporting category. These incidents are now subsumed under the category of deliberate self-harm. There has been a number of incidents of self-harm recorded at the prison between 1 January 1997 to date. The dates of these incidents are given in the table.

Incident date

7 April 1997
10 April 1997
20 June 1997
28 June 1997
12 July 1997
27 August 1997
29 August 1997
15 December 1997
14 January 1998
19 January 1998
27 January 1998.

Firearms (Compensation)

Mr. Whittingdale: To ask the Secretary of State for the Home Department what is the total value of compensation claims made under option C for the surrender of handguns; and how many claims are outstanding. [26341]

Mr. Michael: On 21 January 1998, there were 10,411 claims awaiting processing under Option C, the great majority of which came from claimants who have made mixed claims on which the Option A and B elements have been paid. In addition, a proportion of the 18,482 claims received but not yet examined will be mixed claims containing an Option C element. The total value of Option C claims will not be known until they have all been examined and the evidence of value provided is assessed under the terms of the compensation scheme.

Mr. Levitt: To ask the Secretary of State for the Home Department if he will announce a date by which all outstanding payments under the compensation for handguns scheme will have been completed. [26731]

Mr. Michael: It is impossible to be precise at this stage, but we are on target to satisfy the projections which I reported to the House on 26 November 1997, *Official Report,* column *542-43.* The great majority of claims submitted under Options A and B will have been settled by the end of March 1998, and the great majority of claims submitted under Option C will be paid by end of 1998.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for the Home Department how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27037]

Mr. Straw *[holding answer 2 February 1998]:* On average it currently takes my Department 35 days to reply to letters from hon. Members. Taking the Home Office, Immigration Service and United Kingdom Passport Agency together, 13 per cent. of replies meet the target

time of 15 days to answer. Her Majesty's Prison Service answers 18 per cent. of letters within its target of 20 days. The delivery of a reply depends, among other things, upon the availability of a Minister for its signature upon return from typing. Signed replies are then delivered to the House. There has been a significant increase in correspondence since last May, and one result is that average times have increased.

I am not satisfied with the way my Department deals with correspondence from hon. Members, and a project to improve the handling of correspondence is therefore underway, which should ensure a more timely and efficient service both to hon. Members and to the public.

Immigration

Dr. Harris: To ask the Secretary of State for the Home Department what is his policy on the immigration status of those same-sex couples in registered partnerships from Denmark, Greenland, Norway, Sweden and the Netherlands *(a)* where both of the partners are EU citizens, *(b)* where one partner is of non-EU origin, *(c)* where one partner is of non-EU origin and has gained the right of abode in an EU country by virtue of the registered partnerships and *(d)* where one partner is of non-EU origin and has been granted citizenship of an EU country by virtue of the registered partnership; and if he will make a statement. [26778]

Mr. Mike O'Brien: All couples wishing to reside in the United Kingdom by virtue of their unmarried relationship must meet the requirements of the unmarried partners concession which was announced on 10 October 1997. This includes couples whose partnerships have been registered in Denmark, Greenland, Norway, Sweden or the Netherlands. The concession would not necessarily apply to them because European Economic Area (EEA) nationals who are in the United Kingdom by virtue of the provisions of the Immigration (European Economic Area) Order 1994 may reside here freely as long as they continue to be covered by the 1994 Order. This means that where the couple are both EEA nationals (regardless of their origins) they may both reside here by virtue of their nationality and would not have to qualify under the concession. Where one partner is of non-European Union origin they will need to qualify for admission under the concession even if they have gained a right to permanent residence in another EEA country.

World Cup

Mr. Hoyle: To ask the Secretary of State for the Home Department what measures the Government are taking in advance of the World Cup 1998 to ensure that crowd trouble at the event is avoided; what estimate he has made of the number of British fans who will travel to France for the World Cup; and how many tickets are available to English football fans for the World Cup games. [26491]

Mr. Michael: The Government are determined to do everything possible to protect the interests and enjoyment of the respectable British football supporter attending the World Cup in France this summer and to prevent disruption of the tournament by hooligans. For this purpose, we have established a World Cup Co-ordination Group which brings together official, policing and football representatives from both England an Scotland. They are working closely with the French authorities, who are responsible for the management and security of the tournament, to ensure a co-ordinated approach to preventing crowd trouble among England and Scotland fans during the tournament.

My right hon. Friend will also be hosting a seminar in Blackburn on the policing of football which will bring together relevant experts from across the European Union to discuss policing, safety and securing arrangements for the World Cup.

There is no reliable estimate at this stage of how many supporters may travel to France. The strong advice of the Government to supporters is that they should not travel to France unless they have a ticket for the match. French legislation against touting is strict, and supporters should not expect to buy a ticket in France.

The overall ticket allocation by the French Organisation Committee (CFO) has been as follows:

- 60 per cent. have been sold to the public in France;
- 12 per cent. CFO corporate sponsors and other commercial affiliates;
- 8 per cent. for sale through 12 authorised tour operators;
- 20 per cent. for the Fédération Internationale de Football Association (FIFA) to allocate to member associations, including those playing in the relevant matches.

We understand that FIFA intend to divide the great majority of their allocation for each month between the football associations of the competing teams. We expect FIFA to announce details of the allocation soon.

Asylum Applications (Turkish Cypriots)

Mr. John D. Taylor: To ask the Secretary of State for the Home Department how many asylum applications by Turkish Cypriots for entry into the United Kingdom have been submitted in each of the past five years; and if he will make a statement. [26349]

Mr. Mike O'Brien: I regret that Turkish Cypriots are not separately identifiable within the statistics. The available information relates to all asylum applications submitted by nationals of Cyprus.

During 1997, a total of 495 applications for asylum in the United Kingdom were lodged by nationals of Cyprus. Of these, 455 were made at the port of arrival and 40 were made in-country. Equivalent information for the years 1993 to 1996 is given in table 2.2 of the Home Office Statistical bulletin "Asylum Statistics United Kingdom 1996" issue 15/97, a copy of which is available in the Library.

Security Service Files

Dr. Julian Lewis: To ask the Secretary of State for the Home Department (1) how many representations he has received in favour of the destruction of Security Service files from *(a)* Labour hon. Members, *(b)* Labour Peers, *(c)* Ministers, *(d)* trade union officers and *(e)* journalists; [23672]

(2) what representations he has received from the Minister without Portfolio for his MI5 file to be destroyed; and if it is to be destroyed. [23621]

Mr. Straw: If I receive any representations from individuals about the possible existence of Security Service files, my practice is to explain the approach of the

Security Service to destroying files. It is not my practice to give information about any representations from hon. Members or Ministers or from the other sources listed any more than it would be for me to disclose whether the Service holds or has held files on any individuals.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for the Home Department how many non-career civil servants have been appointed to his Department since 1 May 1997. [25852]

Mr. Straw: The number of casual, fixed term appointees and special advisers appointed since 1 May 1997 is 1,842. These figures include those appointed to Her Majesty's Prison Service, the United Kingdom Passport Agency, the Immigration and Nationality Directorate, the Fire Service College and the Forensic Science Service as well as the central Home Office.

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25903]

Mr. Straw: The policy aims of the Comprehensive Review, including enhancing sustainable economic growth, are reflected in the terms of reference for the Comprehensive Spending Review of the Home Office spending programme.

AGRICULTURE, FISHERIES AND FOOD

Milk

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food in which regions or part of members states of the EU the sale of unpasteurised milk is banned. [27189]

Mr. Rooker: I refer the hon. Member to the answer given to the hon. Member for North Cornwall (Mr. Tyler) on 2 February 1998, Official Report, column *549*.

Milk

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what is the present number of milk quotas in England and Wales. [26049]

Mr. Rooker: As at 28 January 1998, there were 23,468 registered milk producers in England holding 10,053 million litres of milk quota. In Wales, 5,085 registered producers hold 1,443 million litres of quota.

Vitamin Supplements

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the President of the Board of Trade on representations from United States senators about his proposed new restrictions on vitamin B6 supplements. [26356]

Mr. Rooker: Officials from the Ministry have discussed with officials from the Department of Trade and Industry the representations received from the US senators on the Government's proposed new restrictions on vitamin B6 supplements.

Tobacco Production

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food how much was paid by *(a)* the EU and *(b)* the UK to subsidise the tobacco growing and marketing industries in the last year for which figures are available; and if he will make a statement. [26472]

Mr. Rooker: In 1996 the EU spent 1,026 million ecu (£852 million)[1] on subsidies under the EU tobacco regime. None of these payments were made in the UK. There are no EU subsidies to the tobacco marketing industries.

Note:

[1]1996 exchange rate used: £1=1.204 ecu.

Over-thirty-months Scheme

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to change current arrangements for OTMS cattle, with particular reference to the Meat Hygiene Service clean cattle strategy. [25625]

Mr. Rooker: The Meat Hygiene Service (MHS) Clean Livestock Policy is aimed at improving the standard of cleanliness of livestock presented for slaughter at all slaughterhouses in Great Britain. The slaughter of dirty and/or wet livestock can compromise the hygienic operation of the slaughterhouse. Appropriate action will be taken by MHS staff if dirty or wet animals are presented for slaughter.

Action has been taken to implement the Clean Livestock Policy within the Over Thirty Months Slaughter Scheme. Slaughterhouses processing OTMS cattle are expected to work to the same hygiene standards as those killing for human consumption. This includes the application of the Clean Livestock Policy. However in the case of OTMS animals that would have been rejected for slaughter as too dirty or wet, these are not returned to the farm, but on animal welfare grounds are permitted to be slaughtered.

This approach works well in practice and I have no plans to change the current arrangements as regards the application of the Clean Livestock Policy to OTMS cattle.

Beef and Sheep Producers

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what rates of aid will be paid to beef and sheep producers as a result of the package announced on 22 December; and if he will make a statement. [27628]

Dr. John Cunningham: I indicated in my statement that consultation with the Commission would be necessary. The Commission was not able to approve my proposals for an increase in HLCA rates for one year only, but Commissioner Fischler has co-operated with me in devising an acceptable alternative which maintains the overall value of the package at £85 million and divides

the benefit between sheep and beef producers as I had originally proposed. I shall now therefore be utilising £85 million of the EU compensation available to off-set the effects of sterling green rate revaluations. £72.5 million will go to suckler cow producers on the basis of their 1996 claims; £12.5 million will go to sheep producers on the basis of their 1997 ewe premium claims. The latter sum will be drawn from compensation to be calculated in respect of the livestock headage payments whose rate is determined each year by the green rate applying on 1 January.

For suckler cows, the rate of aid will be £44.20 per head. Precise figures for sheep will be determined shortly but I expect them to be around 50p per head at the basic rate and 73p per head in the LFA.

I will separately be laying an order maintaining HCLA rates for 1998 at their 1996 levels.

INTERNATIONAL DEVELOPMENT

Brazilian Rainforest

Mr. Sheerman: To ask the Secretary of State for International Development what discussions she has had with her G7 counterparts on the deforestation in the Brazilian rainforests. [27084]

Mr. Foulkes: As active participants in the G7 Pilot Programme to Conserve the Brazilian Rain Forest, we maintain a regular and extensive dialogue with our G7 counterparts, both at routine programme review meetings and on a continuous basis through our programme co-ordination office in Brasilia.

Mr. Sheerman: To ask the Secretary of State for International Development what discussions she has had with the International Monetary Fund regarding the misuse of funds allocated to regulate the logging of the Brazilian rainforest. [27088]

Mr. Foulkes: We have had no discussions with the International Monetary Fund on this subject.

Mr. Sheerman: To ask the Secretary of State for International Development what discussions she has had with the World Bank regarding the destruction of the Brazilian rainforest. [27089]

Mr. Foulkes: Discussions with the World Bank and other participating agencies are held regularly in the context of the G7 Pilot Programme to Conserve the Brazilian Rain Forest, for which the World Bank has a co-ordinating role. The most recent Pilot Programme participants' meeting took place in Manaus, Amazonia, in October 1997.

Mr. Sheerman: To ask the Secretary of State for International Development if she will take steps to ensure that the funding that *(a)* the United Kingdom and *(b)* other EU Governments provide to Brazil to regulate the logging companies in the Amazonian rainforest is not directed to other purposes. [27095]

Mr. Foulkes: We seek to ensure that our (co-operation) programmes, both bilaterally and through the G7 Pilot Programme, assist the Brazilian Government to strengthen environmental policy and effectively implement Brazilian laws regulating logging in the Amazonian rainforest. This is done by the exercise of project management procedures which monitor progress against agreed objectives, and through partnerships with the EU and other donors. However, neither we nor, to our knowledge, other EU governments provide development funds directly for the purpose of regulating logging companies in Brazil.

Mr. Sheerman: To ask the Secretary of State for International Development what new proposals she has to prevent the destruction of the Amazonian rainforest. [27085]

Mr. Foulkes: In addition to our substantial existing programme of environmental assistance to Brazil, involving commitments of some £22 million, we are currently in the process of identifying new technical assistance proposals to help provide further help in preventing destruction of the Amazonian rain forest. This assistance will be provided under the UK's bilateral co-operation programme with Brazil, and also under the G7 Pilot Programme to conserve the Brazilian Rain Forest. The recent publication of the latest deforestation figures by the Brazilian Government has emphasised the importance of effective international co-operation in this area.

Civil Servants

Mr. Forth: To ask the Secretary of State for International Development how many civil servants in her Department at each grade for grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the department since 1 May 1997; if she will indicate the Minister to whom each was responsible; and if she will make a statement. [26930]

Mr. Foulkes: *(a)* None, *(b)* none, *(c)* three, each of whom reports to the Secretary of State and myself.

Development Education

Sir Alastair Goodlad: To ask the Secretary of State for International Development what extra resources she proposes to make available to finance development education. [26747]

Mr. Foulkes: As outlined in the recent White Paper on International Development, the Government attach great importance to increasing development awareness in the UK, and the first meeting of the new Development Awareness Working Group will take place in March. The question of financial resources is currently being considered as part of the Resource Allocation Round within the Department.

Burma

Sir Alastair Goodlad: To ask the Secretary of State for International Development what aid her Department is giving to Burma. [26745]

Mr. Foulkes: Under the terms of a European Union common position agreed in 1988, assistance is provided only for humanitarian aid and activities through NGOs. Our assistance for Burma came to £314,000 in 1996–97. Of this amount, £272,000 was in the form of emergency assistance, including relief for flood victims and support for refugees from Burma in border areas of neighbouring countries. Support is also being provided for an integrated community health project run by World Vision. A number of other proposals from non-governmental organisations (NGOs) are presently being considered.

Bananas

Mr. Mitchell: To ask the Secretary of State for International Development, pursuant to her answer of 21 January 1998, *Official Report*, column *563*, relating to her discussions with Commissioner Pinheiro concerning the marketing of bananas, *(a)* which rule of the World Trade Organisation prevents the continuation of the previous Lomé arrangements for this market, *(b)* when and by which body that rule was agreed, *(c)* who represented the United Kingdom and interested Commonwealth Caribbean States, *(d)* who represented the United Kingdom and interested Commonwealth Caribbean States on the occasion when the World Trade Organisation appeal was decided and *(e)* what was the time and place of that appeal hearing. [27021]

Mr. Foulkes: The Appellate Body of the World Trade Organisation (WTO) found that a number of the provisions of the EU regime were incompatible with the General Agreement on Tariffs and Trade (GATT) and of the General Agreement on Services (GATS). The reports of the Dispute Settlement Panel and Appellate Body of the WTO on the EU's arrangements for banana imports are lodged in the House of Commons Library. The two aforementioned Agreements were signed by all Contracting Parties to the Marrakech Agreement establishing the WTO in April 1994.

As in all WTO cases where the EU's arrangements are challenged, the European Commission acted in defence of EU interests. The Commission represented the EU both in the Panel proceedings and in the subsequent appeal to the WTO Appellate Body; the hearings were attended by UK officials. The Commonwealth Caribbean States were represented by the Ambassadors to the WTO of Jamaica and the Eastern Caribbean and their lawyers. The hearing before the Appellate Body was held in Geneva on 21–23 July 1997.

AIDS Vaccines

Dr. Tonge: To ask the Secretary of State for International Development what contribution her Department is making towards the international effort to test existing AIDS vaccines. [27247]

Mr. Foulkes: Our collaboration with UK groups such as the Medical Research Council, with researchers in developing countries and with multilateral agencies (such as UNAIDS, the World Health Organisation and the EC) involves the generation, disseminating and sharing of new knowledge important in the development of a vaccine against HIV strains prevalent in poorer countries. Such work does not yet extend to vaccine testing.

Development Assistance

Sir Alastair Goodlad: To ask the Secretary of State for International Development what percentage of GNP she will commit Her Majesty's Government to spending on official development assistance by the end of the present parliament. [26744]

Mr. Foulkes: I refer the hon. Member to the reply I gave on 2 February 1998 to my hon. Friend the Member for Bradford, West (Mr. Singh), *Official Report*, column *472–73*.

DUCHY OF LANCASTER

Empty Government Property

Mr. Dismore: To ask the Chancellor of the Duchy of Lancaster how much vacant office space, by reference to *(a)* the number of offices and *(b)* floor space, is unoccupied in (i) the Treasury building, (ii) the old MAFF building and *(c)* other Government buildings within the range of the House of Commons Division bell; and if he will make a statement. [26262]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to my hon. Friend.

Letter from John C. Locke to Mr. Andrew Dismore, dated 3 February 1998:

I have been asked by the Parliamentary Secretary, Office of Public Service to reply to your question about vacant office space at the Treasury Building (Government Offices Great George Street); the MAFF building at Whitehall Place West and other Government buildings within the House of Commons division bell area.

Since April 1996 departments have been responsible for their own accommodation. Under the terms of the Civil Estate Coordination Agreement PACE is required to maintain a database of Civil Estate properties. Data is provided by Departments whose responsibility it is to keep PACE informed of both surplus space and new requirements. There is currently no vacant space available in the Treasury Building or the old MAFF buildings.

In answer to the final part of your question I enclose a schedule of Civil Estate properties within the sound of the division bell showing the amount of recorded vacant space.

List of vacant properties within reach of the House of Commons division bell

Property address	Vacant area in m2
Allington Towers Allington Street London SW1E 5EB	600—available for 6 months prior to reoccupation by a government department
Bridge Place 88-89 Eccleston Square London SW1P 1PT	6,942
Romney House 43 Marsham Street London SW1P 3PY	14,956
2 Marsham Street London SW1P 3EB	56,085—due to be demolished prior to sale
Old Admiralty Building Spring Gardens London SW1A 2AH	20,554—impending major refurbishment prior to reoccupation by a government department
Steel House 11 Tothill Street London SW1H 9LJ	487

Property address	Vacant area in m2
Admiralty Arch The Mall London SW1A 2BE	10,156—in need of major refurbishment prior to occupation

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster (1) what is his estimate of the value of empty Government properties in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98; and if he will make a statement; [26402]

(2) what percentage of Government accommodation in *(a)* the SW1 postal district of London and *(b)* the remainder of the United Kingdom, is vacant; if he will estimate vacant space in square metres; and if he will make a statement. [26403]

Mr. Kilfoyle: Responsibility for these matters have been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to the hon. Member.

Letter from John C. Locke to Mr. Malcolm Bruce, dated 3 February 1998:

I have been asked by the Parliamentary Secretary, Office of Public Service, to reply to PQ 26402 and 26403 relating to the value of empty Government properties; and the percentage of vacant space both in the SW1 postal district of London and the remainder of the UK.

From 1 April 1996, responsibility for individual properties was transferred to government departments. At the same time, PACE inherited wholly vacant properties that were at that time surplus to departments needs. Departments retain responsibility for all accommodation subsequently declared surplus.

PACE only retains value information for the properties transferred to it for disposal; the remaining information rests with individual departments and is not held centrally. Our Annual Report and Accounts spells out the value of the surplus property for which we are responsible. Many of these properties are leaseholds with a nil or negative asset value. At 1/4/96 this stood at a negative value of £486m and at 31 March 1997 at £433.3m. So far as freeholds are concerned the opening valuation was £80.2m at 1 April 1996 reducing to £67.6m at 31 March 1997. This takes account of the disposals achieved during the year. Copies of our Annual Report and Accounts have been placed in the Libraries of both Houses of Parliament. Our second Annual Report and Accounts will report the position at 31 March 1998.

So far as the percentage of vacant space is concerned we do maintain a data base of all Civil properties i.e. excluding MOD, NHS and the Prison Estate. To assist our role in providing advice to departments in managing their property they are required to keep us informed of both surplus space and new requirements. Our records show that in the SW1 postal district of London 10.5% (95,990m^2) is vacant and for the remainder of the UK 9.5% (859,483^2) is vacant.

HOUSE OF COMMONS

Office Accommodation

Mr. Dismore: To ask the Chairman of the Accommodation and Works Committee how many *(a)* hon. Members, *(b)* hon. Members' staff and *(c)* House of Commons staff are placed in office accommodation without natural light. [26770]

Sir Sydney Chapman: Twenty-five of the rooms in the Parliamentary estate, which are allocated to hon. Members and their staff, do not have the benefit of natural light. A further 39 rooms have natural light only via a skylight. The number of Members' staff using the rooms cannot be separately identified. Some 100 staff of the House of Commons are placed in office accommodation without natural light.

Research Assistants (Passes)

Mr. Cox: To ask the Chairman of the Administration Committee what was the number of House of Commons passes issued to research assistants working for hon. Members at 1 January 1998. [27406]

Mrs. Marion Roe: 390.

Compliance Cost Assessments

Mr. Heathcoat-Amory: To ask the President of the Council if she will publish a compliance cost assessment for each *(a)* public bill, *(b)* statutory instrument and *(c)* proposed EU directive or regulation, which affects business costs. [26197]

Mrs. Ann Taylor: It is already a requirement that a Compliance Cost Assessments is published alongside all draft primary, secondary and EC legislation having an impact on business when it is presented to Parliament. CCAs are placed in the Library of both Houses and a Command Paper is published every six months listing the CCAs published in the previous six months.

Disabled Members

Dr. Lynne Jones: To ask the President of the Council what additions to hon. Members' allowances are paid to hon. Members with disabilities. [26293]

Mrs. Ann Taylor: None, although certain Members with disabilities are entitled to a higher limit of the Office Costs Allowance.

FOREIGN AND COMMONWEALTH AFFAIRS

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanisms he has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending review for his Department. [25905]

Mr. Fatchett: My right hon. Friend the Foreign Secretary revised the Department's objectives in line with his Mission Statement at the start of the CSR. These include objectives to improve economic opportunities for a prosperous UK through development and implementation of arrangements to further free, fair and sustainable international trade and economic relations: and to improve the quality of life worldwide

through effective international action to protect the environment. The CSR is tasked with looking at ways to improve the delivery of these objectives.

EU Information Projects (Funding)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what funds are available from the European Commission to *(a)* the United Kingdom Government and *(b)* other organisations within the United Kingdom for information projects on (i) the EU and (ii) the euro; and if he will make a statement. [26521]

Mr. Doug Henderson: In the 1998 EC budget a total of 79.35 million ecu (£52.96 million at current exchange rates) is available for different types of information activity within the EU (budget lines B3–300, B3–301, B3–304 and B3–306). These budget lines are not broken down by Member State. It is therefore not possible to give an overall figure for the funds available for information projects in the UK.

We believe that people have a right to accurate and easily accessible information about the EU's policies and activities. The Community budget has a legitimate role in the provision of such information.

East Timor

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to send an ambassadorial mission to East Timor during the British presidency of the EU. [26843]

Mr. Fatchett: We are discussing with our EU partners detailed arrangements for an EU Troika Ambassadorial visit to East Timor during our Presidency. The timing has yet to be decided.

Ogonis

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on inter-ethnic disputes and difficulties with the security forces involving Ogonis outside Ogoniland. [26750]

Mr. Fatchett: We have received no recent reports of inter-ethnic disputes and difficulties with the security forces involving Ogonis outside Ogoniland.

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth what reports he has received on persecution of the Ogonis by the Nigerian authorities solely on account of their origin or membership of MOSOP. [26751]

Mr. Fatchett: We have received reports that suggest that high profile members and MOSOP activists can be subject to harassment and persecution. However there is no evidence to suggest that Ogonis face persecution solely on their ethnic origin or membership of MOSOP.

Nicaragua

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relations with Nicaragua. [26752]

Mr. Fatchett: Bilateral relations with Nicaragua are good. Through the EU/San José process, in which Nicaragua participates, we have given substantial economic and political support to the peace process in Central America. My hon. Friend the Minister of State, the hon. Member for Manchester, Central (Mr. Lloyd) will meet the Foreign Minister, Dr. Emilio Alvarez, at the EU/San José Group meeting in San José on 10–11 February 1998.

An investment Promotion and Protection Agreement (IPPA) was signed with Nicaragua in 1996. The value of Nicaraguan exports to the UK rose significantly in 1997, although UK exports to Nicaragua remain relatively low, valued at pounds 3.54 million in 1997.

Civil Servants

Mr. Forth: To ask the Secretary of State for Foreign and Commonwealth Affairs how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26917]

Mr. Fatchett: No civil servants in this Department at grade 3 or above have resigned since 1 May 1997. Four people have retired before pensionable age since 1 May as part of an ongoing programme of senior management structure retirements on structural grounds; they reported to four different Ministers. All of these early retirements were approved before 1 May 1997. About a quarter of the officers at grade 3 and above have changed jobs since 1 May either as part of the normal rotation of ambassadors and other senior staff, interchange with other Government Departments or on promotion. Such moves are planned up to a year in advance especially to/from foreign postings or where training is required. A high level of mobility is a feature of FCO work and roughly a third of all UK based FCO staff change jobs in any given year. Statistics on the precise number of moves and which Ministers had responsibility for the posts and Departments people left could be provided only at disproportionate cost.

Xinjiang

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has received on the treatment of detainees in the ethnic riots that took place in Xinjian in 1997. [26771]

Mr. Fatchett: This Department has received no representations on this issue.

Religious Freedom (China)

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will encourage

the Chinese Government to accept the right to religious freedom in China, with particular reference to Xinjiang and Tibet. [26772]

Mr. Fatchett: During his recent visit to China, my right hon. Friend the Foreign Secretary discussed human rights with Chinese leaders. We believe that the Chinese authorities should look upon religious freedom as fulfilling a basic human need, and not as a threat.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the extent of religious freedom in China. [26773]

Mr. Fatchett: This Department constantly monitors the human rights situation in China, including the freedom of religion, and has discussed the issue with the Chinese authorities. We believe that they should look upon religious freedom as fulfilling a basic human need, and not as a threat.

Slovenia

Dr. Harris: To ask the Secretary of State for Foreign and Commonwealth Affairs when his Department expects the Republic of Slovenia to be admitted to full membership of the European Union; and at what stage Slovene citizens will acquire the right of abode in the United Kingdom. [26777]

Mr. Doug Henderson: The Luxembourg European Council Decided that Slovenia will start EU accession negotiations this spring. The timing of Slovenia's accession will depend on the progress made in these negotiations.

Upon joining the EU, Slovene nationals will be subject to the same immigration rules as citizens of the current Member States.

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27039]

Mr. Fatchett *[holding answer 2 February 1998]:* In the last quarter of 1997 Foreign and Commonwealth Office Ministers replied to 2,215 letters from hon. Members, of which 95 per cent were replied within the target of 10 working days.

Every effort is made to have letters copied, dispatched and delivered within 24 hours of signature.

EU Presidency

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 27 January 1998, *Official Report*, column *136*, what proposals are under consideration for changes in the note-keeping procedures of the EU presidency to address the problems noted in his evidence to the Foreign Affairs Committee on 4 November (Q18) HC305-i of Session 1997–98. [27196]

Mr. Doug Henderson: I refer the hon. Member to the answer of 27 January 1998, *Official Report*, column *136*, which he cites.

DEFENCE

Food Procurement

Mr. William Ross: To ask the Secretary of State for Defence what sums his Department has expended on the purchase of *(a)* beef, *(b)* sheepmeat, *(c)* pigmeat, *(d)* poultry and *(e)* fish in each of the last three years or financial years and the current year to the latest available date; how much in each case has been spent on *(a)* United Kingdom procedure and *(b)* imported produce; from which countries the imported food came; and what was the cost of the imports from each country. [26805]

Mr. Spellar: This is a matter for the Chief Executive of the Naval Bases and Supply Agency (NBSA). I have asked the Chief Executive to write to the hon. Member.

Letter from John Trewby to Mr. William Ross, dated 3rd February 1998:

The Secretary of State for Defence has asked me to reply to your Question about the supply of meat, poultry and fish to the armed forces.

The procurement of food for the armed forces is contracted to Booker Foodservice who took over the contract from NAAFI on 1 October 1997. I regret that the information you request on past expenditure is not available. However, the breakdown of country of origin for beef, lamb and pork for the expected purchases for the 12 month period ending September 1998 was given in the answer to the hon. Member for Montgomeryshire (Mr. Öpik) on 13 January 1998, *Official Report* column *157*. The value of those purchases is estimated at £6.7M, £4.6M and £3.7M respectively. The estimates for the values of gammon and bacon, poultry and fish are given below. All figures are subject to variation dependent upon markets providing the best value for money.

Commodity	*Value (£ million)*	*Country of Origin (percentage by value)*
Gammon and Bacon	4.5	UK: 50 Danish: 30 Dutch: 20
Poultry	3.0	France: 70 UK: 30
Fish[1]	1.0	n/a

[1] Excluding processed products e.g. fish fingers.
n/a Not available.

Microbiological Agents

Mr. Dalyell: To ask the Secretary of State for Defence what tests he has carried out on the dangers to humans resulting from the bombing of installations containing *(a)* Bacillus Anthracis (Cohn), *(b)* Bacillus Subtilis (Ehrenburg), *(c)* Clostridium botulinum Type A, *(d)* Clostridium Tetan, *(e)* Brucella abartus Biotype 3 and *(f)* Escherichia coli; and if he will place his evaluation in the Library. [26285]

Mr. Spellar *[holding answer 29 January 1998]:* This is a matter for the Chief Executive of the Defence Evaluation and Research Agency (DERA). I have asked the Chief Executive to write to my hon. Friend.

Letter from John Chisholm to Mr. Tam Dalyell, dated 3 February 1998.

As Chief Executive of the Defence Evaluation and Research agency (DERA) I have been asked to reply to your question about what tests have been carried out to look at the dangers resulting from bombing installations containing harmful bacteria.

No specific field trials have been carried out to look at this subject. DERA's Chemical and Biological Defence Sector (CBD) at Porton Down carries out theoretical risk assessments on a range of micro-organisms that might be used as a biological weapon by an aggressor. It would, therefore, be possible to assess very quickly the specific risk associated with the release of bacteria from a bombed installation from the data already available.

During the Gulf War, CBD conducted theoretical modelling, based on the worst case scenario, on the risk to military operations which might result from the destruction of enemy biological production and storage facilities. Such modelling is intended to ensure that the operational effectiveness of the UK Armed Forces is not compromised.

I hope this information is helpful.

Asbestos

Sir John Stanley: To ask the Secretary of State for Defence when he expects to reach a conclusion on the issue of financial assistance for ex-service personnel who were affected by asbestos while serving in the Armed Forces prior to 1987. [27312]

Dr. Reid: Ex-Service personnel who contract asbestos related diseases as a result of their service in the Armed Forces can claim a war pension. It is not easy to assess whether this provides the same compensation as former Civilian personnel, who can bring a claim for negligence and be awarded lump sum compensation.

Nevertheless, I hope to reach a conclusion within the next few months.

CULTURE, MEDIA AND SPORT

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for Culture, Media and Sport how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27034]

Mr. Chris Smith *[holding answer 2 February 1998]:* The Department for Culture, Media and Sport has taken 14.75 days on average to answer letters from hon. Members for the period 1 April 1997 to 31 December 1997. The Department's target for replying to this type of correspondence is 18 working days, and it achieves this target in 71 per cent. of cases. No information is available for the length of time it takes to deliver a letter after it has been typed.

Official England Supporters Club

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what recent contacts the Government have had with the Official England Supporters Club. [26492]

Mr. Banks: The England Supporters Club, formally known as the England Members Club, is part of The Football Association. I have regular meetings with senior representatives of the FA to discuss issues of mutual interest, most recently on 20 January.

Overseas Conference Visitors

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what was the average amount spent by overseas conference visitors to Britain in each year since 1992. [26849]

Mr. Tom Clarke: The average amount spent by overseas conference visitors to the UK in each year from 1992 is as shown in the table.

Average amount spent per visit by overseas conference visitors to the UK

Year	*(£)*
1992	600
1993	603
1994	602
1995	634
1996	656

Source:

British Tourist Authority, from International Passenger Survey, Office for National Statistics.

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport how many overseas conference visitors there were to the United Kingdom in each year since 1992. [26841]

Mr. Tom Clarke: The number of visits made by overseas residents to conferences in the UK in each year from 1992 is as shown in the table.

Year	*Number of visits made by overseas residents to conferences in the UK*
1992	417,000
1993	471,000
1994	482,000
1995	569,000
1996	720,000

Source:

British Tourist Authority, from International Passenger Survey, Office for National Statistics.

NORTHERN IRELAND

Ministerial Announcements

Mr. Webb: To ask the Secretary of State for Northern Ireland how ministerial announcements have not been made in the first instance to the House; and of those how many were *(a)* speeches to outside bodies, *(b)* press releases, *(c)* press briefings and *(d)* made by other means, since 1 May; and if she will make a statement about her Department's policy in respect of making public ministerial announcements. [18902]

Mr. Paul Murphy *[holding answer 3 December 1997]:* The most important announcements of Government Policy are made, in the first instance, to Parliament. Since 1 May, other announcements have been made in a variety of ways reflecting the nature of the announcement. The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

	Number
(a) Speeches	25
(b) Press releases	72
(c) Press briefings	12
(d) Other means	2

Public Bodies

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will publish the perceived religious affiliation by *(a)* number, *(b)* percentage and *(c)* gender for each public body to which her Department makes appointments. [25264]

Mr. Paul Murphy: Monitoring information on the religious background of appointees to public bodies in Northern Ireland has been collected only for those appointed from 1 July 1996.

The Secretary of State's first Annual Report on Public Appointments in Northern Ireland, due to be published soon, will provide a statistical analysis on the community background by gender of those appointed to public bodies during 1996–97, in line with the Commissioner for Public Appointment's Guidance. The Report, when published, will be available in the Library.

Terrorist-related Murders

Mr. Amess: To ask the Secretary of State for Northern Ireland if she will list the number of terrorist-related murders in Northern Ireland *(a)* since the most recent IRA ceasefire and *(b)* in each of the last 20 years. [25272]

Mr. Ingram: Since the most recent IRA ceasefire, from 1200 hours on 20 July 1997 to 25 January 1998, there have been 14 murders connected to the security situation.

The tables provide the number of murders in Northern Ireland due to the security situation in each of the last 20 years.

Year	*Number of deaths*
1978	70
1979	108
1980	65
1981	83
1982	85
1983	67
1984	49
1985	48
1986	55
1987	82
1988	84
1989	57
1990	68
1991	88
1992	79
1993	82
1994	61
1995	9
1996	14
1997	20
1998 (until 25 January)	6

Ministerial Visits

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many times each Minister at the Northern Ireland Office stayed overnight in Northern Ireland between 1 July and 31 December 1997. [26348]

Mr. Paul Murphy: The information is as follows:

Ministerial overnights in Northern Ireland (1 July–31 December 1997)

	Number
Dr. Mowlam	76
Mr. Murphy	76
Mr. Ingram	51
Mr. Worthington	57
Lord Dubs	51

Community Groups

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the community groups with whom her Department has had contact since 1 May and indicate the amount of any public funding given to each such group (i) directly and (ii) via NILVA. [26795]

Mr. Worthington *[holding answer 2 February 1998]:* The information requested is not held centrally. To gather the information would involve an extensive administrative exercise generating a disproportionate cost.

Police Authority

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many members of the police Authority are perceived to be a member of each Northern Ireland political party. [26794]

Mr. Ingram *[holding answer 2 February 1998]:* I refer the hon. Gentleman to the reply I gave to my hon. Friend the Member for Hull, North (Mr. McNamara) on 18 December 1997, *Official Report*, column *293*.

Family Expenditure Survey

Mr. Swinney: To ask the Secretary of State for Northern Ireland what estimate she has made of the cost of increasing the size of the Family Expenditure Survey sample to allow for accurate family expenditure statistics disaggregated to a Northern Ireland geographical level. [26092]

Mr. Paul Murphy: The Secretary of State for Northern Ireland has not made any estimate of the cost of increasing the size of the Family Expenditure Survey. Northern Ireland, because of its small population size, already has a larger sample than that required for the United Kingdom

Family Expenditure Survey. Separate family expenditure statistics are produced for Northern Ireland and are accurate for the purposes to which they are put.

WALES

NHS Trusts

Mr. Key: To ask the Secretary of State for Wales if the appointment of a chief executive to an NHS trust in Wales requires the approval of the NHS Trust Board. [26196]

Mr. Win Griffiths: The regulations for the appointment of a chief executive to an NHS trust in Wales are contained in The National Health Service Trusts (Membership and Procedure) Regulations 1990, which stipulate that an NHS trust shall appoint a committee comprising the chairman and non-executive directors of the trust for the purpose of appointing a chief executive.

Waiting Lists

Mr. Barry Jones: To ask the Secretary of State for Wales what further measures he proposes to tackle waiting lists; and if he will make a statement. [26698]

Mr. Win Griffiths: I have recently announced plans to develop a new approach to the problems of waiting lists and to deliver our manifesto commitment to reduce the length of time people have to wait for treatment.

Information to the end of September 1997 shows that 92 per cent. of people waiting for an outpatient appointment are seen within 6 months and 90 per cent. waiting for hospital inpatient or daycase treatment received it within 12 months.

Community Hospitals

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the role of community hospitals. [26699]

Mr. Win Griffiths: "Community Hospitals in Wales—the Future", issued in October 1996, provided health authorities and trusts with advice regarding the potential of community hospitals.

Community hospitals may be used to reduce the pressure on acute hospitals by providing outreach clinics, admitting patients who do not require the specialist facilities of acute hospitals and receiving patients from acute hospitals for rehabilitation and recovery.

It is for each health authority, working with NHS trusts, to decide each hospital's precise function and the development of a precise, locally agreed role is vital to the future of each individual hospital.

Hospitals (Violence)

Mr. Ruane: To ask the Secretary of State for Wales if he will list the number of violent incidents in each Welsh hospital in each of the past five years. [26845]

Mr. Win Griffiths: This information is not held centrally. Responsibility for monitoring and preventing violent incidents in Welsh hospitals rests with individual NHS trusts.

Modern Apprenticeships

Mr. Rowlands: To ask the Secretary of State for Wales what is his estimate of the number of starts for modern apprenticeships in 1998–99 *(a)* in total and *(b)* in each TEC area within Wales. [27083]

Mr. Hain: I refer my hon. Friend to the answer I gave him on 18 December 1997, *Official Report*, column *285*.

Welsh Assembly

Mr. Alan Williams: To ask the Secretary of State for Wales if he will place in the Library copies of all the bids to be the site for the Assembly for Wales. [27188]

Mr. Ron Davies: For reasons of commercial confidentiality, I will not place copies of private developer proposals in the Library. I will with consent make available copies of bids received from Local Authorities as soon as I have sufficient copies available.

However, I have placed a list of the bids in the Library of the House.

TRADE AND INDUSTRY

Nuclear Fuel

Mr. Baker: To ask the President of the Board of Trade what is her policy in respect of the importation of spent nuclear fuel for reprocessing; and if she will make a statement. [26982]

Mr. Battle *[holding answer 2 February 1998]:* The question of whether to reprocess or to seek alternative options to deal with spent fuel should be a matter for the commercial judgment of the owners of the spent fuel, subject to meeting the necessary requirements laid down by the United Kingdom's regulatory authorities. Since 1976 all contracts for the reprocessing of overseas spent fuel have included options for the return of waste arising from reprocessing. The United Kingdom Government intend that these options should be exercised.

Electricity Industry

Mr. Boswell: To ask the President of the Board of Trade if the conclusions of the Review Panel on Electricity Trading announced on 28 January to report by July 1998 will be taken into account in her Department's implementation of its commitment to introduce electricity competition by September 1998. [27184]

Mr. Battle: The plans for the introduction of electricity supply competition are already in place. The overall purpose of the above review is to consider whether and what changes should be made to wholesale electricity trading arrangements in England and Wales. The conclusions of the Review Panel will not have any effects on the introduction of competition in electricity supply.

Magnox Electric (Merger)

Mr. Russell Brown: To ask the President of the Board of Trade, pursuant to her answer of 22 December 1997, to the hon. Member for Halton (Mr. Twigg), *Official Report*, columns 514–16, if the transfer of the Government's shareholding in Magnox Electric to British Nuclear Fuels has yet been effected. [27868]

Mr. Battle: I am pleased to report that the Government's shareholding in Magnox Electric was transferred to BNFL on 30 January 1998. Magnox is now a wholly owned subsidiary of BNFL. Full integration of the combined businesses of the companies is expected to be completed early in 1999, subject to the companies meeting the requirements of the relevant regulators. I am today placing in the Library of the each House a copy of the financial undertaking which the Government have given to BNFL reflecting the arrangements presented to Parliament on 22 December.

Offshore Oil and Gas Activity

Mr. Quinn: To ask the President of the Board of Trade when regulations to implement the Environmental Impact Assessment Directive (85/337/EEC) as it applies to offshore oil and gas activity will be laid before Parliament. [27867]

Mr. Battle: The text of draft regulations to implement the 1985 Environmental Impact Assessment Directive (85/337/EEC) as it applies to the offshore industry has been revised following consultation in 1997.

The revised text includes changes designed to ensure that the regulations are workable and enforceable. It simplifies the process for deciding when environmental statements are required and lengthens the minimum time available for public comments on such statements from fourteen days to four weeks. It also introduces penalties for knowingly providing inaccurate information in connection with an environmental statement for failure to obtain consent or to observe conditions attached to a consent.

I announced on 10 September 1997 that I saw no reason to wait until 1999 to introduce the thresholds introduced in the 1997 amending Directive above which environmental assessment will become compulsory for certain development and pipeline projects. The revised text therefore uses a provision in the 1985 Directive which allows Member States to select appropriate thresholds above which projects covered by the Directive must be subject to environmental assessment, to require assessments of relevant projects which exceed these daily production or pipeline size thresholds. The draft Regulations do not implement the 1997 Directive, which Member States are required to adopt by mid-March 1999.

The revised draft is being circulated by Government Departments and to other organisations which responded to the consultation draft of 1997. The regulations will now be laid as soon as possible after this second round of consultation has been completed, probably in March this year.

Emission Limits

Mr. Boswell: To ask the President of the Board of Trade what consultations she held with power generators prior to the Environment Agency's recent announcement of accelerated emissions limits. [25483]

Mr. Battle *[holding answer 26 January 1998]:* No consultations were held with power generators prior to the issue of the Environment Agency's consultation document proposing new emission limits. It is an Independent Body and does not necessarily inform the DTI in advance of its consultative documents.

Overseas Visits

Mr. Wilshire: To ask the President of the Board of Trade, pursuant to her answer of 20 January 1998, *Official Report*, column *473*, if she will publish the programme of Lady Clinton-Davis when she accompanied her husband to Korea and Japan at public expense. [25597]

Mrs. Beckett *[holding answer 26 January 1998]:* Lady Clinton-Davis accompanied the Minister for Trade on a number of engagements in his own programme and in addition undertook a number of separate official engagements.

Mr. Wilshire: To ask the President of the Board of Trade, pursuant to her answer of 20 January 1998, *Official Report*, 1998 column *473*, if she will publish the

programmes of her husband when he accompanied her to *(a)* India and Australia and *(b)* China, Hong Kong and Pakistan at public expense. [25596]

Mrs. Beckett *[holding answer 26 January 1998]:* Along with a British business delegation in India, China and Pakistan, Mr. Beckett accompanied me on my own programme, except for a small number of meetings with overseas Ministers where matters were discussed in confidence.

Insolvency Practitioners

Mr. Cousins: To ask the President of the Board of Trade if the insolvency practitioner whose name has been sent to her is currently on the register maintained by the Insolvency Service. [25353]

Mr. Nigel Griffiths *[holding answer 27 January 1998]:* If the hon. Member is referring to matters I answered on 27 January 1998, *Official Report*, column *162*, the liquidator of GSW Stewart Ltd., Mr. S. P. J. White, is on the register.

Export Licences

Mrs. May: To ask the President of the Board of Trade how many export licence applications are outstanding; and how many have been outstanding for *(a)* one month, *(b)* three months and *(c)* more than three months. [24117]

Mrs. Roche: At 24 December 1997, a decision had not yet been taken on 1,674 applications for new individual export licences received since 2 May 1997. These are broken down as follows:

	Applicants received between 2 May 1997 and 24 September 1997	*Applicants received between 25 September 1997 and 24 November 1997*	*Applicants received between 25 November 1997 and 24 December 1997*
Standard individual export licences	457	442	599
Open individual export licences	93	58	25

However, this information should be considered in light of my answer of 30 October 1997 to my hon. Friend the Member for Don Valley (Caroline Flint), *Official Report*, columns *256–58*.

Fishermen (Redundancies)

Mr. Mitchell: To ask the President of the Board of Trade what estimate she has made of the amount contributed annually to the redundancy fund by the fishermen made redundant as a result of the loss of Icelandic fishing in 1976. [23460]

Mr. Ian McCartney: I am not aware of any such estimate by this Department. However, statistics on National Insurance contributions are a matter for the Secretary of State for Social Security.

Domestic Gas

Mr. Gordon Prentice: To ask the President of the Board of Trade what representations she has received from *(a)* gas consumers and *(b)* organisations representing consumers concerning the marketing techniques used by new entrants into the domestic gas supply market. [26243]

Mr. Battle: I refer my hon. Friend to the reply I gave to the hon. Member for Carshalton and Wallington (Mr. Brake), on 29 January 1998, *Official Report*, column *358*.

Technology Foresight

Mr. Gordon Prentice: To ask the President of the Board of trade if she will report to Parliament annually on the work of the technology foresight groups setting out details of their current work, any recommendations which they have made and the Government's response to them. [26733]

Mr. Battle: Information on these lines is already provided in the annual report on DTI Expenditure Plans and in OST publications. In addition, in publishing the report on the Foresight Audit, my right hon. Friend the President of the Board of Trade announced last October that the Government have set up a Ministerial Foresight Group, under my chairmanship, to provide top-level co-ordination of the Foresight Programme across Whitehall. The Group has asked for progress reports at six month intervals which I would expect to publish.

Dart Engine

Mr. Gordon Prentice: To ask the President of the Board of Trade how much the Government have received in repaid launch aid from their investment in the dart engine. [26814]

Mr. Battle: The total sum of levies received to date from sales of the Dart engine is £6,958,475.74.

Power Cuts (Christmas Period)

Mr. Ruane: To ask the President of the Board of Trade how many households in the MANWEB supply area qualified for compensation due to electricity cuts over the Christmas period; and how many households actually claimed this compensation. [26844]

Mr. Battle: The Office of Electricity Regulation cannot provide the information to enable this question to be answered at this stage. I have asked the Director General of Electricity supply to write to the hon. Member when it is available.

Photocopier Industry

Mr. Redwood: To ask the President of the Board of Trade when and where the Minister for Competition and Consumer Affairs last met representatives of Copywatch. [24765]

Mrs. Margaret Beckett *[holding answer 22 January 1998]:* On 14 January, in Parliament, with the editor and assistant editor of "What to Buy for Business", during which they discussed the failure of—the BEUA—the photocopying advisers of the right hon. Member for

Workingham (Mr. Redwood)—to comply with company law in relation to its accounts, which were filed late, incurring a penalty of £250.

EDUCATION AND EMPLOYMENT

Pupil Statistics

Mr. St. Aubyn: To ask the Secretary of State for Education and Employment (1) how many children are in year 3 in maintained schools; and how many of those children are in classes where a majority of the children belong to another school year; [26857]

(2) how many children are in year 2 in maintained schools; and how many of those children are in classes where a majority of the children belong to another school year; [26858]

(3) how many children are in year 1 in maintained schools; and how many of those children are in classes where the majority of the children belong to another school year. [26860]

Mr. Byers: The information requested is not collected centrally.

Astra Group Pension Scheme

Mr. Loughton: To ask the Secretary of State for Education and Employment if he will make a statement on the performance of the Trustees of the Astra Group Pension Scheme; if he will make a statement on the timetable for producing the accounts of the Astra Group Pension Scheme for the years ended April *(a)* 1994, *(b)* 1995, *(c)* 1996 and *(d)* 1997; if he will review the actuarial valuation of the pension fund (i) before and (ii) after privatisation; and if he will make a statement on the privatisation. [27139]

Dr. Howells: The current pension fund trustees of the former Astra Group were appointed by Receivers following the collapse of the Company in 1993. Questions about the performance of the trustees should be addressed to the Liquidators. Production of the Company's accounts and any produced separately for the Pension fund following receivership are not matters for the Department for Education and Employment. The Secretary of State is unable to review any actuarial valuation of the former Company pension fund.

The sale of a large element of the Skills Training Agency and its former Skillcentres to the former Astra Group was part of the previous Government's privatisation programme. No such set programme exists under the present Government, though privatisations continue where appropriate, subject to rigorous handling and detailed consideration by Departments. The Secretary of State is doing everything possible to assist former Department staff who lost their jobs with the Astra collapse and are still experiencing major problems with this and their Pensions values.

Education Spending

Mr. Welsh: To ask the Secretary of State for Education and Employment what was the expenditure on education *(a)* in current prices and *(b)* as a percentage of United Kingdom gross domestic product in the relevant year in (i) 1968, (ii) 1979 and (iii) 1996–97. [26094]

Dr. Howells: The information requested is set out in the table:

	1968–69 estimate	*1978–79 outturn*	*1996–97 provisional outturn*
Spending in real terms at 1997–98 prices	£21½ billion	£28.7 billion	£37.9 billion
Spending as a proportion of GDP	5 per cent.	5.4 per cent.	4.9 per cent.

1. Figures for 1978–79 and 1996–97 are from PESA March 1997.
2. Cash figures for 1968–69 are not readily available. The spending figure for that year is an estimate based on a provisional outturn figure at 1969 survey prices which appears in *Public Expenditure 1968–69 to 1973–74*, December 1969. This figure includes spending on local authority libraries. Because of the difficulties in estimating a cash figure and in repricing to current prices, the spending figure for this year is rounded to the nearest half billion and the figure for spending as a proportion of GDP is rounded to the nearest ¼ per cent.

Dearing Report

Helen Jones: To ask the Secretary of State for Education and Employment what plans he has to implement recommendation 66 of the Dearing Report. [26799]

Dr. Howells: We are considering our response to the recommendations of the Dearing Report, including recommendation 66, and will announce our response in due course.

HEALTH

Atomic Test Veterans

Mr. Llew Smith: To ask the Secretary of State for Health if he will investigate the complaints of long-standing illness claimed by atomic test veterans and their families and forwarded to him by a national Sunday newspaper. [23810]

Ms Jowell: The Department of Health has not received correspondence from a national Sunday newspaper about illnesses claimed by atomic test veterans and their families. The Ministry of Defence is responsible for issues involving atomic test veterans.

Haemophiliacs

Mr. Syms: To ask the Secretary of State for Health (1) what representations he has received in respect of compensation for haemophiliacs who have been infected with hepatitis C through contaminated blood products; [24586]

(2) if he will make a statement on Government policy towards haemophiliacs infected with hepatitis C by contaminated blood products. [24669]

Mr. Boateng: Since 2 May 1997 there have been five Parliamentary Questions, in addition to this one, and Ministers have received approximately 70 letters about the

issue of special payments for haemophiliacs infected with hepatitis C through National Health Service blood products. Ministers have also met representatives of the Haemophilia Society to discuss the issue.

This is a complex matter which needs full and careful consideration. My right hon. Friend the Secretary of State has promised to write to the Haemophilia Society about it, and he hopes to be in a position to do so shortly.

London Hospitals

Mr. Maples: To ask the Secretary of State for Health when the Turnberg Committee submitted its report on London Hospitals to him. [25894]

Mr. Milburn: November.

Waiting Lists

Mr. Letwin: To ask the Secretary of State for Health what steps he has taken to expedite the collation of statistics relating to *(a)* reductions and *(b)* increases in waiting lists in the NHS. [26146]

Mr. Milburn: We are using the well established quarterly collection, and publication, of waiting list statistics from health authorities and trusts to monitor changes in the numbers of patients awaiting admission to National Health Service hospitals in England.

Dental Services

Mrs. May: To ask the Secretary of State for Health what initiatives the Government have taken since 1 May 1997 to increase the number of dentists offering NHS treatment, with particular reference to Berkshire. [26158]

Mr. Milburn: In September 1997 we launched our Investing in Dentistry initiative, with £9 million of new money. This initiative focuses help on those areas of the country where the problems of access to National Health Service dentistry and oral health inequalities are most acute by providing grants to enable dentists to expand existing practices and set up new ones. On 1 January we announced a further £10 million for 1998–99 to continue the Government's drive to tackle these issues through the initiative.

My right hon. Friend the Secretary of State has recently approved funding under section 56 of the NHS Act 1977 to help a dentist set up a multi-surgery in Maidenhead.

Mr. Loughton: To ask the Secretary of State for Health how many NHS dentists practise in West Sussex; what is the average number of people registered with each NHS dental practitioner in *(a)* West Sussex and *(b)* nationally; and what is the current average waiting time for routine dental treatment with NHS dentists in West Sussex. [27138]

Mr. Milburn: There were 300 General Dental Service dentists on West Sussex Health Authority's list on 30 September 1997. At the same date the average number of registered patients per dentist in West Sussex was 1,367 and in England the average was 1,599.

Information is not kept on waiting times for dental treatment either locally or nationally.

Mr. Loughton: To ask the Secretary of State for Health if he will make a statement on the availability of NHS dental services in West Sussex. [27137]

Mr. Milburn: There were 300 General Dental Service dentists on West Sussex Health Authority's list on 30 September 1997. The health authority can refer patients to a dentist willing to register them for National Health Service treatment.

Drugs

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the percentage of young people who have used an illegal drug by the time they have reached the age of 24 years. [26480]

Mr. Boateng: Information from the 1996 British Crime Survey shows that 49 per cent. of people in England and Wales aged 20–24 had taken drugs.

Mr. Flynn: To ask the Secretary of State for Health what estimate he has made of the numbers of cannabis users who *(a)* first use tobacco cigarettes as a gateway to cannabis and *(b)* use cannabis as their first gateway drug. [26475]

Ms Jowell: Although most problematic drug users will also have used cannabis and other substances, the Parliamentary Office of Science and Technology report of May 1996 states that the vast majority of cannabis users do not progress to drug abuse or dependency, and most never try another drug. In the absence of clear evidence, the extent to which some substances may act as a gateway to others remains a matter of debate.

NHS Care (Failures)

Mr. Flynn: To ask the Secretary of State for Health the deaths of how many people have been found to have been caused by failures of NHS care in each of the past six years. [26479]

Mr. Milburn: The information is not available in the format requested.

Mortality statistics are collected by the Office for National Statistics, but the information on cause of death is taken from death certificates which specify only the precise illness or injury. It is impossible to identify from that whether there was any indication of the death resulting from a failure in care or treatment.

Residential Homes (Treatments)

Mr. Flynn: To ask the Secretary of State for Health if he will assess the advantages of the electronic monitoring of the confused elderly in residential homes as an alternative to the use of anti-psychotic drugs. [26485]

Mr. Boateng: There are currently no plans to assess the advantages of the electronic monitoring of the confused elderly in residential homes as an alternative to the use of anti-psychotic drugs. It is for local authorities to decide, as part of their regulatory responsibilities, whether electronic monitoring is appropriate in any particular circumstances.

Mental Health Care

Mr. Hesford: To ask the Secretary of State for Health what plans he has to establish a mental health commission to oversee delivery of mental health care through community services; and if he will make a statement. [26782]

Mr. Boateng: We have established an Independent Reference Group (IRG) to give Ministers advice to help shape credible mental health services and build up public confidence. The IRG will advise Ministers from time to time on a range of important mental health matters. Their first task is to consider long stay hospital closure plans to help ensure that alternative care is in place before closures go ahead.

Ms Walley: To ask the Secretary of State for Health (1) what assessment he has made of the benefits for Alzheimer's sufferers from the drug Aricept; and if he will make a statement on the availability of Aricept in the United Kingdom; [27115]

(2) what plans he has to issue guidance on the prescription of Aricept for Alzheimer's suffers; and if he will make a statement. [27116]

Mr. Milburn: The Standing Medical Advisory Committee is currently considering the benefits of the drug Aricept. Health authorities and clinicians already have access to a number of sources of information on Aricept, on which they can make decisions about the use of this drug.

SCOTLAND

Waste Materials

Mr. Salmond: To ask the Secretary of State for Scotland what controls are in place to monitor the *(a)* transportation and *(b)* dumping of waste materials; and how many cases of breaches of these controls have been recorded in the last five years. [22942]

Mr. Dewar *[holding answer 15 January 1998]:* The following controls are in place to monitor the transportation of wastes:

The Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991;

The Environmental Protection (Duty of Care) Regulations 1991;

The Special Waste Regulations 1996, as amended;

The Transfrontier Shipment of Waste Regulations 1994.

The following controls are in place to monitor the dumping of waste materials:

The Environmental Protection (Duty of Care) Regulations 1991;

The Sludge (Use in Agriculture) Regulations 1989;

The Animal By-Products Order 1992;

The Specified Risk Material Regulations 1997.

Figures are not held centrally on breaches in respect of the spreading of sludge on agricultural land, or in respect of the Animal By-Products Order 1992. Information on breaches of legislation in respect of controlled waste is available from "The Scottish Office Statistical Bulletin on Waste Collection, Disposal and Regulation," copies of which are placed in the House Library. Statistics are available for the years 1992, 1993 and 1994. The number of prosecutions for breaches of controlled waste legislation which resulted in a guilty verdict is as follows:

1992: 2

1993: 13

1994: 22.

Mr. Salmond: To ask the Secretary of State for Scotland what assessment he has made of the level of *(a)* sewage, *(b)* abattoir and *(c)* factory waste being transported by road; if he will make a statement on trends in such transportation; and if he will make a statement on the Government's policy on waste management. [22941]

Mr. Dewar *[holding answer 15 January 1998]:* The amount of factory waste estimated to have been transported by road in Scotland in 1994 (the most recent year for which statistics are available) is approximately 4 million tonnes. This indicated an upward trend at that time. Figures are not held centrally for the amounts of sewage and abattoir waste transported by road.

The Government are committed to the European Strategy on Waste and the principle of sustainable waste management. The Scottish Environment Protection Agency is currently preparing the National Waste Strategy for Scotland, the final draft of which will be available by the end of the year.

HIV-AIDS Drug Therapies

Mr. Gerrard: To ask the Secretary of State for Scotland what eligibility criteria have been drawn up for access to combination drug therapies for people with HIV-AIDS living in Scotland; and how these differ from guidelines in use in the rest of the United Kingdom. [26005]

Mr. Galbraith *[holding answer 27 January 1998]:* It is for individual clinicians to determine the appropriate treatment in consultation with the patients concerned and having regard to any locally agreed treatment protocols. I have recently set up an expert group, part of whose remit is to recommend appropriate treatment protocols for combination therapy for HIV patients.

Edinburgh Royal Infirmary

Mr. Chisholm: To ask the Secretary of State for Scotland how much has been paid in capital charges by the Royal Infirmary of Edinburgh in each of the last five years; and what will be the unitary charge to the private sector in each of the next 20 years under the PFI scheme for the new Royal Infirmary of Edinburgh. [27096]

Mr. Galbraith: The Royal Infirmary of Edinburgh has paid capital charges only since it was established as an NHS Trust on 1 April 1994. The sums paid by the Trust on its interest bearing debt and dividends on its Public Dividend Capital in the last three years is given in the table.

	£000
1994–95	6,010
1995–96	6,324
1996–97	6,167

Since the PFI contract for the New Royal Infirmary of Edinburgh has not yet reached financial close, details of the unitary charge payable to the private sector are still being negotiated.

Family Expenditure Survey

Mr. Swinney: To ask the Secretary of State for Scotland what estimate he has made of the cost of increasing the size of the Family Expenditure Survey sample to allow for accurate family expenditure statistics disaggregated to a Scottish geographical level. [26093]

Mr. Wilson: The sample size and coverage of the Family Expenditure Survey is regarded as sufficient to support present uses of information from the survey, including analysis at Scotland level.

The Scottish Office is currently considering carefully the need for survey and other statistical information to support the development and monitoring of the Government's policies in Scotland.

SOCIAL SECURITY

Benefit Integrity Project

Mr. Burstow : To ask the Secretary of State for Social Security what steps are taken by her Department to ensure consistency in the conduct of Benefit Integrity Project interviews and assessments. [26422]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 2 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what steps are taken by her Department to ensure consistency in the conduct of Benefit Integrity Project (BIP) interviews and assessments.

The BIP is looking again at some awards of Disability Living Allowance (DLA). Information is collected either by visiting the disabled person at home or by sending them a questionnaire by post. In the interests of fairness and effective administration, it is important that visiting officers carry out interviews to a common standards and to this end they have been selected against common criteria and have all attended a specially designed training. The training course covers all aspect of visiting techniques, including a session prepared and delivered by members of the Disability Income Group.

A further important source of consistency is that the information obtained from our enquiries, both by post and at visits, is recorded on the same form, DLA 250, which has been designed to ensure that, when completed, it provides a comprehensive picture of a person's circumstances and how their disability affects their daily life.

As with all aspects of the work of the Benefits Agency (BA), checks are carried out to ensure that high standards are maintained. In the case of BIP, managers at the Disability Benefit Centres, where the visiting officers are located, are required to monitor the standard of completion of BIP questionnaires and to accompany visiting officers on a number of visits.

Once BIP enquiries are complete, an adjudication officer may be required to review the award of DLA. Adjudication on BIP cases is subject to the same rules and controls as any other DLA case, which means that cases are checked by the BA's Adjudication, Checking and Advice Team.

I hope you find this reply helpful.

Winter Fuel Payments

Mr. Rendel: To ask the Secretary of State for Social Security (1) what will be the impact on the timetable for winter fuel payments of the need to send out new payments to those pensioners whose first payments were wrongly dated; [27069]

(2) how many pensioners will still be due to receive this year's winter fuel payments after March 1998. [27072]

Mr. Denham: Winter Fuel Payments are one of a number of initiatives the Government have taken to help vulnerable people, especially the elderly, keep warm in the winter. This is the first time that any Government have made a payment to all pensioners towards their heating costs.

This is an enormous and unprecedented exercise, involving the making of around 10 million payments to over 7 million pensioner households at a total cost of around £200 million.

The administration of winter fuel payments is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Rendel, dated 2 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking; what will be the impact on the timetable for winter fuel payments, of the need to send out new payments to those pensioners whose first payments were wrongly dated; and how many pensioners will still be due to received this year's winter fuel payments after March 1998.

There will be no impact on the original timetable for Winter Fuel Payments. Arrangements were made to ensure those pensioners, whose first payments were wrongly dated, received replacement girocheques by 31 January 1998.

Priority has been given to issuing payments to the poorest pensioners—those who are receiving Income Support or income based Jobseekers Allowance. A total of 1,441,614 payments of £50 have been issued, as at 31 January 1998. This does not include the small number of clerical payments made locally.

It is estimated that almost a further 8.5 million pensioners will be entitled to payment of £20 or £10. Where there is only one eligible pensioner in a household, or they are of no fixed abode, they will receive £20; otherwise each eligible pensioner will receive £10.

Around fifteen million computer records will be matched to identify each eligible pensioner and determine the correct amount due. Based on current planning assumptions, we expect this process to be completed by the beginning of March. The process of producing a payment for each eligible pensioner will then begin. The intention is to issue the payments as quickly as possible, but at the same time manage both capacity and continue to deliver normal benefit services. The great majority of payments will be made by the end of March, but we will continually review the project plan, with the aim of improving on the delivery timescales, if at all possible.

Thank you for the opportunity to explain the position and I apologise for any inconvenience caused.

Disability Living Allowance

Mr. Burstow: To ask the Secretary of State for Social Security what plans she has to implement each of the recent recommendations made by the Disability Living Allowance Advisory Board. [26426]

Mr. Denham: Disability benefits are included in this Department's Comprehensive Spending Review which was announced on 11 June last year. The review is a first step in our plan to modernise and improve the Social Security system, so that it helps people to work as far as they are able, provides appropriate support to those who cannot work, and makes the most effective use of resources available. We have received a number of suggestions and recommendations from a range of bodies with an interest, including the Disability Living Allowance Advisory Board, and they are being considered as part of the review.

When we have identified specific proposals for disability benefits we will consult disabled people, their organisations and others with an interest. We will not implement any changes without first consulting them.

Cold Weather Payments

Mrs. Ewing: To ask the Secretary of State for Social Security if she will list the number of cold weather payments triggered in the current financial year by *(a)* weather station and *(b)* total value. [26797]

Mr. Denham: The information requested is set out in the table:

Weather station	*Number of triggers this financial year*	*Estimated number of payments made*	*Estimated total cost (£)*
Loch Glascarnoch	1	1,904	16,184
Sennybridge	1	44,318	376,703
Eskdalemuir	1	3,587	30,490
Totals	3	49,809	423,377

European Parliament (Women's Rights Committee)

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will make a statement on her appearance before the Women's Rights Committee of the European Parliament; and if she will place in the Library a copy of her address to the EP Committee. [26984]

Ms Harman: On 2 February I made a speech to the Women's Rights Committee of the European Parliament which was well received. I have placed a copy in the Library.

Pensioners

Mr. Swinney: To ask the Secretary of State for Social Security if she will estimate the annual ratio between workers and pensioners in the United Kingdom for each year up to 2030; and if she will make a statement. [26088]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Ratio between people of working age and people over pensionable age in Great Britain

	Number of people of working age per pensioner
1996	3.4
2001	3.4
2011	3.2
2021	3.3
2031	2.6

Notes:
Working age is defined as between 16 and State Pension Age. The figures take account of the change in State Pension Age for women which will take place between 2010 and 2020.
Source:
Government Actuary's Department 1996—based national population projections.

Benefits (Take-up)

Mr. Swinney: To ask the Secretary of State for Social Security (1) if she will list the Government and Government-commissioned research into the factors affecting take-up of benefits specifically in rural areas, listing those who undertook the research and when; [26089]

(2) if she will list the Government measures designed specifically to encourage take-up of benefits in rural areas. [26090]

Mr. Keith Bradley: We would encourage anyone who thinks that they may be entitled to benefit to make a claim, wherever they live in Britain.

We are particularly concerned about the million pensioners who are not claiming the Income Support to which they are entitled, and from April we will be running a number of pilot projets, costing a total of £15 million, to find out how best to get help to them.

We have also commissioned research to identify the most important barriers faced by pensioners not claiming their Income Support entitlement. This will look at any factors which may explain their reluctance to make a claim, including the type of area in which they live. It is being carried out this year by Social and Community Planning Research (SCPR).

A review of research on the take-up of benefits which covered aspects of benefit take-up in rural areas amongst others was commissioned by the Department and published in 1995. (Corden, A., 1995, Changing Perspectives on Benefit Take-up, London: HMSO).

Pensions

Mr. Webb: To ask the Secretary of State for Social Security how many people aged under 30 years are currently accruing rights under *(a)* the state earnings related pension scheme, *(b)* an occupational pension scheme, *(c)* a perronal pension scheme and *(d)* no second tier pension; and what recent initiatives she has taken to encourage second tier provision aamong this group. [25544]

Mr. Denham *[holding answer 26 January 1998]:* For most people security in retirement comes from having two pensions, the basic State pension and a secure, funded second pension. That is why the Government have set out

clearly our plans for developing new Stakeholder Pensions for those who cannot join an occupational scheme or for whom personal pensions are not suitable. We will publish an initial framework for change in the first half of this year.

In the tax year 1995–96, the latest year for which figures are available, the estimated number of people in Great Britain aged 16 to 29 was 11 million[1]. Of these, 5.1 million accrued no rights to a second tier pension, in most cases because they were in full-time education, employed with low earnings, unemployed or caring for children. The remaining people accrued pension rights as follows[2]:

2.6 million people accrued rights under the State Earnings Related Pension Scheme (SERPS) based on their full National Insurance Contributions[3].

1.8 million people were in a contracted-out occupational pension scheme[4].

2.1 million people held Appropriate Personal Pension (APP) plans[5].

[1] Source: Mid 1995 estimate from the Office for National Statistics (ONS) Population Estimate Unit.

[2] Source: Numbers accruing rights to second rights to second pensions are from the Lifetime Labour Market Database, a 1 per cent. sample of the National Insurance Recording System taken at February 1997. Figures are rounded to the nearest hundred thousand. People may accrue rights to more than one type of pension.

[3] A further 2.7 people accrued negligible amounts of SERPS. These were mainly people who chose to contract out of SERPS into other second tier provision. Also, prior to the 1995 Pensions Act provisions which changed the SERPS formulae for awards from April 2000, it was possible for the self-employed and those paying voluntary contributions to accrue small amounts of SERPS.

[4] Figures are not available for the number of people accruing rights in occupational pension schemes not contracted out of SERPS.

[5] An APP plan is a personal pension used to contract out of SERPS. This figure includes 0.7 million people where no minimum contributions were made by the Department into the plan in 1995–96. Figures are not available for the number of people accruing rights in non-appropriate personal pensions, i.e., personal pensions not contracted out of SERPS.

Ministerial Cars

Mr. Stunell: To ask the Secretary of State for Social Security what was the *(a)* estimated average fuel consumption and *(b)* total mileage of ministerial cars travelling on official business in each year since 1989–90. [25796]

Mr. Kilfoyle: I have been asked to reply.

Responsibility for these matters has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Andrew Stunell, dated 3 February 1998:

Your Questions about (a) the estimated average fuel consumption and (b) the total mileage of ministerial cars travelling on official business in each year since 1989–90 to the Secretary of State for the Environment, Transport and the Regions, and the Secretary of State for Social Security have been passed to the Chancellor of the Duchy of Lancaster. He has asked me in my capacity as the Chief Executive of the government Car and Despatch Agency to reply.

Based on the usage for the current financial year from 1 April 1997, when the Agency was first formed, I estimate that in a full year ministerial cars allocated to the Department of the Environment, Transport and the Regions will have an average fuel consumption of 26 miles per gallon, and will travel 86,000 miles on official business. Using the same basis, I estimate that ministerial cars allocated to the Department of Social Security will have an average fuel consumption of 26 miles per gallon, and will travel 53,500 miles on official business.

The information for earlier years prior to the formation of the Agency is not readily available and can only be obtained at a disproportionate cost.

Cars and drivers are allocated for the use of Ministers and their private offices. In addition to ministerial duties, they are also used for several other purposes such as the movement of documents and for use by officials as directed by the ministerial private office.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Local Government Finance

10. **Mr. Greenway:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the local government finance settlement for local authorities in North Yorkshire. [24897]

Mr. Raynsford: Written representations on our proposals have been received from North Yorkshire County Council, Harrogate Borough Council, Ryedale District Council, Scarborough Borough Council and York City Council. My hon. Friend the Minister for Local Government and Housing also met North Yorkshire, Harrogate and York to discuss their concerns. I understand that the hon. Member was present at the meeting with York City Council.

12. **Mrs. Virginia Bottomley:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on local government funding in Surrey. [24899]

Ms Armstrong: Written representations on our proposals were received from Surrey County Council, Epsom and Ewell Borough Council, Runnymede District Council, Spelthorne Borough Council, Waverley Borough Council, and Surrey Heath Borough Council. I also met representatives from Runnymede District Council and my hon. Friend the Parliamentary Under-Secretary with responsibility for the regions met Surrey County Council to discuss their concerns on the provisional settlement.

28. **Mr. Gray:** To ask the Secretary of State for the Environment, Transport and the Regions when he last met representatives of local government in England to discuss local government finance. [24915]

Mr. Raynsford: I last met representatives of local government during the recent consultation on our proposals for local government finance in 1998–99.

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will publish figures for every local authority in England showing the amount of revenue support grant which they would have received had their 1998–99 standard spending assessment increased by 5 per cent., compared with the adjusted SSA figure for 1997–98; and if he will show *(a)* in cash terms and *(b)* percentage terms how this differs from the actual amount of revenue support grant which they will receive in 1998–99; [27186]

(2) if he will publish figures for every local authority in England showing the amount of revenue support grant which they would have received had their 1989–99 standard spending assessment increased by 13 per cent., compared with the adjusted SSA figure for 1997–98; and if he will show *(a)* in cash terms and *(b)* in percentage terms how this differs from the actual amount of revenue support grant which they will receive in 1998–99. [27187]

Mr. Raynsford: I have placed the information requested in the Library.

Housing Development

11. **Mr. Brady:** To ask the Secretary of State for the Environment, Transport and the Regions how many square miles of green belt land have been subject to new planning approvals since 1 May 1997. [24898]

Mr. Caborn: About 620 hectares of Green Belt have been deleted by development plan changes. Over the same period local authorities have proposed adding some 33,000 hectares to the Green Belt. If they are all adopted that will mean over 32,000 hectares will have been added to the Green Belt—that is about three times the size of Bristol.

13. **Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's policy towards housing development in the countryside. [24900]

Mr. Caborn: The Government are committed to protection of the countryside. This involves making the best possible use of brownfield sites in urban areas to accommodate new homes. Where development in the countryside is necessary, we have very strict controls on development.

22. **Sir Paul Beresford:** To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy on the proportion of new homes which should be accommodated on land which has been developed. [24909]

27. **Mr. Sheerman:** To ask the Secretary of State for the Environment, Transport and the Regions what steps is he taking to encourage the use of brown-field sites. [24914]

Mr. Boswell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to maximise the use of brown-field sites for housing. [25602]

Mr. Raynsford My right hon. Friend the Secretary of State hopes to make a statement to the House on the whole issue of household growth later this month. Meanwhile, national planning policy encourages local authorities to use previously developed sites for housing. This helps regenerate our towns and cities and helps to protect our countryside.

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of additional dwellings required by 2018; and on what assumptions his estimate is based. [27135]

Mr. Raynsford: My Department has made no estimate of the number of homes that need to be constructed by 2018. The latest 1992-based household projections, published in March 1995, indicate a 4.4 million increase in the number of households in England in the 25 year period from 1991 to 2016. However, these household projections should not be taken as an estimate of the number of additional houses which have to be built. Rather, they represent just one of the factors to be taken into account by local planning authorities when arriving at figures for housing provision to be included in regional guidance and development plans. The detailed assumptions underlying these projections to 2016 are set out in the Stationery Office "Projections of Households in England to 2016", a copy of which is in the Library. My Department is planning to compile revised, 1996-based, household projections around the end of this year.

Home Energy Efficiency

14. **Mr. Stunnell:** To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to improve energy efficiency in low-income households. [24901]

Angela Eagle: This year the Home Energy Efficiency Scheme should improve the insulation of 400,000 homes of low income families, and next year reduced VAT within the scheme should boost that by about 10 per cent. Our Capital Receipts initiative and the new Environmental Task Force will further increase activity.

Mr. Canavan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to develop the home energy efficiency scheme. [24892]

Angela Eagle: A review of the scheme is being carried out to find out if it is helping the right people in the most effective way. I will consider carefully any options for developing the scheme which flow from the review.

Structure Plan (Hertfordshire)

15. **Mr. Wilkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what response he has given to the request from the London Green Belt Council to discuss the Hertfordshire structure plan. [24902]

Mr. Caborn: We have declined the London Green Belt Council's request for a meeting because we have indicated to Hertfordshire County Council that we are unlikely to intervene in its Plan if it proceeds to adoption on the basis now proposed. It is now the County Council's responsibility to progress its plan.

Housing (Repair and Renovation)

16. **Mr. Pike:** To ask the Secretary of State for the Environment, Transport and the Regions what percentage of housing in England he assesses to be in need of *(a)* major repair and *(b)* renovation. [24903]

Ms Armstrong: Around 7.5 per cent of dwellings are unfit for habitation and might be considered to be in need of renovation. About 3 per cent. of dwellings are unfit owing to disrepair and might therefore be considered to be in need of major repair.

London Government

17. **Mr. Khabra:** To ask the Secretary of State for the Environment, Transport and the Regions when he will publish a White Paper setting out proposals for an elected mayor and assembly for London. [24904]

Mr. Raynsford: The Government are currently considering the responses they received to the Green Paper "New Leadership for London" and intend to publish their proposals for a Greater London Authority in March.

26. **Mr. McNulty:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the proposed referendum on a mayor and assembly for London. [24913]

Mr. Raynsford: A number of responses to the "New Leadership for London" consultation mentioned the proposed referendum. It is not possible to index all references in all letters. However, I believe that since the close of the consultation on 24 October, some 25–30 letters have made a reference to the referendum.

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 15 December 1997, *Official Report*, column *39*, when he expects to receive *(a)* the first and *(b)* the final version of the report on the electoral system for the Greater London Assembly, commissioned from Professor Patrick Dunleavy; and if he will place copies of both the first and final versions in the Library. [27300]

Mr. Raynsford: A copy of the report, "Electing the London Mayor and the London Assembly", received by the Government from Professor Patrick Dunleavy and Dr. Helen Margetts, has been placed in the Library today.

Rented Property

18. **Mr. Corbyn:** To ask the Secretary of State for the Environment, Transport and the Regions what proposals his Department has to enable local authorities to increase their stock of rented property. [24905]

Ms Armstrong: We have already acted to provide additional resources for housing and housing-related regeneration under the Capital Receipts Initiative, and we expect the provision of new social housing in partnership with registered social landlords to be among local authorities' priorities for applying the extra spending power. Future investment in social housing is one of the factors being considered in the Comprehensive Spending Review.

Regional Development Agencies

19. **Mrs. Spelman:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the representation of rural interests on the boards of the regional development agencies. [24906]

Mr. Caborn: Our White Paper "Building Partnerships for Prosperity" made clear that outside of London each RDA Board will include at least one member who can contribute a strong rural perspective.

20. **Mrs. Ellman:** To ask the Secretary of State for the Environment, Transport and the Regions what role he plans for regional chambers in the development of regional policy and regional economic development. [24907]

Mr. Caborn: Regional chambers will be a mechanism through which RDAs can take account of regional views and account for their activities. Each RDA will have regard to the chamber's views in preparing its economic strategy, will consult the chamber on its corporate plan and will give an account of its performance to the regional chamber.

Smoking

21. **Mr. Dismore:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the work of the Health and Safety Executive in combating smoking and passive smoking in the workplace. [24908]

Angela Eagle: The Health and Safety Executive (HSE) enforces prohibitions on smoking where necessary for safety. HSE also recommends employers introduce policies on passive smoking, giving priority to non-smokers' needs. HSE will review policy on workplace smoking when the forthcoming report from the Scientific Committee on Tobacco and Health is published.

Wildlife Sites

23. **Mr. Sanders:** To ask the Secretary of State for the Environment, Transport and the Regions what plans his Department has to improve protection of important wildlife sites. [24910]

Mr. Meacher: The Government are currently considering how best to improve the protection and management of Sites of Special Scientific Interest. Officials are preparing a consultation paper seeking views.

Capital Receipts

24. **Mr. Hopkins:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress in the implementation of the phased release of capital receipts. [24911]

Mr. Raynsford: We have notified all local authorities in England that wish to receive resources under the Capital Receipts Initiative of their allocations of Supplementary Credit Approvals for both 1997–98 and 1998–99. £174 million in credit approvals has been allocated for 1997–98 and £569 million for 1998–99. These additional resources will be targeted on housing and housing-related regeneration schemes. Guidance issued on 2 October, which sets out how the Initiative will be taken forward, has been deposited in the Library of the House of Commons.

Wind Turbines

25. **Mr. Evans:** To ask the Secretary of State for the Environment, Transport and the Regions what is his policy towards the siting of wind turbines. [24912]

Mr. Raynsford: Advice on the siting of wind turbines is contained in Planning Policy Guidance note 22, "Renewable Energy" (PPG22). This sets out planning policy in relation to renewable energy developments. The annexe to PPG22 on wind energy provides detailed advice on a range of issues that may affect decisions on the siting of wind turbines. That advice covers, among other things, the visual impact of wind turbines, the considerations that apply in designated areas, noise, access and safety.

Road Safety (Children)

36. **Mr. Pollard:** To ask the Minister of Transport if he will make a statement on his Department's proposals to increase child safety on roads. [24923]

Dr. Strang: Improving child road safety is a key priority. We have a target to reduce the number of children killed on our roads by a quarter by the year 2000 on 1994 levels. We will be bringing forward further measures to improve child safety as part of our new road safety strategy.

Light Rapid Transport Schemes

38. **Mr. Alan Simpson:** To ask the Minister of Transport if he will make a statement on funding for light rapid transport schemes. [24925]

Dr. Strang: The Government are currently providing funds for the construction of the Midland Metro, Croydon Tramlink and the extension of Manchester Metrolink. We are giving careful consideration to the future funding of light rail schemes in our integrated transport White Paper.

Channel Tunnel Rail Link

39. **Mr. Timms:** To ask the Minister of Transport when he last met the chairman of London and Continental Railways to discuss progress on the channel tunnel rail link. [24926]

Mr. Prescott: I met Sir Derek Hornby and others from London and Continental Railways last Wednesday, 28 January. I subsequently made a statement to this House about the subject of that meeting.

Traffic Targets

40. **Mr. Walter:** To ask the Minister of Transport what is his policy on the introduction of targets to reduce the volume of traffic on the United Kingdom's roads. [24927]

Ms Glenda Jackson: Targets will be a significant feature in the Integrated Transport White Paper that we are publishing in the spring. We are considering carefully whether there should be further targets in addition to the range of relevant targets which already exist.

Passenger Traffic

41. **Sir Robert Smith:** To ask the Minister of Transport what action he is taking to encourage passenger traffic to use the railways instead of the roads. [24928]

Ms Glenda Jackson: The Government's overriding goal is to win more passengers and freight on to the railways. To that end, we will set up a new Rail Authority. Proposals for further action will be published with our Integrated Transport White Paper in the spring.

Vehicle Emissions

42. **Mr. Stringer:** To ask the Minister of Transport if he will make a statement on the enforcement of vehicle emissions standards by local authorities. [24930]

Ms Glenda Jackson: Seven local authorities have been given powers under regulations which came into force on 26 December 1997 to enforce vehicle exhaust emissions standards at the roadside. The seven authorities are Birmingham, Bristol, Canterbury, Glasgow, Middlesbrough, Swansea and Westminster and offenders will be liable to pay a £60 fixed penalty. We will be reviewing the effectiveness of the regulations over the next twelve months or so with a view to extending the powers to all local authorities.

45. **Mr. Bradshaw:** To ask the Minister of Transport if he will make a statement on the health effects of pollution from road traffic. [24933]

Dr. Strang: The Department of Health Committee on the Medical Effects of Air Pollutants published a report on 13 January which attempted to estimate the impact on health of air pollution from all sources, including road traffic. The report estimated that air pollution precipitates the deaths of 12,000–24,000 people a year. A copy of the report is in the House Library. Our review of the national air quality strategy will take account of this report and it will look at the prospects for delivering cleaner air more quickly. Proposals for improving the strategy are due at the end of the year. Air quality issues will also form an integral part of our fundamental review of transport policy.

Rail Fares

43. **Mr. Baker:** To ask the Minister of Transport what plans he has to encourage reductions in fares for rail passengers. [24931]

Ms Glenda Jackson: The Franchising Director has a statutory duty under the Railways Act 1993 to ensure that the interests of passengers are protected by requiring that rail fares are reasonable. We are conducting a thorough review of rail regulation to identify what improvements are needed to strengthen regulation in the interests of passengers.

Public Transport (Disabled People)

44. **Ms Dari Taylor:** To ask the Minister of Transport if he will make a statement on making public transport accessible to disabled people. [24932]

Ms Glenda Jackson: We are committed to implementing the transport provisions of the Disability Discrimination Act 1995. The regulations we will be making under the Act will require all land-based public transport to be accessible to disabled people, including wheelchair users.

Our detailed proposals for taxis, buses and coaches have been published. Draft regulations for rail vehicles will follow soon. Copies of all consultation documents are available from the Library.

A1 (Traffic Volumes)

46. **Mr. Cousins:** To ask the Minister of Transport what assessment he has made of traffic volumes on the A1 though Newcastle and Gateshead. [24934]

Dr. Strang: The traffic flows on the A1 are assessed using data collected from automatic traffic counters in the carriageway and on the slip roads onto the A1 through Newcastle and Gateshead. The data are collected and collated as an ongoing process by the Highways Agency.

Vehicles (Fuel Efficiency)

47. **Mr. Matthew Taylor:** To ask the Minister of Transport what plans he has to increase fuel efficiency in road vehicles. [24935]

Ms Glenda Jackson: There are a number of measures in place to increase fuel efficiency in road vehicles, including the 6 per cent. annual fuel duty increases announced by the Chancellor in July, the Cleaner Vehicles Task Force and negotiating a voluntary agreement with motor manufacturers at the European level. We will also be considering further measures as part of the climate change programme that we will be developing later this year.

Traffic (Wyre Piddle)

48. **Mr. Luff:** To ask the Minister of Transport if he will visit Wyre Piddle to study local traffic conditions. [24936]

Dr. Strang: Owing to other prior commitments I shall be unable to visit Wyre Piddle in the foreseeable future.

Rail Services

49. **Dr. Stoate:** To ask the Minister of Transport if he will make a statement on the punctuality performance of route groups of train services in the last quarter of *(a)* 1997 and *(b)* 1996. [24937]

Ms Glenda Jackson: In the last quarter of 1997 (14 September–6 December 1997) punctuality performance for 28 route groups of train services was better than in the last quarter of 1996 (13 October 1996–4 January 1997); for 27 route groups it was worse; and for two route groups performance was the same. (Changes to the structure of some of the route groups and the addition or deletion of some others mean that comparable information for nine route groups is not available). Details are shown in the quarterly bulletins published by the Office of Passenger Rail Franchising on 15 January 1998 and 4 February 1997, copies of which are in the Library.

The Franchising Director has expressed his concern about recent performance levels. We look to him to monitor train operators closely, to enforce the terms of the franchise agreements and to seek improvements in performance in the interests of passengers.

52. **Mr. Jenkins:** To ask the Minister of Transport how many route groups of train services performed with worse punctuality in the last quarter of 1997 than in the same period of 1996. [24940]

Ms Glenda Jackson: Twenty-seven route groups out of the 57 for which comparable information is available. Changes to the structure of some of the route groups and the addition or deletion of some others mean that comparable information for nine route groups is not available. Details are shown in the quarterly bulletins published by the Office of Passenger Rail Franchising on 15 January 1998 and 4 February 1997, copies of which are in the House Library.

Workplace Car Parking

50. **Mr. Bercow:** To ask the Minister of Transport what assessment he has made of the cost of policing and monitoring a system of taxing workplace car parking. [24938]

Ms Glenda Jackson: The Government are considering whether a levy on non-residential parking should form part of the package of measures that will constitute its integrated transport policy. Among the issues being assessed are the administrative and enforcement implications of any such levy.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to introduce a charge on car parking spaces provided by employers. [27158]

Angela Eagle: Greater use of the price mechanism to influence travel choice, which might include a levy on non-residential parking, is one of the range of options being studied as part of the preparation of the forthcoming White Paper that will set out the Government's integrated transport policy.

Public Transport

51. **Mr. Bob Russell:** To ask the Minister of Transport what plans he has to increase the percentage of journeys made using public transport. [24939]

Ms Glenda Jackson: Promoting the use of public transport, and reducing dependence on the car, is at the heart of the integrated transport policy the Government are developing. Our policies will be set out in detail in our White Paper when we have completed our fundamental transport review.

Birmingham Northern Relief Road

Mr. Plaskitt: To ask the Secretary of State for the Environment, Transport and the Regions if the contracts to build and operate the Birmingham Northern Relief Road have been signed; and if he will make a statement. [25940]

Ms Glenda Jackson: Under their concession agreement of February 1992 Midland Expressway Ltd. are responsible for the detailed contractual arrangements for building and operating the road. These are matters they will need to consider further when, very shortly, the Statutory Orders relating to the scheme are made.

Air Traffic Control Centre, Prestwick

Mrs. Dunwoody: to ask the Secretary of State for the Environment, Transport and the Regions if he will list the dates that the air traffic control centre at Prestwick has *(a)* failed and *(b)* had an engineering-related occurrence during the last 12 months. [25978]

Ms Glenda Jackson: I have been informed by National Air Traffic Services Ltd. that there have been no failures at the Scottish Air Traffic Control Centre at Prestwick over the last 12 months. There were three engineering-related occurrences at the centre in the same period, on 17 January, 2 June and 23 October 1997, none of which resulted in either a lowering of safety standards or any delay to air traffic.

Aviation and Shipping Policy

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will instigate a strategic review of (i) United Kingdom aviation

policy and (ii) United Kingdom shipping policy as a separate exercise from his overall review of transport. [25965]

Ms Glenda Jackson: The Government are carrying out a fundamental review of transport policy leading to the publication of a White Paper later this year. Our aim in the White Paper is to establish the overall framework of an integrated transport policy within which policies relevant to specific modes, including aviation and shipping, can be developed in due course. We believe that UK aviation and shipping have an essential role to play within a fully integrated transport system.

In addition, the Deputy Prime Minister has established a Shipping Working Group in order to consider measures which could revive the UK shipping industry and increase British seafarer training and employment.

Water Metering (Mid-Kent Water)

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the continuing study of the effects of metering undertaken by Mid-Kent Water with particular reference to its findings as they concern the use of water by lower rateable value property occupants. [26069]

Angela Eagle: The Government are aware of the research into metering in Mid Kent and other areas and we will take account of it in our review of the system of charging for water and sewerage services, on which we aim to publish a consultation paper shortly.

Empty Housing Units (Sunderland)

Mr. Mullin: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of empty housing units in Sunderland in *(a)* 1995, *(b)* 1996 and *(c)* 1997 (i) in total and (ii) by sector. [26535]

Mr. Raynsford: The numbers of vacant local authority and housing associations dwellings in Sunderland on 1 April are set out below alongside the local authority's estimates of private and other public sector vacant dwellings.

	1995	*1996*	*1997*
Local authority[1]	507	592	663
Housing association[2]	336	113	116
Other public sector[1]	3	3	2
Private sector[1]	716	1,008	1,933
Total	1,562	1,716	2,714

[1] Source: Annual Housing Investment Programme (HIP1) returns.
[2] Source: Annual HAR10/1 returns.

Deep Sea Mineral Deposits

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what environmental assessment he has made of proposals for the removal of mineral deposits from the surface of the deep ocean bed. [26489]

Mr. Raynsford: The Government's jurisdiction over the seabed extends only to the British share of the European Continental Shelf. Within this area the only mineral deposits being removed from the surface of the seabed are aggregates which are dredged from a number of off-shore locations around the UK. This dredging is licensed by the Crown Estate as "custodian" of the seabed.

By agreement, the Crown Estate submits every application for a dredging licence to a "Government View Procedure" ("GVP") which is administered by DETR and which enables the environmental effects of the proposed dredging, particularly on coastal protection, nature conservation and fishing interests to be fully assessed. Principal consultees under the "GV" are MAFF, DNH, the Environment Agency, English Nature and the Coastal Protection Authorities. Every application for a "GVP" is accompanied by a full Environmental Impact Assessment prepared by the applicants. A dredging licence will only be granted by the Crown Estate if a favourable "GV" is issued by DETR.

The current maximum dredging depth is about 60m. Developing technology could increase dredging depths to 80m but such deeper dredging is not thought to be commercially viable at the present time and is not undertaken.

Carbon Emission Permits

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have for pilot projects in relation to United Kingdom carbon emission permits following the Kyoto conference. [26692]

Mr. Meacher: The Kyoto Protocol allows developed countries to trade permits for greenhouse gas emissions. Rules will be agreed by the Conference of the Parties to the Climate Change Convention, the next meeting of which is in November 1998. The Government are working hard to ensure that emissions trading could be used constructively to achieve cost effective emission reductions consistent with the environmental objectives of the Kyoto agreement.

The Government will be consulting on UK participation in emissions trading as part of their wider consultation later this year on measures to reduce greenhouse gas emissions.

Genetically Modified Organisms

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the signed memoranda sent by Ministers to the Select Committee on European Community Legislation relevant to Community documents on genetic modification of plants, indicating for each the document's title and the date when signed, and the date of the Councils of Ministers meetings when the Community documents were considered. [26342]

Angela Eagle: Two Explanatory Memorandums have been sent to the Select Committee on European Community Legislation in respect of Community documents on the genetic modification of plants. They are:

12953/96 COM(96)639 Final: Commission report on the review of Directive 90/220/EEC in the context of the Commission's Communication on biotechnology and the White Paper. Signed January 1996. Discussed at the Council of Environment Ministers 3 March 1996.

7894/96 COM(96)206 Final: Council decision concerning the placing on the market of genetically modified maize (*zea mays l.*) with the combined modification for insecticidal properties conferred by the bt-endotoxin gene and increased tolerance to the herbicide glufosinate ammonium pursuant to Council Directive 90/220/EEC. Signed July 1996. Discussed at the Council of Environment Ministers 25 June 1996.

Ultra-low Sulphur Diesel

Mr. Fallon: To ask the Secretary of State for the Environment, Transport and the Regions how many more vehicles now run on ultra-low sulphur diesel than in April 1997. [26352]

Ms Glenda Jackson: No data are available on the total number of vehicles using ultra-low sulphur diesel. However, very approximate estimates suggest that the ultra-low sulphur diesel share of the diesel fuel market has risen from about 1 per cent. in April 1997 to about 2.5 per cent. today.

Rate Support Grant (Westminster)

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the recent attempt by Westminster City Council to seek leave for judicial review over its proposed RSG settlement. [27325]

Mr. Raynsford: Westminster City Council applied to the Court on 28 January for leave to apply for judicial review. The leave application was refused.

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will give an estimate of the legal costs incurred in the recent court case brought by Westminster City Council against the Government over Westminster's proposed RSG settlement; and if he will make a statement. [27324]

Mr. Raynsford: Westminster City Council applied to the Court on 28 January for leave to apply for judicial review. The Secretary of State resisted the application for leave through Counsel. The leave application was refused and the Secretary of State's costs in the matter were awarded against the Applicants. The costs will be taxed by the Court in the usual way in due course.

Rail Freight

Mr. Boswell: To ask the Secretary of State for the Environment, Transport and the Regions what actions he will take to encourage rail freight. [25603]

Ms Glenda Jackson: The Government want to see more freight go by rail. We have already improved the take-up of freight grants and increased the budget for 1998–99 to £40 million. We have secured commitments from the French Government and Eurotunnel designed to increase international rail freight through the Channel Tunnel and beyond. Our white paper on integrated transport policy, to be published in the spring, will set out further measures to encourage rail freight, including the role of the proposed new Rail Authority.

Taxis

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of taxis in the Government's Integrated Transport Strategy. [24999]

Ms Glenda Jackson: Taxis and private hire vehicles are an integral part of public transport and as such their role is part of our review of integrated transport.

Millennium Experience

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 12 January 1998, *Official Report*, columns *3–4*, on the site for the Millennium Experience, if he will list the pollutants found on the site during the reclamation work. [25044]

Ms Angela Eagle: A large proportion of the Greenwich Peninsula site has been chemically contaminated to varying degrees as a result of former industrial activities, principally the generation of coal, gas and associated by-products. By-products included the manufacture of sulphuric acid and ammonium sulphate fertiliser in a dedicated chemical works as well as the production of coal tar and a range of organic chemicals such as benzene and naphtha in a separate tar works.

As a result, the principal contaminants found on the site are: wastes from tar production and distillation including coal tars and a variety of derivatives; materials from gas purification including foul lime clinker waste and spent oxide; carboniferous materials including coal, coke and clinker.

The contaminants were identified during a comprehensive site investigation undertaken both by the original site owners, British Gas, and by English Partnerships.

Remediation has been carried out to ensure that adequate precautions have been taken, in line with legislation and Government policy, to protect ground and surface waters, construction workers, visitors, residents, and general public and building materials from future harm from these contaminants.

Compulsory Purchase Agreements

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce a code of practice for developers involved in compulsory purchase agreements, in respect of the interests of the seller. [26836]

Mr. Raynsford: The Interdepartmental Working Group on Blight, in presenting its Final Report, submitted a draft Code of Practice on the dissemination of information during the various stages of major infrastructure developments. It is the Group's belief that the uncertainty surrounding major projects, and the disruption to the local property market which may ensue for those whose property may be eventually be subject to compulsory acquisition, or which may be adversely affected by the development, can be significantly reduced if relevant and timely information is made available at all stages. Copies of the draft Code are available in the Library.

Statute already provides protection for those whose property may be acquired by compulsion. In particular, the Acquisition of Land Act 1981 sets out the procedure for the making and confirming of compulsory purchase orders, and this includes a statutory right for the person whose property is threatened with compulsory acquisition to object to the Secretary of State and to have that objection heard at a public inquiry. Guidance issued by my Department (particularly DOE Circular 14/94) provides further advice aimed at ensuring that all statutory procedures are followed correctly.

Whether there is any need for clearer guidance will be considered in the light of responses to current consultation on the research findings on CPO procedures and on blight. However, I do not believe that any Code of Practice could offer further protection to the owner.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the present system of compulsory acquisition. [26835]

Mr. Raynsford: On 17 December 1997 my Department published for consultation two important reports. One is the Final Report of research conducted by the City University into the operation of the compulsory purchase order procedures, the other is the Final Report of the Interdepartmental Working Group on Blight. These are available in the Library. Together, they provide valuable evidence of the way the compulsory purchase arrangements work and identify elements of the system which are perceived by some to be inefficient, damaging to the wider public good or simply unfair.

The Government wish to see a compulsory purchase system that is efficient in its administration and fair in its operation. We will consider whether changes need to be made to existing arrangements, which have been in place for many years, in the light of responses to the consultation.

Scottish Devolution

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 18 November 1997, *Official Report*, column *138*, if he will make a statement on the work undertaken by his Department in co-operation with the Scottish Office on the preparation of the legislation in respect of Scottish devolution. [25297]

Mr. Prescott: My Department has continued to work closely with the Scottish Office to ensure that the legislation my right hon. Friend the Secretary of State for Scotland recently introduced will accurately give effect to the proposals set out in the White Paper "Scotland's Parliament".

Vehicle-mounted Sensors

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the letter to the hon. Member for Linlithgow H/PSO/12079/97 from the Parliamentary Under-Secretary of State, what reply he has received from the vehicle engineering section relating to sensors mounted on vehicles intended to detect the presence of ice and/or water on the road ahead; and if he will make a statement. [25298]

Ms Glenda Jackson: The Department has now considered the article from the *New Scientist*. The method described detects ice and water only a few centimetres in front of the front tyres, and this seems to be its major limitation. Ideally such a device should measure the grip a hundred metres in front of the vehicle, so allowing the driver to be warned in advance of any danger.

While it is not the Department's intention at this stage to get involved in any further developments of this device, we will be pleased to hear if further work results in a sensor that can deliver useful benefits.

Wynchavon Local Plan

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 29 January 1998, *Official Report*, column *327*, if he will place in the Library copies of all representations he has received from residents of Fernhill Heath concerning the adoption of the Wynchavon Local Plan. [27156]

Mr. Caborn: Copies of all representations received relating to Fernhill Heath have been placed in the House Library.

Driving Licences (Diabetics)

Mr. Maginnis: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Wakefield (Mr. Hinchliffe) of 1 December 1997, *Official Report*, columns *48–49*, on driving licences for insulin-dependent diabetes sufferers, if he will list the scientific evidence which he assessed before reaching his decision. [25783]

Ms Glenda Jackson: The Secretary of State is advised by the Honorary Advisory Panel on Diabetes and Driving, comprising experts in this field. The Panel have assessed all the available evidence, including studies on the consequences of insulin treatment and the risk of hypoglycaemia occurring without warning.

Council Tax

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what estimates his Department has made of the average level of council tax increases in 1998–99. [24890]

Ms Hilary Armstrong: The level of council taxes will depend on the spending decisions of individual authorities. We are not in a position to know what authorities' decisions will be.

Fire Safety at Sea

Mr. Godman: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to modify the regulations concerning the installation of fire-fighting and safety equipment on *(a)* merchant vessels and *(b)* fishing vessels. [24929]

Ms Glenda Jackson: Draft regulations are currently in preparation to implement a number of international and European requirements which bear upon the installation of firefighting and safety equipment on board merchant vessels and fishing vessels.

British Board of Agrément

Mr. Caplin: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the forthcoming financial management and policy review of the British Board of Agrément. [27467]

Mr. Raynsford: As part of the Government's programme of five-yearly Financial Management and Policy Reviews of non-departmental public bodies, my Department will this year conduct a thorough review of the British Board of Agrément. The last review was published in 1995 and recommended a further early review in 1998. We have accepted that advice. As with all reviews, the first stage of the review will take the form of a "prior options" study. This will assess the extent to which the Board's functions are necessary for the achievement of the Government's policies, and whether these functions should continue to be carried out as at present, privatised, contracted out or transferred to another body to ensure best value.

The progress made by the Board since the previous review in 1995 will be examined and the results of that examination and of the prior options study will inform a detailed review by the Department of the future of the Board.

I expect the prior options study to be completed within four months. The time required for the more detailed review cannot be foreseen, but I would expect it to last no longer than a further six months.

In carrying out the study my Department will consult widely with those with an interest in the Board's work.

Ministerial Cars

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what was the *(a)* estimated average fuel consumption and *(b)* total mileage of ministerial cars travelling on official business in each year since 1989–90. [25791]

Mr. Kilfoyle: I have been asked to reply.

Responsibility for these matters has been delegated under the terms of the Framework Document to the Government Car and Despatch Agency. I have asked its Chief Executive, Mr. Nick Matheson, to write to the hon. Member.

Letter from Nick Matheson to Mr. Andrew Stunell, dated 3 February 1998:

Your Questions about (a) the estimated average fuel consumption and (b) the total mileage of ministerial cars travelling on official business in each year since 1989–90 to the Secretary of State for the Environment, Transport and the Regions, and the Secretary of State for Social Security have been passed to the Chancellor of the Duchy of Lancaster. He has asked me in my capacity as the Chief Executive of the Government Car and Despatch Agency to reply.

Based on the usage for the current financial year from 1 April 1997, when the Agency was first formed, I estimate that in a full year ministerial cars allocated to the Department of the Environment, Transport and the Regions will have an average fuel consumption of 26 miles per gallon, and will travel 86,000 miles on official business. Using the same basis, I estimate that ministerial cars allocated to the Department of Social Security will have an average fuel consumption of 26 miles per gallon, and will travel 53,500 miles on official business.

The information for earlier years prior to the formation of the Agency is not readily available and can only be obtained at a disproportionate cost.

Cars and drivers are allocated for the use of Ministers and their private offices. In addition to ministerial duties, they are also used for several other purposes such as the movement of documents and for use by officials as directed by the ministerial private office.

Written Answers to Questions

Wednesday 4 February 1998

LORD CHANCELLOR'S DEPARTMENT

Fast Track Costs

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department when the results of the Institute of Advanced Legal Studies hypothetical exercise on fast track costs will be published; and if he will make a statement. [26255]

Mr. Hoon: I expect to publish the research in conjunction with a consultation paper on costs in the fast track after Easter.

Legal Aid

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department which firms are participating in the KPMG research on legal services without the benefit of legal aid; when the research will be published; and if he will make a statement. [26256]

Mr. Hoon: A number of firms were randomly selected to be consulted by KPMG in the preparation of the business case for a solicitor's firm to undertake money claims under conditional fee agreements without requiring their clients to pay money in advance. The firms were asked to participate in strict confidence and I cannot, therefore, name them.

When KPMG's report has been received, a decision will be taken about publication.

Mortgage Debt Recovery

Mr. Burstow: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will review the statutory time limit on the right of mortgagors to pursue shortfall debts after judgment. [27423]

Mr. Hoon: The Government do not intend to conduct a separate review of the statutory time limit applicable to mortgage debts. A comprehensive review of the law of limitation periods has already been undertaken by the Law Commission, with a view to simplification and rationalisation of the law. In January this year, the Commission published a Consultation Paper seeking the views of interested parties on its provisional proposals for reform. We will consider the recommendations made when the Law Commission completes its Report. The Government do not plan to modify the law relating to limitation of actions before then.

ATTORNEY-GENERAL

Saunders v. United Kingdom

Mr. Gareth Thomas: To ask the Attorney-General what approach prosecutors take to reliance on evidence obtained through the exercise of compulsory powers having regard to the judgment of the European Court of Human Rights in Saunders v. United Kingdom. [27920]

The Attorney-General: The Government propose to bring forward legislation when a suitable opportunity arises to ensure that the domestic law which was in issue in Saunders v. United Kingdom is fully compatible with our obligations under the European convention on human rights. As an interim measure, I have today promulgated to prosecuting authorities guidance about the handling of cases where the evidence available to the prosecution includes answers obtained by the exercise of compulsory powers.

A copy of the Guidance has been placed in the Libraries of both Houses. Its effect is that answers obtained pursuant to a procedure which includes the power to compel answers, whatever the investigative or regulatory regime, cannot be used in subsequent criminal proceedings as part of the prosecution case except for the very limited purposes of proceedings for offences arising out of the giving of the evidence (eg. perjury). The Guidance therefore covers not only evidence obtained by the exercise of powers under Section 434 of the Companies Act 1985, which was in issue in Saunders v. the UK, but also evidence obtained under analogous powers. In addition, the guidance restricts the use by prosecutors of compulsorily acquired answers for the purpose of cross-examination.

The Lord Advocate is to issue similar guidance in Scotland.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Green Ministers

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions (1) what changes have been made to the *(a)* powers and *(b)* responsibilities of Green Ministers since 1 May; [25938]

(2) pursuant to his answer to the hon. Member for Ceredigion (Mr. Dafis) of 9 June 1997, *Official Report*, column *314*, what was the outcome of the review of the network of Green Ministers. [25937]

Mr. Meacher: As I set out in the Press Notice I released on 30 July, having received the network of Green Ministers following the Election, we gave them the following powers and responsibilities:

they now support the Cabinet Committee on the Environment (ENV) chaired by the Deputy Prime Minister;

they now have a strategic role to secure environmental appraisal in all Government policy-making, as well as responsibility to green Government operations;

individually, their role is to consider the environmental impacts of their Departments' policies and programmes, and to review the management of their Departments to ensure that they operate as sustainably as possible in terms of energy efficiency, waste minimisation and so on.

Railway Stations (Night Staffing)

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions how many

railway stations are unstaffed overnight; and if he has any plans to require railway stations to be staffed at night. [26244]

Ms Glenda Jackson: Comprehensive details of station staffing are not available and could be obtained only at disproportionate cost. All train operating companies are signatories to the industry wide Ticketing and Settlement Agreement (TSA) which includes the ticket office opening hours for staffed stations. Operators' licences and the franchise agreements require compliance with the TSA. The TSA specifies 14 stations where ticket offices are open for 24 hours a day. There are no requirements on operators to staff areas of stations other than the ticket offices specified in the TSA. The Government's proposals for the long term reform of the railways will be set out in our White Paper to be published later in the year.

Development Sites (North-West)

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions what measures the Government are taking to encourage development on brownfield sites in the North-West Region. [26495]

Mr. Raynsford: The Government encourage development and re-use of brownfield sites in the North West region principally through the application of Regional Planning Guidance (RPG13) which informs the production of development plans within the region.

River Darwen

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what was the cause of the recent pollution incident affecting a stretch of the River Darwen near Blackburn; and if he will make a statement. [26406]

Angela Eagle: Following a report by a member of the public of a fish kill in Hoghton Bottoms on 24 January, the Environment Agency undertook an investigation and confirmed the kill, the location of which has been identified as a point immediately downstream of industrial premises. The reaction of the fish indicates that they were killed by toxic material but the Agency is carrying out a full investigation to identify the nature and source of the incident. On completion of that investigation, the Agency will consider further action and will issue a statement.

Genetically Modified Organisms

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions what steps he plans to take during the United Kingdom presidency in respect of procedures relating to the marketing and release of genetically modified organisms. [26361]

Mr. Meacher: We have considerable concerns about the current procedures relating to the marketing and release of genetically modified organisms as laid down in Council Directive 90/220 EEC, and in particular about the shortcomings in the operation of the regulatory committee set up under Article 21 of this Directive.

Following the European Commission's presentation at the last Environment Council, we look forward to seeing the formal proposals for revision of this Directive, and hope to have a preliminary discussion of this at the June Environment Council. I shall be pressing for ethical and wider public interest considerations to be taken properly into account in authorisation procedures.

Airprox Incident, Heathrow

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the Air Accident Investigation Branch to complete its report on the Airprox incident which occurred at Heathrow Airport on 27 August. [27012]

Ms Glenda Jackson: The Air Accident Investigation Branch report on the Airprox incident which occurred at Heathrow Airport on 27 August is expected to be published in July this year.

Air Traffic Control

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number and details of the incidents where electronic equipment has affected aircraft controls on United Kingdom registered aircraft during each of the last five years. [27008]

Ms Glenda Jackson: Incidents of suspected electronic interference with the instruments and controls of UK registered aircraft in the last five years are detailed in the following table:

Date	*Aircraft Type*	*Details of Incident*
2 March 1993	MD-80	Interference with omega navigation equipment. Interference ended when computer games used by 2 passengers were switched off.
11 March 1993	MD-80	Interference with omega navigation equipment. Interference ended when various items of electronic equipment used by passengers were switched off.
21 May 1993	SD 360	Incorrect oil pressure gauge reading due to suspected interference from high power ground source.
9 June 1993	HS125	Numbers 1 and 2 compasses split and autopilot engaged. All systems recovered when a passenger's lap top computer was switched off.
17 January 1994	B767	Interference from a passenger's lap top computer suspected of activating emergency lights in passenger cabin.
21 April 1994	B767	A passenger's CD player caused interference on all VHF channels.
5 September 1994	SD360	Significant interference with flight deck instruments in the vicinity of Skelton high intensity radio mast.

Date	Aircraft Type	Details of Incident
2 November 1994	B747	Interference with navigation equipment. Systems returned to normal when a passenger's camcorder switched off.
5 December 1994	B747	Interference with number 1 compass. Interference ended when 2 passenger's lap top computers were switched off.
11 January 1995	L188	Numbers 1 and 2 slaved compasses gave erroneous reading due to interference from electronic components in the hold.
13 March 1995	MD-80	Interference with omega navigation equipment. Interference ended when passenger lap top computer was switched off.
16 March 1995	B757	Electrical interference from aircraft's Terrestrial Flight Telephone System caused left hand air data computer to fail and flight deck instruments to give erroneous indications.
1 May 1995	Augusta A109	Significant interference with flight deck instruments 3 miles east of Skelton high intensity radio mast.
13 September 1995	B747	Pressurisation fluctuations due to the recommended operation of outflow valves near passengers using a video Walkman and an electronic game. Fluctuations ceased when equipment was switched off.
26 October 1995	B737	Sudden change to selected altitude on Auto-pilot Flight Direction System. Interference from passenger personal stereos suspected.
19 March 1996	B737	Flight Management System failed for several seconds. Interference from a portable computer suspected.
21 July 1996	B767	Failure of Flight Management System. Interference from passenger electronic equipment suspected although none identified as being in use.
8 October 1996	SD360	Suspected interference with oil pressure and temperature gauges in vicinity of Skelton high intensity radio mast.
9 January 1997	SD360	Aircraft deviation from desired track. A passenger computer is believed to have interfered with navigation equipment.

Civil Servants

Mr. Forth: To ask the Secretary of State for the Environment, Transport and the Regions how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26934]

Angela Eagle: Since 1 May 1997, *(a)* no civil servants at grade 3 or above have resigned, *(b)* two senior civil servants have retired before pensionable age and, *(c)* a number of senior civil servants have moved to different responsibilities as a result of the merger of the Department of the Environment and the Department of Transport which took place in June 1997. All the individuals concerned work for the Secretary of State for the Environment, Transport and the Regions.

Local Authority Housing

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* those local authorities which do not use housing revenue account surplus to fund rent rebates, *(b)* the proportion of local authorities where rent was paid out of the housing rent account surplus for each year since 1990 and *(c)* the total transferred out of the housing rent surplus account for each year since 1990. [27000]

Mr. Raynsford: In 1997–98 the following housing authorities do not use housing revenue account surpluses to fund rent rebates:

Blackburn
Brent
Camden
City of London
Ealing
Greenwich
Hackney
Hammersmith and Fulham
Haringey
Hounslow
Islington
Kensington and Chelsea
Lambeth
Lewisham
Liverpool
Manchester
Newcastle Upon Tyne
Newham
North Tyneside
Oldham
Rochdale
Salford
Sheffield
Southwark
Tower Hamlets
Waltham Forest
Westminster

The following table shows for England for each year since 1990 the number of housing authorities, the number that have a housing element surplus and the number that have a housing element surplus as a proportion of all housing authorities. All authorities with a housing element surplus make a contribution from their housing revenue account to the costs of rent rebates. The table also shows the total amount of that contribution in each year.

Financial year	(1) Total number of housing authorities	(2) Number with housing element surplus	(2)/(1) Proportion of housing authorities with housing element surplus percentage	Contributions to rent rebates £ million
1990–91	366	169	46.2	198.211
1991–92	366	242	66.1	319.952
1992–93	366	269	73.5	512.840
1993–94	366	296	80.9	703.082
1994–95	366	299	81.7	871.433
1995–96	365	301	82.5	1,045.265
1996–97	358	296	82.7	1,172.383
1997–98	357	286	80.1	1,228.616

Data Source:
Data for 1990–91 to 1995–96 are taken from the Audited Final Housing Revenue Account Subsidy claim forms submitted to the Department of the Environment in December-January following the year close.
Data for 1996–97 are taken from the Pre-audit Final Housing Revenue Account Subsidy claim forms submitted to the Department of the Environment, Transport and the Regions in the September following the relevant year.
Data for 1997–98 are taken from the 2nd on-account Housing Revenue Account Subsidy claim form submitted to the Department of the Environment, Transport and the Regions in August 1997.

Planning Review

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions which organisations *(a)* he and *(b)* his Ministers have met since 1 May 1997, in respect of his review of the planning system. [26759]

Mr. Raynsford: We have met many organisations with an interest in town and country planning. These include professional institutions, representatives of local government, industry, the professions, voluntary organisations, regional and local amenity societies.

Housing (Brown-field Sites)

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the percentage of new housing which was built on brown-field sites in each year since May 1979. [26762]

Mr. Raynsford: There is no specific definition of brown-field land but it is usually taken to mean land previously developed for urban uses. These uses include residential, transport and utilities, industry and commerce, community services, previously developed vacant land and derelict land. The table gives estimates for England of the proportion of land for new housing that was previously developed for urban uses, for each year from 1985 (the earliest available) to 1995. The average figure for the period was 42 per cent.

Percentage of land for new housing that was previously developed for urban uses: England

Year	Percentage of land area
1985	38
1986	37
1987	36
1988	40
1989	42
1990	43
1991	44
1992	47
1993	48
1994	45
1995	50

Source:
Land Use Change Statistics

Development Plans

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, by local authority, the time taken to prepare and approve the most recently approved or emerging development plan; and if he will make a statement. [26758]

Mr. Raynsford: The progress each local planning authority has made towards adoption of its Local Plan or Unitary Development Plan is given in the "Progress on Adoption of Area Wide Local Plans and UDPs" report, produced by my Department. Copies of the report, published on 16 January 1998, are available in the Library of the House.

Information on the time taken to prepare and approve the most recently approved or emerging development plan is not held centrally and could be made available only at disproportionate cost.

Retail Developments

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions how many planning permissions were granted for major out-of-town retail developments between *(a)* January 1988 and December 1992 and *(b)* January 1993 and June 1996. [26764]

Mr. Raynsford: The majority of such decisions are taken by local planning authorities. The information required is not held centrally.

Sustainable Development

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to consult on a new United Kingdom sustainable development strategy. [27866]

Mr. Prescott: I have today launched consultation on a new UK Sustainable Development Strategy in a document titled "Opportunities for Change". The consultation will run to the end of May 1998. Copies of the document, and of an accompanying leaflet prepared for the general public, have been placed in the Library.

Sustainable Development is about ensuring a better quality of life for everyone, now and for generations to come. The consultation is designed to stimulate a national

debate on priorities for the forthcoming strategy, which will set objectives for sustainable development and targets and time scales for achieving them. The consultation is about finding common ground and building consensus.

I will be launching a series of regional consultative events in Scarborough on 6 February. Consultation in Scotland, Wales and Northern Ireland will be promoted by their respective Secretaries of State.

Local Government Finance

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the organisations, local authorities and associations he and his ministerial colleagues have *(a)* met and *(b)* declined to meet to discuss representations concerning the provisional local government settlement for 1998–99. [27283]

Mr. Raynsford: The table lists those organisations, local authorities and associations which came to see Ministers at the Department during consultation on the provisional local government finance settlement 1998–99. We met delegations from 95 local authorities and one special interest group during the consultation period which ended on 13 January. We then met the Local Government Association and the Association of London Government on 14 January.

We met the special interest group of municipal authorities (SIGOMA) in response to an undertaking I gave in the House, but concluded that there would not be time to meet other similar groups in view of the large number of authorities who had requested a meeting. We did not therefore meet the Major Cities Group of Authorities, the County Councils Network and the Unitary Authorities Group who all asked for meetings within the consultation period.

London

Inner London

Greenwich

Hackney

Islington

Wandsworth

Westminster

Outer London

Havering

Hillingdon

Hounslow

Kingston upon Thames

Richmond upon Thames

Metropolitan Districts

Barnsley

Birmingham

Bradford

Bury

Calderdale

Doncaster

Newcastle upon Tyne

North Tyneside

Rotherham

South Tyneside

Wakefield

Shire Counties

Bedfordshire

Buckinghamshire

Cheshire

Derbyshire

Devon

Dorset

Durham

Essex

Gloucestershire

Kent

Lancashire

Lincolnshire

Norfolk

North Yorkshire

Northumberland

Nottinghamshire

Oxfordshire

Shropshire

Suffolk

Surrey

Worcestershire

Shire Districts

Basildon

Braintree

Broadland

Burnley

Castle Morpeth

Castle Point

Chorley

Christchurch

Copeland

Dartford

East Dorset

Harborough

Harlow

Harrogate

Hyndburn

Lancaster

Maldon

Mid Sussex

New Forest

North Hertfordshire

North Warwickshire

North West Leicestershire

Norwich

Pendle

Purbeck

Rochford

Rossendale

Runnymede

Rushmoor

South Cambridgeshire

South Norfolk

Stevenage

Three Rivers

Wansbeck

West Lindsey

All Purpose
Bracknell Forest
Derby
East Riding of Yorkshire
Isle of Wight Council
Leicester
Middlesbrough
Milton Keynes
Nottingham
Peterborough
Plymouth
Poole
Rutland
The Wrekin
Windsor and Maidenhead
Wokingham
York
Fire Authorities
Merseyside Fire
Tyne and Wear Fire
Local Authority Groups
Association of London Government (ALG)
Local Government Association (LGA)
Special Interest Group of Municipal Authorities (SIGOMA)

Bus Employees Superannuation Trust

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions when the £168 million surplus arising from the break-up of the National Bus Company in 1986 will be returned to the Bus Employees Superannuation Trust (BEST) for the benefit of BEST pensioners; and if he will make a statement. [27391]

Ms Glenda Jackson: This is currently the subject of a legal action commenced by the NBC pension trustees. We hope the matter will be satisfactorily resolved as soon as possible.

Driving Instructors

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce changes in the appeal procedure for driving instructors who have failed their check-tests to ensure that it is *(a)* fully independent of the Driving Standards Agency and *(b)* provides driving instructors with full rights and facilities in presenting their appeals. [27052]

Ms Glenda Jackson: The Motor Cars (Driving Instruction) (Appeals) Rules 1969 provide for the Secretary of State to appoint an appeal board to hear cases brought by driving instructors who fail a check-test, and that the board report their findings and make recommendations to him. Schedule 3 to the Road Traffic Act 1988 provides that the members of such an appeals board must be independent of the Department.

In practice, the board submits a report to the Chief Executive of the Driving Standards Agency, who is authorised to issue a decision only in accordance with the report's recommendation. If he does not accept the board's recommendations, the case is decided by Ministers in person. The appeals rules already allow for an appellant to appear in person and to be represented by legal counsel or a solicitor.

I am satisfied that the appeals procedure represents a fair and independent process, and I have no current plans to change it. However, my Department has recently commissioned a research project to look at the way driving instructors are trained and tested. I will look carefully at any conclusions, including those relevant to appeals procedures, when the findings are available in two to three years' time.

Nursery Education

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 29 January 1998, *Official Report*, column *326*, on nursery voucher funding and revenue support grant, if he will list for each LEA the *(a)* amount at Band D council tax that would have to be paid as a result and *(b)* amount that this represents per capita. [27422]

Mr. Raynsford: It is not possible to forecast the council tax levels which individual authorities will set.

Integrated Transport Policies

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make a statement on future integrated transport policies. [27431]

Ms Glenda Jackson: My Department is currently concluding the fundamental review of transport. The outcome of this review will be published in a White Paper on integrated transport policy in the Spring.

London and Continental Railways

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what is the total payment of money to London and Continental Railways to date; and if he will list and value each of the assets transferred to them. [27432]

Ms Glenda Jackson: As the Explanatory Memorandum on the contracts with London and Continental Railways Ltd. (LCR)—which was placed in the Library of the House in 1996—explains, the first instalment of capital grant to LCR for the CTRL is not to be paid until LCR have themselves spent at least 68% of the expected outturn construction cost. To date, therefore, other than agreed payments relating to contractual claims and obligations amounting to some £17 million, no payments have been made to LCR.

The assets specifically transferred to LCR in 1996, and their values then, were as follows:

Eurostar Rolling Stock: £318 million[1]

Manchester Longsight Depot: £5.9 million[2]

Waterloo International Terminal: £136 million[2]

Ashford International Station: £41 million[3]

North Pole Depot: £77.5 million[2]

King's Cross Railway Lands: £5.8 million—up to £10.6 million[4]

Stratford Railway Lands: £15.2 million—up to £12.5 million[5]

St. Pancras Station: £3.7 million[6]

[1] Seven of the Eurostar train sets and the night service stock are leased. Value shown is the written down value as at 31 March 1995 on an historical cost basis after taking into account leasing obligations.

[2] Value shown is the written down value as at 31 March 1995 on an historical cost basis.

[3] Value taken from EPS's 1994–95 annual report and accounts and based on the net present value of future leasing payments.

[4] The first value is the estimated existing use value based on rental income derived from the lands taken from a valuation of the lands carried out for the BR Property Board in March 1995. The second value is the estimated development value of those parts of the lands not ultimately required for the operation of the CTRL, taken from a valuation carried out for the DETR in November 1995.

[5] The first value is the estimated existing use value based on rental income derived from the lands, taken from a valuation of the lands carried out for the BR Property Board in March 1995. The second value is the estimated development value of those parts of the lands not ultimately required for the operation of the CTRL, taken from a valuation carried out for the DETR in May 1995.

[6] Existing use value taken from a valuation carried out for the BR Property Board in March 1995.

Housing (London)

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what are his projections for the next five years of *(a)* local authority, *(b)* housing associations and *(c)* co-operative housing provision for each London borough. [27430]

Mr. Raynsford: The Government do not produce projections of new housing as such. Strategic Guidance for London Planning Authorities (RPG3), published in May 1996, included a London-wide figure of 234,100 households as the minimum level of housing to be provided over the period 1992–2006. This figure is broken down by Borough, but not by tenure or source of provision. RPG3 also indicates that it is for Boroughs to assess housing need in their area, including affordable housing need, and then to set out strategic policies in their Unitary Development Plans indicating how this need will be met over the plan period.

Drink Driving

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the current *(a)* drink-drive limits and *(b)* penalties for the member states of the European Community. [27354]

Ms Glenda Jackson: The current legal drink-drive limits for the member states of the European Community, defined as milligrams of alcohol per 100 millilitres of blood, are listed in the table. A number of member states are likely to reduce their limit from 80 to 50mg per 100ml in the near future. The Danish Parliament has passed the necessary legislation but not yet brought it into force; in Germany, legislation is currently before the Federal Parliament and we understand that Spain is also considering such a reduction.

Legal drink-drive limits in EC member states

Member States	*Legal blood/alcohol limit (mg/100ml)*
Austria	80
Belgium	50
Denmark	80
Finland	50
France	50
Germany	80
Greece	50
Ireland	80
Italy	80
Luxembourg	80
Netherlands	50
Portugal	50
Spain	80
Sweden	20
United Kingdom	80

My Department does not hold comprehensive information on penalties in other member states.

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions what has been the alcohol content of drivers killed in road accidents where the content is *(a)* under the legal limit, *(b)* marginally over the legal limit and *(c)* substantially over the legal limit in each of the last five years. [27350]

Ms Glenda Jackson: Exact figures are not available. However, Table 1 provides an indication of the distribution of blood alcohol content in car and motorcycle fatalities aged 16 and over from 1991–95. Figures for later years are not yet available.

Table 1: Blood alcohol levels of fatalities aged 16 and over 1991–95

		Percentage over blood alcohol levels (mg/100ml)						
Year		*9*	*50*	*80*	*100*	*150*	*200*	*Sample size*
1991	Motor cycle riders	28	19	17	15	10	6	335
	Car drivers	31	23	20	18	14	9	888
1992	Motor cycle riders	39	28	26	23	16	7	267
	Car drivers	29	20	17	16	11	7	820
1993	Motor cycle riders	29	19	15	15	11	8	247
	Car drivers	29	21	20	18	14	8	720
1994	Motor cycle riders	31	22	18	17	13	8	245
	Car drivers	35	24	22	21	15	8	677
1995	Motor cycle riders	31	16	15	13	8	2	261
	Car drivers	33	23	20	19	14	8	698

Driver Impairment

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will commission research into detecting impairment in drivers other than impairment caused by the presence of substances taken by the driver. [27351]

Ms Glenda Jackson: Driver fatigue is the main cause of impairment other than that caused by substances taken by the driver.

The Department has a continuing programme of research into driver fatigue which is seeking to determine the best counter measures to tiredness, so that drivers have the best advice on how to minimise the risk due to fatigue.

A full list of road safety research is published annually. Copies are available in the Library.

Correspondence

Mr. Steinberg: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy that he and his Ministers personally read the letters sent to them by hon. Members on constituency matters. [27670]

Mr. Prescott: It is already policy within my Department that one of my Ministers or I always read all correspondence sent to us by hon. Members.

Highways Agency (Business Plan Targets)

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions if he plans to amend the Highways Agency's 1997–98 Key Business Plan Targets. [27924]

Ms Glenda Jackson: We have reviewed the Highways Agency's key targets and have decided that, in the light of the Roads Review, the Business Plan should be amended.

The following 1997–98 targets will not now be appropriate and should therefore be deleted from Annex D of the plan: "Roads Programme Completions, Starts and other Milestones":

A564 Derby Southern Bypass Contract C: (Order Publication)

A249 Iwade-Queenborough Improvement: (Public Inquiry)

Weald & Downland DBFO scheme (Select Preferred Bidder & Award Contract)

Cumbria to Bradford DBFO scheme (Select Preferred Bidder & Award Contract)

South Midlands Network DBFO scheme (Select Preferred Bidder & Award Contract)

A40 DBFO scheme (Invite Tenders)

A13 DBFO scheme (Invite Tenders—Delayed until 1998–99)

A303 Winterbourne Stoke Bypass (Preferred Route Announcement)

In their place the following targets have been added to the Business Plan:

M41 Trunk Road Access Improvements (White City Development): (Publication of Orders)

Manchester Outer Ring Road Re-signing: (Award of Contract)

A102(M) Trunk Road Access Improvement: (Public Inquiry)

A copy of the Highways Agency business plan 1997–98 is in the Library.

HOUSE OF COMMONS

Portcullis House

Mr. Cox: To ask the Chairman of the Accommodation and Works Committee when he expects work to commence on the building of additional office accommodation for hon. Members. [27636]

Sir Sydney Chapman: I refer the hon. Member to my answer of 10 December 1997, *Official Report*, column *578*. The House took possession of the site on 5 January 1998. The Speaker unveiled the foundation stone on 3 February 1998.

DEFENCE

British Beef

Dr. Kumar: To ask the Secretary of State for Defence what plan she has to promote the use of British beef in the armed forces and the agencies for which he is responsible. [25328]

Mr. Spellar: Officials from my Department recently met with farmers' representatives to explain our procurement policy. We have agreed to establish a joint Working Group with them and our food supply contractor to explore, within the framework of our policy of seeking best market prices, the scope for increasing the percentage of British beef we are able to buy competitively.

Trident Submarines

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his answer of 26 January 1998, *Official Report*, column *27*, for what reasons he decided that details of the number of warheads deployed on Trident should be covered by exemption 1 of the code of Practice on Access to Government Information relating to defence, security and international relations; and if he will make a statement. [26569]

Mr. George Robertson: Maintaining some uncertainty about our precise nuclear capabilities enhances deterrence. Disclosure of the details of the exact number of warheads deployed on Trident would therefore harm our defence.

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his answer of 26 January 1998, *Official Report*, column *27*, if Trident requires more warheads than Chevaline in order to maintain the ability of the United Kingdom's strategic deterrent to overcome anti-missile systems. [26568]

Mr. George Robertson: Trident's greater payload capacity helps to give it a capability to overcome ballistic missile defences against which Chevaline had become less effective.

Mr. Flynn: To ask the Secretary of State for Defence, pursuant to his answer of 26 January 1998, *Official Report*, column *30*, if he will list the factors which his Department takes into account when assessing the United Kingdom's deterrence requirements with regard to the destructive effect that would result from the use of a nuclear weapon. [26570]

Mr. George Robertson: Factors that determine the destructive effect of a nuclear weapon are: the yield and design of the weapon; the accuracy of the delivery system; the nature and construction of the target; the geographical characteristics of the surrounding terrain; geological conditions in the target area; the height of weapon burst; the weather conditions at the target. The United Kingdom would only ever contemplate the use of nuclear weapons in extreme circumstances of self-defence.

INTERNATIONAL DEVELOPMENT

Human Rights

Sir Alastair Goodlad: To ask the Secretary of State for International Development which countries she proposes to exclude from the development assistance programme on human rights grounds. [26746]

Mr. Foulkes: We are looking for constructive and open partnerships with Governments overseas. Decisions on my Department's resource allocations are taken on the basis of a range of criteria, including a recipient country's commitment to human rights. In a few cases, the behaviour of Government so offends against the interests and rights of their people that we will not work with the offending regime. Instead, we will focus our support on those within government and civil society who are working for change. Our primary concern must be to continue to deliver support direct to the poor and to help them realise their rights.

Democratic Republic of Congo

Mr. Corbyn: To ask the Secretary of State for International Development what current and planned aid programmes her Department has established for the Democratic Republic of Congo; and if she will make a statement. [27435]

Mr. Foulkes: Britain has contributed almost £40 million (including the UK share of EU assistance) in emergency assistance to the Democratic Republic of the Congo (DRC) since January 1994. We are ready to commit further emergency resources as new needs arise.

DRC's long-term development needs are enormous. Peace, stability, appropriate economic policies and respect for human rights will be crucial. My right hon. Friend the Secretary of State for International Development discussed this with Foreign Minister Karaha when she met him last week. Britain will not be a major bilateral donor. But we will work with the International Finance Institutions, the EU and others to facilitate the major international effort needed to support the Government of DRC's own reconstruction plans.

Microcredit Summit

Mr. Bill Michie: To ask the Secretary of State for International Development what progress has been made by the Government in the Council of Donor Agencies at the Microcredit Summit, in drawing up an institutional plan for reaching the objectives of the Summit. [27298]

Mr. Foulkes: My Department has been a member of the Council of Donor Agencies of the Microcredit Summit since June 1997. Our Institutional Action Plan for reaching the objectives of the Summit has been prepared and will be sent to the Summit organisers before the end of February.

A paper has also been prepared on the Department's policy on microfinance. This will also be finalised before the end of February and will be available for general information.

The Department for International Development's support for microfinance, which continues to grow, takes four basic forms: strengthening the capacity of microfinance institutions; contributing to operational costs as institutions grow towards financial sustainability; investing in the loan capital fund of microfinance institutions; and financing research on best practice in microfinance, especially the impact on the poor.

Sub-Saharan Africa

Mr. Bill Michie: To ask the Secretary of State for International Development what the Government are doing to implement the goals of the World Summit for Children relating to providing access to safe sanitation for people in Sub-Saharan Africa. [27299]

Mr. Foulkes: While access to safe water supply has increased steadily over the last 25 years, adequate sanitation coverage in developing countries has remained roughly constant with more than half the population lacking the most basic provision. The health implications are severe; there are more than 3.3 million deaths each year due to diarrhoea, most of these are children under five. This equates to one child dying every ten seconds.

We welcome the new emphasis being put on sanitation and hygiene awareness by the World Health Organisation, UNICEF and others. My Department is fully behind this initiative. This year we have agreed to provide an additional one million pounds to UNICEF for water and sanitation projects in Africa. Our expenditure on water and sanitation is increasing but we do need to put more emphasis on sanitation. New guidance on water and sanitation programmes, which stresses the importance of integrating water, sanitation and hygiene education, is under preparation. These efforts directly support the achievement of the goals of the World Summit for Children relating to providing universal access to safe sanitation.

FOREIGN AND COMMONWEALTH AFFAIRS

Arms Sales

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures the Government will be taking to promote a strict code of conduct on arms sales during Britain's presidency of the European Union. [26743]

Mr. Fatchett: I refer my hon. Friend to the answer which the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), gave to the hon. Member for Westbury (Mr. Faber) on 2 February 1998, *Official Report*, columns *542–43*.

Private Office

Mr. Ian Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date Ms Anne Bullen's contract of employment was due to end; on what date she was dismissed; and how many months severance pay she was given. [27071]

Mr. Robin Cook *[holding answer 2 February 1998]:* Miss Bullen's contract ended on 7 November 1997. She was told on 21 May of my decision to replace her. She ceased to work in my office on 27 June. She continued to be paid to the end of her contract and received no severance pay.

Mr. Ian Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* verbal and *(b)* written warnings were given to Ms Anne Bullen concerning her performance prior to her dismissal. [27070]

Mr. Robin Cook *[holding answer 2 February 1998]:* I decided to replace Miss Anne Bullen as my Diary Secretary when it became apparent that we could not establish a relationship of trust and that I could not have confidence in her. It would not have been appropriate, in those circumstances, for her to have continued to work in my office. Miss Bullen ceased to work as my Diary Secretary on 27 June, but her contract was not terminated. She was paid up to its expiry on 7 November.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) for what reasons he did not ask his Principal Private Secretary to appoint his new diary secretary; [26969]

(2) on how many occasions in the last five years the Permanent Secretary has taken charge of the appointment of ministers' diary secretaries; [26964]

(3) if he will make a statement on the role of the Permanent Secretary in the appointment of diary secretaries. [26965]

Mr. Robin Cook *[holding answer 2 February 1998]:* To the best of my knowledge, never. Final decisions on such appointments are for the Secretary of State.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those officials who submitted advice on the possible appointment of Ms Regan as diary secretary. [26966]

Mr. Robin Cook *[holding answer 2 February 1998]:* None.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs which *(a)* officials or *(b)* special advisers issued briefings to the media on the dismissal of Miss Anne Bullen. [26967]

Mr. Robin Cook *[holding answer 2 February 1998]:* Both the Foreign Office News department and the departmental special advisers handle media inquiries, including on this issue.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice he received from *(a)* the Prime Minister and *(b)* his officials on the possible appointment of a Ms Regan as his diary secretary. [26968]

Mr. Robin Cook *[holding answer 2 February 1998]:* *(a)* None. *(b)* None.

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the right hon. Member for Penrith and The Border (Mr. Maclean) of 29 January 1998, *Official Report*, column *388*, when he informed his Principal Private Secretary of his intention to appoint Ms Regan as his diary secretary. [27365]

Mr. Robin Cook: 21 May.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what information was given to him after 21 May to cause him to conclude that it would not be right to appoint Gaynor Regan as his diary secretary. [27420]

Mr. Robin Cook: None.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what information was given to him by officials at the Foreign and Commonwealth Office about Gaynor Regan after 21 May. [27421]

Mr. Robin Cook: None.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *440*, on his private office, what factors led him to revise his opinion that Gaynor Regan was an obvious candidate for the post of diary secretary between 21 May and 30 May. [27419]

Mr. Robin Cook: I refer the right hon. and learned Member to the answer I gave him on 30 January 1998, *Official Report*, column *440*.

Arms Controls

Mr. Green: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has during the United Kingdom presidency of the EU to promote arms control measures. [27252]

Mr. Doug Henderson: We are committed to the elimination of all weapons of mass destruction, and to the strengthening of the relevant arms control and non-proliferation regimes.

Strengthening the Biological and Toxic Weapons Convention, through a legally binding Protocol containing verification and compliance measures, is a high priority: we shall use our EU Presidency to press for accelerated progress in the negotiations on such a Protocol.

We shall also promote action by the EU to urge the ratification of or adherence to the Chemical Weapons Convention by those States which have not done so.

With regard to our goal of the elimination of nuclear weapons, we are considering how to take forward action in the Strategic Defence Review and elsewhere.

During our EU Presidency, we shall further pursue a number of measures to control conventional arms proliferation. These include the adoption of an EU Code of Conduct setting high common standards for arms exports from all member states; an EU-wide ban on the export and transhipment of electro-shock equipment and

devices designed for the restraint of a human being; and work under the EU Programme for Combating Illicit Trafficking in Conventional Arms.

We are continuing to discuss with other countries how to secure further progress towards making a global ban on anti-personnel land mines a reality, including encouraging ratification by those who have signed the Ottawa Convention, and urging as many as possible of those who have not yet done so to sign it. We shall press for complementary action to promote a global ban of anti-personnel land mines in international forums, including the CD in Geneva. We shall also promote further EU work on demining during our Presidency.

Non-career Civil Servants

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the factors taken into account in appointing non-career civil servants. [26970]

Mr. Robin Cook *[holding answer 2 February 1998]:* The factors taken into account are laid down in the Civil Service Commissioner's Recruitment Code and the Diplomatic Service Order in Council 1991 (as amended by the Diplomatic Order in Council 1994 and 1995). Copies of the Code and the 1991 Order in Council are available in the Library. I will arrange for the other Orders in Council to be placed there.

UK Presidency

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each of the European Council meetings to be chaired by the appropriate Ministers under the United Kingdom presidency which will be open *(a)* in full or *(b)* in part to the media and general public. [27141]

Mr. Doug Henderson: As part of the UK Presidency initiative on openness, eight Council debates during the Presidency have been or will be open in full to the media and general public during the following Council meetings:

Council	*Date*	
Ecofin	19 January 1998	Presidency Work Programme
General Affairs Council	26 January 1998	Presidency Work Council
Telecoms Council	26 February 1998	Regulatory framework for telecoms, audiovisual and information technology
Environment Council	23 March 1998	Air Quality Directive
Agriculture Council	March, April or May	Reform of agricultural commodity regimes
Social Affairs Council	6 April 1998	Regulation 1408/71 on Social Security
Energy Council	11 May 1998	Energy and the Environment
JHA Council	28–29 May 1998	Organised crime

Official Engagements

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the engagements he fulfilled between 8 and 13 October 1997. [27192]

Mr. Robin Cook *[holding answer 3 February 1998]:* I refer the right hon. Member to the answer I gave to the hon. Member for Arundel and South Downs (Mr. Flight) on 30 January 1998, *Official Report*, columns *438–39*.

Ministerial Travel

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list on how many occasions he has used a helicopter on United Kingdom internal flights, the points of embarkation and disembarkation in each case and apart from the crew the names of those who accompanied him since 1 May. [27193]

Mr. Robin Cook *[holding answer 3 February 1987]:* Since 1 May 1997 I have used a helicopter for internal flights in the United Kingdom on one occasion. The journey was from HRH The Prince of Wales's Residence at Highgrove to Battersea on 21 July 1997. I was accompanied by my wife and one close protection officer.

I returned to London to attend a series of meetings, including:

The right hon. George Robertson MP, Secretary of State for Defence;

Mr. Sypros Kyprianou, Speaker of the Cyprus House of Representatives;

Host talks and dinner in honour of the Emir of Qatar at 1 Carlton Gardens.

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Gosport (Mr. Viggers) of 19 January 1998, *Official Report*, column *438*, on ministerial travel, what factors required him to be in the United Kingdom on 9 to 12 October in order to make effective use of his time. [27194]

Mr. Robin Cook *[holding answer 3 February 1998]:* The Foreign and Commonwealth Office, my official residence, my colleagues and my constituency are all in the UK. It is not practical to maintain effective contact with them from South Asia.

Sudan

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the Government of Sudan concerning human rights and the armed conflicts in the south of the country; and if he will make a statement. [27437]

Mr. Fatchett: We regularly make our concerns known to the Government of Sudan, both in London and in Khartoum. Human rights and the civil war in Sudan are prominent in the contacts which the British Ambassador in Khartoum has with the Government of Sudan. He discussed both subjects with the Sudanese Foreign Minister when he saw him on 5 January.

Uganda

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been

held with the Government of Uganda concerning human rights and the armed conflict in the north of the country; and if he will make a statement. [27436]

Mr. Doug Henderson: We are appalled at the reports of the atrocities committed by the Lords Resistance Army (LRA) against the Acholi people in the north of Uganda. We condemn these atrocities unreservedly. We recognise the right of the Government of Uganda to conduct legitimate security operations to protect its people from LRA terrorism, provided that these operations are conducted with due respect for internationally recognised standards for human rights. We believe there is not a purely military solution to the problems of northern Uganda. At a meeting with President Museveni in June 1997, the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd), urged him to pursue opportunities for dialogue as a means of ending the conflict. We repeated this message in bilateral contacts with the Ugandans during the Commonwealth Heads of Government Meeting in October 1997. The President has since announced an intention to table legislation which would permit an amnesty for anti-government forces that lay down their weapons. We welcome such a step which could be a valuable contribution to encouraging a peaceful end to the conflict.

Democratic Republic of Congo

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions have been held by his Department with representatives of the Government of the Democratic Republic of Congo; and if he will make a statement. [27434]

Mr. Doug Henderson: On 19 January the British Ambassador called on President Kabila in Kinshasa and on 27 January the Democratic Republic of the Congo's Foreign Minister, Bizima Karaha, called on the Minister of State, my hon. Friend the Member for Manchester, Central (Mr. Lloyd).

At both meetings we expressed our desire for a close relationship with the DRC and welcomed their commitment to democratisation and in particular the establishment of a Constitutional Commission. We emphasised the need for further progress in this direction. We encouraged greater respect for the rule of law and human rights, and in particular, we encouraged the Government to co-operate fully with the UN human rights inquiry team. The Government of the DRC assured us that the team is free to carry out its work anywhere in the country and that the Government are ready to take whatever responsibility the inquiry imputed to it.

TRADE AND INDUSTRY

Contracting Out

Mr. Cotter: To ask the President of the Board of Trade if staff of her Department and its agencies will be allowed to submit in-house bids when contracted out operations come up for contract renewal. [24395]

Mrs. Beckett: Options for achieving better quality at optimal cost will be considered on their merits in each case.

Mr. Cotter: To ask the President of the Board of Trade if she will list those areas of operation which have been contracted out within her Department and its agencies, and the *(a)* name of the private sector company, *(b)* duration of contract, *(c)* cost and *(d)* number of employees involved; and when the contract will be due for renewal. [24396]

Mrs. Beckett: I have placed in the Library of the House information on my Department's contracted out activities.

Regional Selective Assistance Grants

Dr. Ladyman: To ask the President of the Board of Trade what was the average level of regional selective assistance grant made in Thanet during 1997; how many such grants were made; and how many were at the maximum level. [25749]

Mrs. Roche: There were no offers of Regional Selective Assistance grant made at the maximum limit in 1997. During 1997, 22 offers of Regional Selective Assistance were made to companies in Thanet. The total amount of grant offered was £1,279,600. 208 jobs were to be created and 30 safeguarded, representing an average cost per job of £5,376.

Brown-field Sites

Mr. Kidney: To ask the President of the Board of Trade what priority she gives to the development of brown-field sites in allocation of regional selective assistance. [26081]

Mrs. Roche: Regional Selective Assistance is available in the assisted areas which contain many brown-field sites. Applications for RSA are judged on a case-by-case basis.

Arms Sales

Mr. Cohen: To ask the President of the Board of Trade, pursuant to her answer to the hon. Member for Nottingham, South (Mr. Simpson) of 26 January 1998, *Official Report*, column 59, if payments due on arms sales to all Far Eastern countries are due in sterling. [27059]

Mrs. Roche: Payments are mainly due in sterling or US Dollars.

Mr. Redwood: To ask the President of the Board of Trade what ECGD cover has been provided in respect of the Hawk Jet contract to Indonesia since 1 May. [26385]

Mrs. Beckett *[holding answer 30 January 1998]*: EGCD has not supported any new contracts for the sale of Hawks to Indonesia since 1 May 1997.

Millennium Compliance

Mr. Redwood: To ask the President of the Board of Trade what action she has taken to ensure her *(a)* Parliamentary and *(b)* DTI office machines are millennium compliant. [26394]

Mrs. Beckett *[holding answer 30 January 1998]*: Computer systems in my Parliamentary office are millennium compliant. My Department is pursuing a programme designed to ensure that DTI computer systems

are millennium compliant. It aims to identify instances of non-compliance and resolve them as necessary via correction or replacement.

Trade (Poland)

Mr. Fearn: To ask the President of the Board of Trade what has been the growth rate of trade between Poland and the United Kingdom in each year since 1990; and what assessment she has made of the prospects for trade over the next five years. [26812]

Mrs. Roche: The growth rate of trade (in goods and services) between Poland and the United Kingdom since 1990 has been as follows:

UK-Poland bi-lateral Trade—percentage change over previous year

Year	*Trade in goods and services*
1990	10.7
1991	14.5
1992	38.7
1993	20.7
1994	7.2
1995	24.6
1996	22.1
1997	n/a

I anticipate that UK-Poland trade will continue to remain healthy: Poland has been identified by the Export Forum as a priority market and will begin negotiations for accession to the European Union on 31 March this year.

Mr. Fearn: To ask the President of the Board of Trade what assessment she has made of the current tariff regime between Poland and the United Kingdom. [26813]

Mrs. Roche: As for all other EU Member States, trade relations between the UK and Poland are governed by the EU/Poland Europe Agreement. The Agreement provides the framework for Poland's gradual integration into the EU. The trade provisions of the Agreement have been in force since March 1992.

Under the terms of the Agreement, the EU and Poland will gradually establish a free trade area, within a ten year period, and in accordance with the provisions of the World Trade Organisation (WTO). The Agreement is subject to periodic examination by the WTO's Committee on Regional Trade Agreements.

Tariffs are being dismantled asymmetrically, reflecting the different levels of economic development of the two parties. While Poland has until the end of 1999 to abolish tariffs on EU industrial products, Polish goods already enter the EU duty free.

Trade in agricultural products is subject to different arrangements, based on increasing mutual concessions on a product-by-product basis.

The Department attaches considerable importance to the strict implementation of the provisions of the Europe Agreement in order to reduce the barriers to trade between the UK and Poland. This is essential in order to assist Poland with the completion of its economic transition and its preparations for accession to the EU.

Multilateral Agreement on Investment

Mr. Singh: To ask the President of the Board of Trade if she will make a statement on the impact of the Multilateral Agreement on Investment on *(a)* the ability of local authorities to direct local economic development and *(b)* the poorest countries of the developing world. [26989]

Mrs. Roche: The MAI concerns discrimination against enterprises on the grounds of nationality, which is not generally a factor in local authority decisions. Therefore, there is no reason to believe that the Agreement will cause problems for local government policies.

The Department for International Development is commissioning a study on any implications the MAI may have for developing countries.

Mr. Matthew Taylor: To ask the President of the Board of Trade if she will convene a meeting of representatives of her Department, the Department for the Environment, Transport and the Regions, the Treasury and the Department for International Development, to discuss the Multilateral Agreement on Investment in advance of the High Level meeting of OECD Ministers on 16 and 17 February. [27277]

Mrs. Roche: My officials are in constant contact with those from other Government departments on the Multilateral Agreement on Investment (MAI), including the issues likely to arise at the High Level Meeting.

Hollis Industries plc

Mr. Redwood: To ask the President of the Board of Trade what plans her Department has to investigate the circumstances leading to Hollis Industries plc going into receivership. [27001]

Mrs. Beckett *[holding answer 2 February 1998]:* An administration order under the provisions of the Insolvency Act 1986 was made in respect of Hollis Industries plc on 11 December 1991. It is my department's long established position not to comment on the affairs of individual companies but if the right hon. Gentleman has any information concerning the company which he considers justifies an investigation he will no doubt forward it to me.

Late Payment

Mr. Jim Cunningham: To ask the President of the Board of Trade when she plans to bring forward legislation based on the Green Paper regarding small firms charging interest on their debts. [26827]

Mrs. Roche *[holding answer 2 February 1998]:* The Late Payment of Commercial Debts (Interest) Bill was introduced, in the other place, on 10 December. It had its Second Reading on 12 January and was subject to committee consideration on 28 January.

Mr. Jim Cunningham: To ask the President of the Board of Trade what plans she has to protect micro-firms against the practices of larger debt holding companies. [26829]

Mrs. Roche *[holding answer 2 February 1998]:* The Late Payment of Commercial Debts (Interest) Bill proposes to provide small businesses, including

micro-businesses, with the statutory right to claim interest from large businesses and the public sector on late paid commercial debts. After two years, it is proposed to expand the right to claim so that all businesses may be subject to claims for interest from small businesses, including micro-businesses. After a further two years, the Government have proposed that all businesses and the public sector will have the statutory right to claim interest from all businesses and the public sector.

The Bill is currently being considered in the other place, after which time it will be discussed in this House.

The Government are also working in partnership with the Better Payment Practice Group, which includes small firms representative organisations, to promote a better payment culture and to ensure that small firms are able to manage their credit effectively. We will also publish a free guide to credit management and debt recovery and ensure that small businesses can access credit management information and advice through the Enterprise Zone. In addition Business Links, and the equivalent organisation in Scotland, Wales and Northern Ireland have been encouraged to assist small businesses with their credit management procedures.

Mr. Jim Cunningham: To ask the President of the Board of Trade if she will list the benefits of allowing small firms to charge interest on moneys owed by late payers. [26828]

Mrs. Roche *[holding answer 2 February 1998]:* The Regulatory Appraisal of the Late Payment of Commercial Debts (Interest) Bill details, among other things, the benefits of the legislation. The legislation:

will allow a small business supplier to claim recompense for the cost of late payment;

may reduce business risk caused by cash-flow uncertainty resulting from late payment;

will make it uneconomic for debtors to withhold payment;

will reduce the number of cases which need to go to court for settlement, as the right to interest will be statutory;

will encourage creditors and debtors to agree credit periods and to resolve disputes quickly;

will result in less valuable management time and resources being spent on chasing tardy debtors.

Fair Trading

Mr. Jim Cunningham: To ask the President of the Board of Trade (1) if she will amend Part III of the Fair Trading Act 1973, to extend the definition of unfair conduct to actions which may not amount to a civil or criminal offence but still oppress and mislead the consumer; [26830]

(2) if she will remove the condition of persistence of unfair practice, in respect of prosecutions of rogue traders. [26831]

Mr. Nigel Griffiths *[holding answer 2 February 1998]:* Active consideration is being given to the reform of Part III of the Fair Trading Act 1973. I have received a number of recommendations for changes including the removal of the condition of persistence of unfair practice, in respect of prosecutions of rogue traders.

Reform of the Act will require primary legislation and there is at present a shortage of Parliamentary time to do so. I am therefore considering whether there are other options available that would allow us to take action in a shorter timescale to tackle these issues.

Coal

Mr. Boswell: To ask the President of the Board of Trade how much extra coal will be burnt in April to June 1998 in British power stations as a result of the Government's recent action in response to the expiry of coal contracts with generators. [26832]

Mr. Battle *[holding answer 2 February 1998]:* Following discussions between the electricity generators and RJB Mining in December 1997, National Power and Eastern Electricity agreed with RJB Mining to accelerate deliveries of 600,000 tonnes between them in the April-June quarter of 1998. PowerGen agreed to purchase 1.1 million tonnes from RJB in this period. The volumes of coal burned in the quarter will depend upon the decisions of the individual generating companies.

EU Funding

Mr. Rhodri Morgan: To ask the President of the Board of Trade what assessment she has made of the impact of European Commission proposals to continue access to the Cohesion Fund, for those countries currently with such access, which join the single currency system. [27311]

Mrs. Roche *[holding answer 3 February 1998]:* The Government believe that, since one of the main reasons for establishing the Cohesion Fund was to help poorer Member States to achieve economic convergence, there is a strong case for ending access to the Fund for those which have met the macroeconomic criteria for joining the single currency. The Government will argue for the Cohesion Fund to be subject to the same overall budget stringency as the Structural Funds.

Companies House

Mr. Rhodri Morgan: To ask the President of the Board of Trade how many compensatory *(a)* refunds and *(b)* free searches have been given to subscribers to the new on-line Companies House information system since its inception. [27313]

Mr. Nigel Griffiths *[holding answer 3 February 1998]:* Companies House has granted refunds of a month's subscription charge, in the form of a free subscription for the forthcoming month, to 1,240 subscribers. Subscribers have also been given 3,800 free screens which would otherwise be charged for, and almost 8,000 free searches.

Energy Products Directive

Mr. Stunell: To ask the President of the Board of Trade what assessment she has made of the impact of the draft European Union Energy Products Directive on United Kingdom manufacturers, retailers and consumers; and if she will make a statement. [25758]

Dawn Primarolo: I have been asked to reply as the Minister responsible.

I refer my hon. Friend to the Customs and Excise memorandum submitted to the Select Committee on European Legislation in May 1997, entitled "Explanatory Memorandum on European Communities Legislation: Proposal for a Council Directive Restructuring the Community Framework for the Taxation of Energy Products", and the supplementary memorandum submitted to the same Committee on 10 December 1997. The former contains details of the financial implications of the draft Energy Products Directive, and the latter outlines the Government's position.

Euro (Share Values)

Mr. Redwood: To ask the President of the Board of Trade what representations she has received about errors in conversion tables in the DTI publication "The Euro: Redenomination of Share Capital", a DTI consultation paper; and if she will make a statement. [26784]

Mrs. Beckett *[holding answer 2 February 1998]:* Two. An incorrect conversion rate was used in an illustration of the conversion of sterling nominal or par values of shares into euro. However, the point of the illustration, that some fractional sterling par values could round to zero on conversion and application of rounding rules, remains valid.

Dietary Supplements

Mr. Tredinnick: To ask the President of the Board of Trade what assessment she has made of the impact on global free trade agreements of the proposed new restrictions on the retail sale of vitamin B6; and if she will make a statement. [26358]

Mr. Rooker: I have been asked to reply.

The regulations required to implement the proposed controls on dietary supplements containing vitamin B6 will be the subject of consultation with interested parties. Nevertheless, the Government consider that the proposals are based on sound scientific principles, are non-discriminatory, and are therefore fully consistent with World Trade Organisation rules.

Mr. Tredinnick: To ask the President of the Board of Trade what assessment she has made of the potential impact on global free trade agreements of the proposed new European Directive on dietary supplements; and if she will make a statement. [26359]

Mr. Rooker: I have been asked to reply.

The European Commission has issued a discussion document on the possible harmonisation of controls on dietary supplements but has made no proposal for a new Directive on this subject.

If the Commission were to make a formal proposal, the Government will wish to ensure that any measures adopted respect the EU's obligations under World Trade Organisation rules.

PRIME MINISTER

Ministerial Visits

Q18. **Mr. Steen:** To ask the Prime Minister if he will visit the Kingsbridge NFU branch in south Devon. [25401]

The Prime Minister: I have no plans to do so.

Q19. **Rev. Martin Smyth:** To ask the Prime Minister when he expects next to visit south Belfast. [25402]

Q20. **Mr. Donohoe:** To ask the Prime Minister when he plans next to visit Cunninghame, South. [25403]

The Prime Minister: I have no immediate plans to do so.

Overseas Visits

Mr. Loughton: To ask the Prime Minister if he will list the occasions on which he has given permission for partners of Ministers other than their spouses to accompany Ministers on overseas visits at public expense. [23722]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 3 February 1998, *Official Report*, column *581*.

Central Media Monitoring Unit

Mr. Sayeed: To ask the Prime Minister what steps he has taken to ensure that the output of the Central Media Monitoring Unit cannot be used for party political advantage. [24240]

The Prime Minister *[holding answer 20 January 1998]:* The Media Monitoring Unit is staffed by civil servants who are under a duty set out in the Civil Service Code to conduct themselves with integrity, impartiality and honesty. The Unit operates strictly within the Guidance on the Work of the Government Information Service which specifies that work carried out by the Service should not be, or be liable to misrepresentation as being, party political. Ministers are also under a duty in the Ministerial Code to uphold the political impartiality of the Civil Service and not to use public resources for party political purposes.

Mr. Sayeed: To ask the Prime Minister what is the projected annual cost of the Central Media Monitoring Unit. [24239]

The Prime Minister *[holding answer 20 January 1998]:* The Media Monitoring Unit is currently operating as a pilot. Decisions on its permanent staffing and range of services have not been made. It is not yet possible, therefore, to provide a meaningful projection of costs for full operation. However, all the Unit's set-up and running costs have been contained within Departments' current budgets, as will all future costs.

Mr. Sayeed: To ask the Prime Minister if he will make available to all hon. Members the output of the Central Media Monitoring Unit. [24241]

The Prime Minister *[holding answer 20 January 1998]:* The Media Monitoring Unit is currently operating as a pilot. When it is fully operational, I will arrange for the Unit's regular output to be placed in the Library of the House.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 4 February. [25681]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. Later today I go to the United States of America.

NORTHERN IRELAND

Traffic Census Figures

Mr. Forsythe: To ask the Secretary of State for Northern Ireland what were the annual traffic census figures for 1992 to 1997 on *(a)* Mallusk Road from the junction with Hydepark Road to Bernice Road, *(b)* Hydepark Road, *(c)* Park Road, *(d)* Bernice Road and *(e)* Sealstown Road. [27136]

Mr. Paul Murphy *[holding answer 3 February 1998]:* The subject in question has been delegated to the Roads Service under its chief executive, Mr. W. McCoubrey. I have asked him to arrange for a reply to be given.

Letter from W. J. McCoubrey to Mr. Clifford Forsythe, dated 3 February 1998:

The Secretary of State for Northern Ireland has asked me to reply to your recently tabled PQ about annual traffic census figures at a number of locations in the Newtownabbey area.

Roads Service monitors traffic flows at key locations on the strategic road network and carries out separate counts on the remainder of the road network when the need arises. None of the roads mentioned in your question is a key location on the network and therefore the information requested is not available. Traffic data has however been collected at 2 other locations along Mallusk Road. Details of these are as follows:

Average 24 hour flow (vehicles per day) along Mallusk Road

Year	*At Roughfort Village*	*West of Scullions Road*
1992	1,750	n/a
1993	1,940	n/a
1994	2,290	n/a
1995	1,960	n/a
1996	1,960	18,810
1997	2,060	19,990

I hope you find this information helpful.

Police Interview Recording

Ms Moran: To ask the Secretary of State for Northern Ireland when she intends to publish the code of practice governing the silent video recording of police interviews with terrorist suspects. [27984]

Marjorie Mowlam: I have today placed in the Library a draft of the code of practice, as amended following the consultation exercise undertaken last year. An Order bringing the code into operation will be laid in due course.

SCOTLAND

Bankton House, Prestonpans

Mr. Home Robertson: To ask the Secretary of State for Scotland what was the cost to public funds of grant aid by Historic Scotland for harling the walls of Bankton House, Prestonpans, using lime mortar in *(a)* 1994 and *(b)* 1997; and what estimate was made of the cost of the same work if cement were to be included in the mortar. [22144]

Mr. Macdonald: The proportion of the total grant of £358,500 awarded by Historic Scotland in 1994 which related to the cost of lime harling was £2,068. This sum excludes preliminaries, preparation work, professional fees and VAT. A final account is not yet available for the remedial work which commenced in 1997 supported by the award of a further grant of £101,190. However, the tender cost indicates that the comparable cost of lime harling is £25,644. No estimate was made of the cost of including cement in the lime harl mix as this was considered an inappropriate material on the very soft original sandstone walling of this building.

Nuclear Reactors

Mr. Baker: To ask the Secretary of State for Scotland if he will list the occasions since 1980 when nuclear reactors have been shut down for safety reasons, indicating in each case the date of shut down, the reason for the shut down and the date on which power generation recommenced. [24752]

Mr. Wilson *[holding answer 22 January 1998]:* I refer the hon. Member to the answer given by my hon. Friend the Minister of State for Science, Energy and Industry, on 29 January 1998, *Official Report*, column *357*.

Respiratory Diseases

Mrs. Ewing: To ask the Secretary of State for Scotland how many people received treatment from (i) general practitioners and (ii) NHS hospitals in Scotland for *(a)* bronchitis, *(b)* influenza, *(c)* pneumonia, *(d)* hypothermia and *(e)* asthma for each month in the last five years. [25823]

Mr. Galbraith *[holding answer 27 January 1998]:* Information on the number of patients with a main diagnosis of bronchitis, influenza, pneumonia, hypothermia and asthma who were discharged from hospital in-patient and day case care in the 5 years to 1996–97 is provided in the table. Data on the numbers of patients who received treatment from general practitioners for these conditions are not available centrally.

NHSiS—In-patient day case discharges from non-obstetric or non-psychiatric specialties. Selected diseases of the respiratory system. Years ended 31 March 1993–97 by month of discharge

Year	*Month of discharge*	*Bronchitis*	*Influenza*	*Pneumonia*	*Hypothermia*	*Asthma*
1992–93	April	238	6	737	14	700
	May	209	4	649	8	745
	June	234	8	732	7	807
	July	190	8	621	12	768
	August	182	8	509	13	728
	September	168	9	553	2	1,161
	October	234	10	629	14	929
	November	199	13	666	16	838

NHSiS—In-patient day case discharges from non-obstetric or non-psychiatric specialties. Selected diseases of the respiratory system. Years ended 31 March 1993–97 by month of discharge

Year	*Month of discharge*	*Bronchitis*	*Influenza*	*Pneumonia*	*Hypothermia*	*Asthma*
	December	257	11	821	24	843
	January	293	12	886	30	664
	February	241	25	782	14	726
	March	296	81	1,020	28	859
1993–94	April	222	44	918	25	761
	May	211	17	750	9	851
	June	233	17	728	6	826
	July	226	19	676	4	689
	August	199	4	604	13	852
	September	193	8	656	8	1,140
	October	273	39	807	16	1,093
	November	391	243	1,266	28	1,148
	December	289	84	1,175	40	975
	January	267	44	1,099	34	792
	February	190	12	816	37	756
	March	193	9	867	26	852
1994–95	April	213	5	789	24	703
	May	211	5	755	14	857
	June	184	13	795	12	729
	July	146	11	654	3	617
	August	169	5	660	7	641
	September	189	14	639	11	947
	October	194	10	750	9	883
	November	204	11	718	13	962
	December	231	8	986	26	887
	January	241	9	1,074	31	704
	February	222	15	930	36	769
	March	204	33	964	17	813
1995–96	April	183	19	852	16	671
	May	222	13	837	12	700
	June	219	18	787	6	744
	July	187	9	701	11	655
	August	163	7	617	9	654
	September	177	5	618	8	1,052
	October	189	9	770	15	944
	November	230	36	890	13	1,227
	December	329	137	1,359	32	1,084
	January	312	91	1,518	43	834
	February	213	25	948	21	786
	March	203	24	929	27	787
1996–97[1]	April	176	19	844	22	621
	May	140	19	783	12	763
	June	134	16	780	12	697
	July	125	14	681	16	641
	August	59	12	642	8	703
	September	69	8	651	12	897
	October	115	10	695	17	696
	November	116	12	708	23	817
	December	117	65	1,204	33	885
	January	195	184	1,778	28	781
	February	135	74	1,112	17	671
	March	134	24	921	24	743

[1] The figures for 1996–97 are not directly comparable with those for previous years, due to changes in the International Statistical Classification of Diseases and Related Health Problems (ICD) codings from 1 April 1996.

Source:
SMR1/SMR01

Civil Servants

Mr. Forth: To ask the Secretary of State for Scotland how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26923]

Mr. Dewar: No civil servants in my Department at the equivalent of the former Grade 3 or above have resigned or retired before pensionable age since 1 May 1997. Three have moved to different responsibilities; they had previously been responsible respectively to the Minister for Agriculture, the Environment and Fisheries; the Minister for Home Affairs and Devolution; and the Minister for Health and the Arts.

CULTURE, MEDIA AND SPORT

Television Licences

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport what plans he has to regularise the availability of concessions on television licences in relation to second homes which are *(a)* mobile caravans, *(b)* static caravans and *(c)* dwellings; and if he will make a statement. [25755]

Mr. Fisher: Under the current television licence fee regulations, a licence for a person's main address also covers the installation and use of television in a vehicle, vessel or touring caravan and, provided that there is no simultaneous use at the licensed address, in a static caravan. If television is installed in a permanent structure second home, a separate licence is required. The Government have no plans to change these arrangements.

However, the Government's Agreement with the BBC provides for a review of the arrangements for funding the BBC after 2002. The Government intend to conduct such a review well before that date and to include in that review a detailed consideration of the question of concessions.

Mr. Stunell: To ask the Secretary of State for Culture, Media and Sport if he will authorise the introduction of television licences *(a)* with a monthly or quarterly validity, and *(b)* with a monthly refund of unexpired time; and if he will make a statement. [25756]

Mr. Fisher: The Government have no plans to introduce short term licences. The licence fee is a payment for permission to use television at a particular address rather than for a service provided. It is payable in full, regardless of the amount of television watched or the length of time for which the licence is required. Even if this were not so, the administrative costs of issuing short term licences and checking that use ceased at the appropriate time would be considerable, and could well require a corresponding increase in the licence fee.

Responsibility for the administration of the television licensing system, including the determination of refund policy, rests with the BBC. At present, refunds are available for full, unexpired quarters of the validity of a licence. In setting its refund policy, the BBC has considered the administrative costs and the interests of all licence fee payers.

World Cup

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport (1) what steps he has taken to ensure an adequate allocation of tickets for *(a)* England and *(b)* Scotland supporters for the forthcoming Soccer World Cup; [25893]

(2) what meetings he has had with *(a)* the French organisers, *(b)* FIFA and *(c)* the Football Association to secure an increase in the allocation of tickets to English and Scottish fans for the World Cup; and what the outcome of any such meetings was. [25967]

Mr. Nigel Jones To ask the Secretary of State for Culture, Media and Sport what representations he has made to the French authorities over the ticket allocation system for the 1998 Football World Cup; and if he will make a statement. [26267]

Mr. Banks: Ticketing for the 1998 World Cup Finals is a matter for the football authorities. I understand that 60 per cent. of tickets have been allocated to the French domestic market, 20 per cent. to FIFA approved travel agencies, and 20 per cent. to FIFA itself. Most of the tickets earmarked for FIFA for each game will be allocated to supporters of the competing countries' teams. I am concerned about inadequacy of World Cup tickets and have discussed this with the FA. I know that both it and the Scottish Football Association are doing everything that they can in making representations to FIFA to maximise the number of World Cup tickets available for English and Scottish supporters. The Government will continue to support the FA in its efforts to secure additional tickets.

Public Library Development

Mr. Letwin: To ask the Secretary of State for Culture, Media and Sport what uses have been made of the moneys allocated to the Public Library Development Incentive Scheme for 1997–98. [27179]

Mr. Fisher: This Government are not bound by the funding proposals made by the previous Administration. The resources set aside for the Public Library Development Funding Scheme have been re-allocated to other priority areas, including to current library initiatives.

Fibre Optic Links

Mr. Wigley: To ask the Secretary of State for Culture, Media and Sport if he will seek to ensure that the award of a franchise for creating a network of fibre optic links through South Cheshire and North Wales is conditional on the same proportion of homes in North Wales as in South Cheshire being offered the service; and if he will raise this matter with the Chairman of the ITC. [27292]

Mr. Fisher: The award of licences for local delivery franchises, which enable a range of multichannel television and telecommunications services to be provided by cable, is a matter for the Independent Television Commission. Procedures for awarding licences are set out in the Broadcasting Act 1990. Under the terms of that Act, the licence for a particular area must normally be granted to the highest bidder, and the Commission must include in the terms of the licence, and thereafter enforce, the undertakings made by the successful applicant on the timing and coverage of the services provided.

Tourism Grants

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what representations he has received on the extension of section four tourism grants to the north west region. [24887]

Mr. Tom Clarke *[holding answer 3 February 1998]:* With the exception of the oral question raised by my hon. Friend on 19 January 1998, *Official Report*, column 680, I have received no representations on the extension of section four tourism grants to the North West Region.

WALES

Literacy Standards

Mr. Barry Jones: To ask the Secretary of State for Wales what new measures he is adopting to improve standards of literacy. [26694]

Mr. Hain: For 1998–99, I have made an additional £1.5 million available to support local education authority literacy strategies in Wales. These strategies will describe the action that authorities are proposing to enable us to reach the stretching literacy targets we have set for the year 2000 and 2002. I will be issuing guidance on the preparation of these plans shortly. I have also made clear that the Government are committed to removing overload in the National Curriculum to enable schools to focus greater attention on the basic skills of literacy and numeracy.

Community Pharmacies

Mr. Barry Jones: To ask the Secretary of State for Wales (1) how many community pharmacies there are; and if he will make a statement on his policy on community pharmacies; [26693]

(2) what plans he has to protect the community pharmacies following the growth of out of town shopping centres. [26696]

Mr. Win Griffiths: There were 714 community pharmacies in Wales as at 31 March 1997, the latest date for which information is available.

Health Authorities have a legal responsibility to ensure the provision of adequate and accessible pharmaceutical services. In recognition of this, applications for inclusion in the pharmaceutical list must comply with the NHS (Pharmaceutical Services) Regulations 1992 (as amended) which take into account the existing provision of pharmaceutical services within a neighbourhood.

Pharmaceutical Prices

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement of the future of the pharmaceutical price regulation scheme. [26695]

Mr. Win Griffiths: The current price regulation scheme will end this September.

Consideration is being given to the form of future arrangements but the aim will be to keep down the NHS drugs bill while assisting the international success of the British pharmaceutical industry.

Civil Servants

Mr. Forth: To ask the Secretary of State for Wales how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26929]

Mr. Ron Davies: No Civil Servants at Grade 3 or above

a. resigned;

b. retired before retirement age; and

c. moved to different responsibilities within the Department since 1 May 1997.

NHS Trusts

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what are the estimated deficits for each NHS trust in Wales for the current financial year. [27019]

Mr. Win Griffiths: The following table provides the information requested. The figures are based on Trust forecasts of their likely year-end deficits as at 30 November 1997.

Estimated deficits for NHS Trusts in Wales forcurrent financial year

Trust	*£000*
Carmarthen	(1,659)
Ceredigion	(1,300)
Llandough	(1,866)
Llanelli	(875)
Morriston	(3,009)
Nevill Hall	(131)
North Glamorgan	(484)
North Wales Ambulance	(38)
Pembs/Derwen	(2,097)
Powys	(1,288)
Dental Hospital	(92)
UHW	(4,574)
Wrexham	(737)

Opencast Quarrying

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what action he plans to take to alter planning regulations concerning opencast quarry sites on land where permission for the original development had been granted for a period of over 10 years. [26993]

Mr. Hain: None. The Environment Act 1995 already provides for the review of old mineral permissions granted between 1 July 1948 and 22 February 1982, and for the periodic review of both those permissions and those granted under Interim Development Order legislation.

Livestock Industry

Mr. Livsey: To ask the Secretary of State for Wales what action he intends to take to facilitate the export of sheepmeat from Wales to *(a)* the European Union and *(b)* elsewhere. [27063]

Mr. Win Griffiths: My right hon. Friend supports Welsh Food Promotions Limited (WFP) and Welsh Lamb and Beef Promotions Limited (WLBP) who operate the Welsh Lamb Export Marketing Initiative Co-ordinating Group set up in 1992 to co-ordinate the activities of Welsh Lamb Export. In 1997–98, direct expenditure under the initiative totalled £200,000 of which £120,000 was aimed solely at direct promotional support on the targeted European markets such as France, Spain, Italy, the

Netherlands, Portugal and Greece. In 1998–99, expenditure on direct promotional support will be some £150,000.

In 1996 (the latest figures available) sales reached 18,000 carcases tons weight which was 17 per cent. of the total GB exports of lamb.

In addition, WFP support marketed funding from export plants towards specific retail promotions and technical and marketing support from the Meat and Livestock Commission (MLC) Lamb Export Marketing Manager in execution of the MLC Lamb Export plan which runs in parallel with the Welsh programme.

WFP aim to promote product development to meet retailer and consumer demands, specific value added products such as the successful Agneaux Gallois and retail promotions in major EU and other overseas markets.

Mr. Livsey: To ask the Secretary of State for Wales if he will estimate the total extra costs over the next 12 months for the livestock industry in Wales resulting from the removal of specified risk materials required from sheep carcases from animals of over 12 months of age. [27068]

Mr. Win Griffiths: The additional cost to the livestock industry in Wales in the next financial year resulting from the charging of Specified Risk Material inspection for sheep and goats is estimated to be £1.3 million.

Mr. Livsey: To ask the Secretary of State for Wales if he will estimate the total costs for the livestock industry in Wales in the next financial year resulting from the implementation of new meat hygiene service, livestock traceability and specified risk material removal requirements. [27062]

Mr. Win Griffiths: The additional costs to the livestock industry in Wales in the next financial year arising from the charging of Specified Risk Material inspection by the Meat Hygiene Service for cattle, sheep and goats is estimated to be £2.7 million. For cattle traceability, the new Cattle Tracing System (CTS) will be in operation. The costs of the CTS will be met by a charge for the issuing of cattle passports. Details are not yet finalised, but the cost is estimated at between £5 and £10 per passport.

Female General Practitioners

Mr. Barry Jones: To ask the Secretary of State for Wales how many female GPs practice in the NHS in Wales. [27273]

Mr. Win Griffiths: Of the 1,740 GPs (unrestricted principals) practising in Wales at 1 April 1997 (the latest date for which information is available), 445 were female.

Play Groups

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on his proposals for play groups in Wales. [27276]

Mr. Win Griffiths: The Welsh Office has set up a Childcare Strategy Working Group, with representatives from local education and social services authorities, the voluntary sector, TECs and other interests including the CBI Wales and Wales TUC, to devise effective schemes to promote new childcare initiatives in Wales within the overall framework of the National Childcare Strategy. The Group will be reporting shortly. The Strategy for Wales will take account of the arrangements being made to provide nursery education for pre-school age children, as outlined in the Welsh Office's "Guidance on Early Years Education", which is available in the Library of the House. It will also seek to build on all the diverse forms of quality provision, including playgroups, already available for this age group. Wales Pre-school Playgroups Association and Mudiad Ysgolion Meithrin, as the principal voluntary organisations in this field, continue to receive core grant support from the Welsh Office.

Millennium Compliance

Mr. Wigley: To ask the Secretary of State for Wales what additional funding to local authorities will be provided to ensure computer millennium compliance. [27153]

Mr. Win Griffiths: 1998–99 revenue settlement makes no explicit allowance for millennium compliance. The Welsh Local Government Association considers that the major costs are likely to arise in 1999–2000. It intends to collect information from authorities to inform discussions on the revenue settlement for that year. These are due to begin in the spring.

HEALTH

Market Testing

Ms Squire: To ask the Secretary of State for Health if he will list the health services which have been market-tested or notified to his Department and won by the private sector indicating *(a)* the location and *(b)* the organisation winning the tender. [27332]

Mr. Milburn: We have records of 3,560 contracts awarded to commercial contractors. Further information could be provided only at disproportionate cost.

The table lists the range of services market tested in England and may be incomplete as it is based on information supplied by National Health Service trusts and health authorities.

Hotel and non-clinical support

Accommodation, bereavement, car parking, catering, courier, creche, domestic, environmental health management, facilities management, funeral, gardening, general patient services, hotel services, interpreting, laundry/linen, pest control, portering, security, supplies, switchboard/reception, transport, waste disposal.

Administration, information and financial

Advertising and recruitment, agency staffing, audit, banking, clerical and secretarial, computer, consultants, financial, human resources, insurance, legal, management services, micro-filming.

Clinical and clinical support

Anaesthetics, bio-engineering, central sterile supply department, chiropody, clinical coding, clinical genetics, continuing care for the elderly, dental, haematology, hospital sterilising and disinfecting unit, infection control, in-vitro fertilisation services, lithotripsy, magnetic resonance imaging, medical photography, medical physics, mobile cardiac catheterisation, mobility provisions, nuclear medicine, occupational health, occupational therapy, ophthalmology, orthotics, oxygen therapy units, pathology, patient appliances, perfusionists, pharmacy, physiotherapy, prosthetics, psychology, radiology, speech therapy, termination of pregnancy.

Building and engineering

Building and engineering, design, electrical, energy management, estates management, fire systems, flooring, gas supply, glazing, lighting, painting, repairs and maintenance, water services.

Building and equipment/systems maintenance

Building, building and engineering, equipment/systems, estates.

Training

Education, fire, staff.

Notes:

1. There is no standard definition of services or list of services within the NHS and those listed above relate to trust or authority interpretation.

2. Service headings such as "hotel services" and "facilities management" include a wide and varying range of individual services e.g. car parking, catering, portering, security. There is no set pattern of which services make up Hotel Services etc., but the information relates to individual trust or authority interpretation.

GP Fundholding

Mr. Laurence Robertson: To ask the Secretary of State for Health what funds he will make available to general practitioners to enable them to retain staff who would otherwise be made redundant when GP fundholding is ended; what funds he will make available for those staff to be employed by the Primary Care Group or health authorities; where the funds will come from; and if he will make a statement. [27197]

Mr. Milburn: We will discuss with those concerned arrangements for the transition from general practitioner fundholding to Primary Care Groups, including arrangements for staff currently employed by GP fundholders. Further guidance on these matters will be issued in due course.

AGRICULTURE, FISHERIES AND FOOD

EU Beef Ban

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the total cost to public funds to date of the EU ban on United Kingdom beef exports. [25440]

Mr. Rooker: Public funds have been used to carry out a number of activities arising directly from the beef export ban including: the introduction of legislation and enforcement arrangements to prohibit exports and to control permitted exports; the preparation of the ECJ case questioning the legality for the ban; and the development of proposals for the gradual removal of the ban. These activities involve a number of Government Departments and Ministers and it is not possible separately to identify costs associated with this work. Government expenditure on BSE related measures over the period 1996–97 to 1999–2000 is forecast to be around £3.7 billion.

Beef and Lamb Prices

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food if he will list the average price to farmers for (i) beef and (ii) lamb in each month since January 1995. [25889]

Mr. Rooker: The average prices of finished cattle and finished lambs are published by MAFF in the Agricultural Market Report Part 1, a copy of which is in the House of Commons Library. The prices are collected by the Meat and Livestock Commission on a weekly basis and cover a sample of representative markets in England and Wales.

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food what was the annual average price to farmers for *(a)* beef and *(b)* lamb in each year for 1990 to 1997. [25888]

Mr. Rooker: The annual average prices of finished cattle and finished sheep are shown in the table. The annual average prices are based on prices collected weekly by the Meat and Livestock Commission.

Great Britain except cattle prices for 1990 and 1991

Year	*Finished cattle (p per kg liveweight): All clean cattle*	*Finished sheep (p per kg estimated dressed carcase weight)*
1990	[1]106.3	174.5
1991	[1]106.9	148.2
1992	109.6	182.1
1993	128.0	219.0
1994	121.7	236.9
1995	123.2	236.4
1996	105.5	283.1
1997	96.9	256.0

[1] UK prices

Beef Producers

Mr. Kirkwood: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the amount of regulatory costs experienced by British beef producers which is not experienced by producers in other parts of the EU. [25239]

Mr. Rooker *[holding answer 26 January 1998]:* There are currently no direct regulatory costs borne by British beef producers which are not experienced by producers in other parts of the EU. However inspection charges at slaughterhouses and cutting plants, in relation to the removal of Specified Risk material, will be introduced on 1 April, and are expected to cost the industry up to a maximum of £48 million in a full year. The cost to producers of a cattle passport under the new cattle tracing system is expected to be in the range of £5 to £10: but the UK is not unique in charging producers for cattle tracing. Although it impacts on the meat industry as a whole, the removal of subsidy paid to renderers since March 1996 (worth £96 million in a full year) will have significant effect on beef producers. These costs do not generally arise in other Member States because they do not experience the same high incidence of BSE as the UK. Even if they do, it is not clear whether the costs are charged to the industries concerned.

Climate Change

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to protect the coastline from the rising sea levels forecast in his document on climate change. [26488]

Mr. Morley: The Ministry's current guidance to operating authorities recommends them to make allowances of between 4mm and 6mm a year relative sea level rise when assessing the need for coastal defence measures. This takes account of both predicted vertical

land movements and sea level rise. The latter is compatible with predictions in the "Review of the Potential Effects of Climate Change in the United Kingdom" published by the then Department of the Environment in 1996.

Subsequent international predictions have indicated a reduced rate of rise, but the allowances have not been adjusted because of the margins of uncertainty. The guidance will be kept under review as further information and research results become available.

Meat Hygiene Inspectorate Charges

Mr. Rowe: To ask the Minister of Agriculture, Fisheries and Food if he will list the charges made to meat producers by the Meat Hygiene Inspectorate; and what plans he has to review their impact on meat producers' costs. [26343]

Mr. Rooker: The current charges made by the Meat Hygiene Service (MHS) for hygiene inspections in licensed premises are:

Hourly charges for 1997–98

£

Normal Time	*Senior meat inspector*	*Authorised meat inspector*	*Senior poultry meat inspector*	*Poultry meat inspector*	*Employed OVS*
Direct	11.29	11.29	9.65	9.65	28.00
Overhead	4.49	4.49	4.49	4.49	6.04
Total	15.78	15.78	14.14	14.14	34.04

Hourly charges for 1997–98

£

Overtime	*Senior meat inspector*	*Authorised meat inspector*	*Senior poultry meat inspector*	*Poultry meat inspector*	*Employed OVS*
Time and a half					
Direct	16.93	16.93	14.47	14.47	28.00
Overhead	0.00	0.00	0.00	0.00	6.04
Total	16.93	16.93	14.47	14.47	34.04
Double Time					
Direct	22.58	22.58	19.29	19.29	28.00
Overhead	0.00	0.00	0.00	0.00	6.04
Total	22.58	22.58	19.29	19.29	34.04
Holiday working					
Direct	33.87	33.87	28.94	28.94	28.00
Overhead	8.99	8.99	8.99	8.99	6.04
Total	42.86	42.86	37.93	37.93	34.04

Notes:
Employed OVS call out charge—In addition to the hourly OVS charge there is a call-out charge of £23.81. This is applied only for emergencies, or for holiday and bank holiday working.
Contract OVS—Hourly rates for OVSs employed on contract are determined on a plant by plant basis as a result of open competitive tenders.

The MHS are required to consult with industry whenever it is proposed to change the rates (normally annually). Consultation has begun for the rates to apply for 1998–99.

In addition, the Ministry has begun consultation with industry representatives on proposals to amend the Meat (Hygiene, Inspection and Examinations for Residues) (Charges) Regulations 1995 which lay down the framework for harmonised hygiene charges, as required by EC rules. Consultation is also about to begin on the proposal to require the cost of MHS enforcement of Specified Risk Material controls to be charged to industry from 1 April 1998. For both proposals a Regulatory Appraisal will be prepared and presented to Parliament assessing the impact, including cost, on the industry. Representative organisations will have an opportunity to comment, and contribute to, the draft Regulatory Appraisals during the consultations.

Badger Setts

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what policy he will adopt in respect of badger setts in areas not selected for culling under the Krebs experiment, where the setts in question pose dangers to users of the land due to undermining of the surface structure of fields. [26410]

Mr. Rooker: In such areas, applications for licences to interfere with badger setts under the Protection of Badgers Act 1992 will continue to be assessed on their merits on a case by case basis.

Beef Imports

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food what measures are being taken to ensure that imported beef is from BSE-free herds. [26690]

Mr. Rooker: I refer my hon. Friend to the reply given to my hon. Friend the Member for Dumfries (Mr. Brown) on 18 December 1997, *Official Report*, columns *299–300*.

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food how much over 30 month beef was imported into the United Kingdom from *(a)* EU countries and *(b)* non-EU countries in each of the last six months. [26689]

Mr. Rooker: This information is not available. Data collected on the volume of imported beef do not show the age of the animals from which it was derived.

Farm Tenancy Agreements

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to alter the new farm business tenancy agreements; and if he will make a statement. [26996]

Mr. Morley: None. Farm business tenancy agreements are entirely a matter for the parties involved.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to support small farms operating the new farm business tenancy agreements which are in financial difficulties; and if he will make a statement. [26997]

Mr. Morley: I have no such plans. Financial arrangements are a matter for tenants and their financial advisers, who are best placed to offer advice on overcoming any individual difficulties.

Farm Incomes

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to monitor farm income in Cumbria. [27017]

Mr. Rooker: Farm incomes in Cumbria are monitored through the Farm Business Survey, conducted in this part of the United Kingdom by the University of Newcastle. The university publishes the results annually in "Farming in Northern England". It is expected that the next edition of this report, covering results for 1996–97, will be published at the end of this month.

Livestock Premiums

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food if he will renegotiate the stabiliser mechanism in the Council of EU Ministers, with regard to the payment of livestock premiums. [27066]

Mr. Rooker: The Government have no plans to raise with their European counterparts the question of the removal of the stabiliser mechanism for Sheep Annual Premium. The budgetary consequences of such removal would be significant.

Imported Meat

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food if (1) he will assess the extent to which sheepmeat imported into the United Kingdom from outside the European Union is from flocks not fed meat and bonemeal in ruminant rations; [27067]

(2) in what circumstances it is permissible to import beef and sheepmeat into the United Kingdom from countries that include meat and bonemeal in ruminant rations, if those countries are assessed by the UK Government to be free of BSE. [27058]

Mr. Rooker: I refer the hon. Gentleman to the reply given to the hon. Members for Lancaster and Wyre (Mr. Dawson) and Lewes (Mr. Baker) on 2 February 1998, *Official Report*, columns *547–48*.

Salmon Fishery (North-East)

Mr. Alan Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to alter the number of salmon drift net fishing licences currently held in the North East. [26818]

Mr. Morley: This drift net fishery is currently being phased out. As existing netsmen retire or leave the fishery their licences are not reallocated. Since 1992, the number of licences issued has fallen from 142 to 81 in 1997.

Mr. Alan Campbell: To ask the Minister of Agriculture, Fisheries and Food how many salmon drift net fishing licences are currently in force between *(a)* Berwick and the Tyne and *(b)* the Tyne and Whitby. [26819]

Mr. Morley: In 1997, there were 49 salmon drift net fishing licences in force between Holy Island and the Tyne and 32 licences between the Tyne and Whitby.

Mr. Alan Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to limit the 1998 salmon drift net fishing season in the North East. [26817]

Mr. Morley: There are no plans to limit the 1998 salmon drift net fishing season in the North East.

Farmers (Early Retirement)

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food how many farmers will be eligible to take part in the proposed early retirement scheme *(a)* nationally and *(b)* in Shropshire. [27181]

Mr. Morley: We are still considering what role the EU's early retirement scheme might play in the Government's long term objectives of restructuring the livestock sector. The industry will be fully consulted when we have developed our thoughts on the restructuring plan.

Our initial thoughts are that any early retirement scheme would be open to beef and sheep producers. The number who could apply for such a scheme cannot be determined until the basic eligibility criteria have been set.

Agriculture Wages Order

Mr. Boswell: To ask the Minister of Agriculture, Fisheries and Food how many staff are currently engaged on enforcement of the Agricultural Wages Order; how many inspections were carried out; how many breaches of the Order were discovered; what was the annual value of wages below the minimum rates recovered for farmworkers in each of the last three years; and if he will make a statement. [27183]

Mr. Morley *[holding answer 3 February 1998]:* MAFF Regional Service Centres (RSCs) committed about five staff years work to all aspects of the Agricultural Wages Order, including enforcement, in 1996–97. The information requested for the last 3 years is as follows:

	Number of inspections[1]	*Number of prosecutions for breaches of the order*	*Arrears of pay recovered* £
1994	869	6	16,028
1995	348	2	[2]9,062
1996	38	3	6,811

[1] Test (random) inspections ended in 1995 as they had revealed no breaches for some time. Inspections subsequently are only made as a follow up to complaints or other reports.
[2] One case went to appeal which was heard in 1996. As a result the arrears of pay recovered in 1995 was reduced to £3,048.

The enforcement provisions in the National Minimum Wage Bill, which it is proposed should apply for Agricultural Minimum Wage purposes, will strengthen the effectiveness of enforcement.

Correspondence

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food when the Parliamentary Secretary will reply to the letter of 13 October from the right hon. Member for Penrith and The Border raising concerns of constituents. [27054]

Mr. Morley: Despite an exhaustive search this Department can find no record of having received a letter of 13 October from the right hon. Member. However, if the hon. Member's Office can forward a copy to mine, I will ensure it is dealt with promptly.

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food when the Parliamentary Secretary will reply to the letter of 25 September from the right hon. Member for Penrith and The Border on a constituency case. [27055]

Mr. Morley: A reply to the right hon. Member's letter of 25 September has been delayed while efforts are made to find a solution to the problems experienced by his constituent, while ensuring that the Ministry meets its obligation to administer EU funded subsidy schemes in accordance with the relevant legislation. That work has yet to be completed, but my noble Friend will write within the next week to explain in greater detail where matters rest.

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food when the Minister of State will reply to the letter of 28 November from the right hon. Member for Penrith and The Border on a constituency matter. [27053]

Mr. Morley: This letter—and a number of others I have received from right hon. and hon. Members—ask about the Government's attitude to near-identical Private Members' and Private Peers' Bills which have been introduced with the aim, inter alia, of banning the tail docking of piglets. The Government's attitude to such a measure was made clear in a debate in the House of Lords on 26 January: I am therefore now in a position to reply to the right hon. Gentleman's letter of 28 November and to the other letters we have received on the subject.

Fishing Rights

Mr. Wilkinson: To ask the Minister of Agriculture, Fisheries and Food (1) if he will seek to prevent applicant countries for membership of the EU from enjoying the right to fish in EU waters other than EU waters for which they already have fishing rights after they have been accepted as members of the European Union; [26566]

(2) what power exists within the treaties of the European Union to prevent applicant countries for membership of the European Union from fishing in EU waters other than those in which they currently have rights once they have joined the European Union. [26567]

Mr. Morley: The terms of access to EU waters for fishing by new Member States are subject to negotiation and will be included in their respective Accession Treaties. The Government will aim to ensure that the fishing quotas within EU waters allocated to new Member States on accession are for the areas and stocks for which they already have fishing rights. This is consistent with the established principle of relative stability.

Beef on the Bone

Mr. Clifton-Brown: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the ban on selling beef on the bone on consumer confidence. [25354]

Mr. Rooker: Beef consumption varies seasonally and in response to many factors so the effect of any single action is unlikely to be identified separately. However, the vast majority of letters received about the ban have justifiably expressed continuing confidence in British Beef.

EDUCATION AND EMPLOYMENT

European Voluntary Service

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment if he will list the current pilot projects of the European Voluntary Service under way in the United Kingdom. [27368]

Ms Estelle Morris: The information requested is contained in the table:

Botton Village, Camphill Village Trust

Cornerstone Community

Share Discovery '80 Limited (Centre's Garden)

Share Discovery '80 Limited (Helping the disabled)

Share Discovery '80 Limited (work with elderly and disabled)

Camphill Rudolph Steiner Schools

Pennyburn Youth & Community Centre

Gowanbank Sustainability

Church of Scotland Board of Social Responsibility (Dementia)

Church of Scotland Board of Social Responsibility (Adults with learning disabilities)

Moretonhampstead Development Trust

Belfast Women's Aid

Harmony Community Trust

Bryson House

Greenhouse Trust

Peace Child International

Warley Leisure and Enabling Services

Tools for Solidarity

Somerset County Council, Social Services Department

Undercurrents Productions

Third Wave Centre

Grey Lodge Settlement

Croxteth & Gillmoss Community Federation

Tower Hamlets Council

Black Country Partnership College

Peace People

Hyndburn Borough Council

Conservation Volunteers NI

Devas Club

YMCA Stoke on Trent and North Staffordshire

Dingle made safe

Irish Support and Advice Service

The Woodcraft Folk

Solas Anois

International Christian Youth Exchange—UK, Treolar Trust

International Christian Youth Exchange—UK, Cambridge Cyrenians

International Christian Youth Exchange—UK, St Piers Lingfield

German Red Cross Voluntary Social Year, Peterhouse School

German Red Cross Voluntary Social Year, YMCA

German Red Cross Voluntary Social Year, British Red Cross Society

German Red Cross Voluntary Social Year, Emily Jackson-kindergarden

German Red Cross Voluntary Social Year, Christopher Grange

German Red Cross Voluntary Social Year, Springfield School

German Red Cross Voluntary Social Year, Princess Christian Farm

German Red Cross Voluntary Social Year, Mountwood Hostel

German Red Cross Voluntary Social Year, Centre Mulbery

German Red Cross Voluntary Social Year, Valense School

German Red Cross Voluntary Social Year, Pines Centre

German Red Cross Voluntary Social Year, Dorton House

EIL, The Winged Fellowship, Netley Waterside House, Southampton

EIL, Cardiff Community Health Care

EIL, The Winged Fellowship, Skylarks

EIL, Sandpipers

EIL, The Winged Fellowship, Crabhill House, Redhill

EIL, Worcester NHS Trust

EIL, Worcester Lifestyles

EIL, Kidderminster Youth Centre

EIL, Bromyard Youth Centre

EIL, Malvern Youth Centre

EIL, Bromsgrove Youth Centre

EIL, The National Trust Hereford & Worcester

Time For Good (11 projects)

CSV, Scotland Action Clyde Project

CSV, Edinburgh Action in East Scotland Project

CSV, Thames Action Project

CSV, Action Wales Project

CSV, Midlands Caring Community Project

CSV, South West England Community Care Project

CSV, North of England Social Care Project

CSV, East Anglia Care Project

CSV, South East England Social Care Project.

European Commission Schools Packs

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment what contribution his Department has made to the formulation of schools packs distributed by the European Commission in the United Kingdom; and what discussions he has held with the European Commission on the issue. [27369]

Dr. Howells: As far as we are aware, the European Commission has not distributed any packs to schools in the United Kingdom.

The Department for Education and Employment, however, together with the other education departments in the UK, commissioned the "Partners in Europe" pack from the Central Bureau for Educational Visits and Exchanges and the Qualifications and Curriculum Authority to mark the UK's Presidency of the European Union. This was in response to a request from teachers to update the material already in existence about the European dimension in the curriculum.

The European Commission's office in London was invited to place an information leaflet in the pack, which it did, but the Commission was not specifically consulted about the purpose or contents of the pack.

EU Projects

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment what proposals he has for application for European Union *(a)* funds and *(b)* material for schools educational projects. [27370]

Dr. Howells: Schools educational projects are funded by the European Union's SOCRATES programme, which is administered in the UK by the Central Bureau for Educational Visits and Exchanges. In 1997 the UK's allocation was 5.3 Mecu (£3.7 million). This enabled 1,681 UK schools to participate in transnational partnership projects. In addition 4,572 head teachers and teachers received funding to update or diversify their foreign language teaching skills; to make study visits; to make project planning visits to schools, or to receive in-service teacher training.

Jean Monnet Chairs

Sir Teddy Taylor: To ask the Secretary of State for Education and Employment what assessment he has made of use of Jean Monnet Chairs as a means to further European integration. [27367]

Dr. Howells: My right hon. Friend the Secretary of State has made no such assessment. The Jean Monnet Project is implemented by the European Commission without direct involvement on the part of EU Member States. However, I understand that the purpose of the Project is to encourage the academic study of European integration issues in universities, not to advance the process of integration itself.

School Teachers' Pay and Conditions Act

Mr. Dorrell: To ask the Secretary of State for Education and Employment if schools which have already opted out of the School Teachers' Pay and Conditions Act 1991 will be able to continue to opt out of the requirements of that Act following the implementation of the School Standards and Framework Bill. [26801]

Mr. Byers: Yes. Part II of schedule 30 to the School Standards and Framework Bill will allow those schools which have already opted out of the School Teachers' Pay and Conditions Act 1991 to continue to do so under the new framework where such a school joins either the voluntary aided or foundation category of schools.

Education Action Zones

Mr. Dorrell: To ask the Secretary of State for Education and Employment for what reasons the powers to be given to schools in education action zones to opt out of the School Teachers' Pay and Conditions Act 1991 and of some of the requirements of the National Curriculum are not being extended to other schools. [26803]

Mr. Byers: The proposals will enable schools in zones to find new ways of raising standards.

We shall closely monitor the effectiveness of the various initiatives developed in the zones. Until a full evaluation has taken place it would not be appropriate to adopt changes on a national basis.

Disability Discrimination

Mr. Fitzpatrick: To ask the Secretary of State for Education and Employment how many employment cases broken down by main disabling conditions are awaiting consideration by industrial tribunals under the employment provisions of the Disability Discrimination Act 1995. [26755]

Mr. Ian McCartney: I have consulted the Chief Executive of the Employment Tribunals Service who tells me that there are currently 388 cases awaiting consideration by industrial tribunals. Since the Disability Discrimination Act (DDA) 1995 came into force there have been 730 applications under the Act, of which 342 have been heard. This excludes cases where a claim under the DDA is not the main jurisdiction. There are no statistics available which break down cases by main disabling conditions.

SOCIAL SECURITY

Winter Fuel Payments

Mrs. Ewing: To ask the Secretary of State for Social Security how many winter fuel payments of *(a)* £50 and *(b)* £20 have so far been paid; and how many of the payments were wrongly dated. [26798]

Mr. Denham: Winter Fuel Payments are one of a number of initiatives the Government have taken to help vulnerable people, especially the elderly, keep warm in the winter. This is the first time any Government have made a payment to all pensioners towards their heating costs.

This is an enormous and unprecedented exercise, involving the making of around 10 million payments to over 7 million pensioner households at a total cost of around £200 million.

The administration of winter fuel payments is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mrs. Margaret Ewing, dated 3 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many winter fuel payments of (a) £50 and (b) £20 have so far been paid; and how many of the payments were wrongly dated.

Priority has been given to issuing payments to the poorest pensioners—those who are receiving Income Support or income based Jobseekers Allowance. A total of 1,441,614 payments of £50 have been issued, as at 31 January 1998. This does not include the small number of clerical payments made locally.

There were 40,801 girocheques issued with the incorrect date. Replacements were issued on 29 January 1998.

Other eligible pensioners will receive a payment of £20 or £10. Where there is only one eligible pensioner in a household, or they are of no fixed abode, they will receive £20; otherwise each eligible pensioner will receive £10. Those payments will start being issued in March.

Thank you for the opportunity to explain the position.

Mr. Martin Bell: To ask the Secretary of State for Social Security what assessment she has made of the consistency between *(a)* the exclusion of men aged 60 to 64 years, unless married to women aged 60 years or over or receiving income support, from receiving the winter

fuel payment and *(b)* EU directive 79/7, article 3.1(a) on equal treatment and section 29 of the Sex Discrimination Act 1975. [25728]

Mr. Denham: The additional help of £400 million over this winter and next, announced by my right hon. Friend the Chancellor of the Exchequer on 25 November 1997, *Official Report,* columns 773–98, demonstrates the Government's commitment to help the elderly keep warm in their homes.

People receiving Income Support or income-based Jobseeker's Allowance during week commencing 5 January whose benefit included a pensioner premium will be entitled to a Winter Fuel Payment of £50. A pensioner premium applies where wither the claimant or partner are aged 60 or over. Other people over State pension age (65 for men, 60 for women) who are receiving any of the other qualifying benefits during the qualifying week will receive a payment of £20 or £10. Where there is only one eligible person in a household, or the person is of no fixed abode, they will receive £20; otherwise, each eligible person will receive £10. Men aged 60 to 64 will not be entitled to a Winter Fuel Payment on the basis that they are married to a woman aged 60 or over.

Winter Fuel Payments do not fall within the scope of the Social Security Equal Treatment Directive (Directive 79/7). Section 29 of the Sex Discrimination Act 1975 deals with discrimination in the provision of goods, facilities or services, which does not apply to the Winter Fuel Payment scheme.

Benefit Integrity Project

Mr. Rendel: To ask the Secretary of State for Social Security (1) if she will provide figures for the outcome of cases dealt with under the Benefit Integrity Project, differentiating between those cases dealt with by special review and those dealt with by normal renewal action; [27190]

(2) how many recipients of disability living allowance whose benefit has been reduced or disallowed as a result of the Benefit Integrity Project have appealed; and how many have had their benefit increased on review, differentiating between those cases dealt with by special review and those dealt with by normal action. [27191]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. David Rendel, dated 3 February 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Questions about the Benefit Integrity Project (BIP).

The BIP is looking again at designated Disability Living Allowance (DLA) awards. Information is gathered on a questionnaire designed to provide a full picture of a person's care and mobility needs. Those receiving the higher rate of the mobility component combined with the highest rate of the care component are visited by a specially trained visiting officer while those receiving the higher rate of the mobility component combined with the middle rate of the care component are sent a questionnaire by post. If the information provided suggests that a change of circumstances has occurred which may affect entitlement to benefit the case is passed to an independent Adjudication Officer (AO) for review. Reviews are carried out under adjudication rules which apply to all DLA awards.

Some awards in the designated categories will expire during the period of the BIP. When a short-term award of DLA is approaching its renewal date a renewal claim form is sent to the recipient. It would clearly be inappropriate to require completion of a BIP questionnaire as well. So, in renewal cases AOs have been advised that the integrity of the benefit should be secured by seeking further evidence from the most appropriate source. When the completed form is returned and medical evidence has been obtained the claim is passed to the AO to determine—as if it were a new claim to benefit.

As at 31 December 1997, the BIP had examined 40,615 cases of which 25,638 were postal enquiries, 7,515 were visits and 7,462 cases had been dealt with on renewal. Of the total cases dealt with 7,717 have had benefit reduced/stopped, 978 have had benefit increased and 31,920 have been unchanged.

Of 33,153 cases dealt with by post or by visit, 4,365 have had benefit reduced/stopped, 736 have had benefit increased and 28,052 have remained unchanged.

Of the 7,462 cases dealt with on renewal, 3,352 have had benefit reduced/stopped, 242 have had benefit increased and 3,868 have remained unchanged.

Decisions about entitlement to DLA are made by independent AOs. The first recourse of a person who is dissatisfied with an AO's decision is to ask for a review by a different AO. If the person remains dissatisfied they have the right of appeal to an independent Appeal Tribunal. Cases examined as part of the BIP are subject to the same rules as any other DLA case.

Data is not available on the number of people who have asked for a review of the AOs decision. However at 31 December 1997, of 4,365 cases dealt with by post or visit which have had benefit reduced or stopped, 842 requests for review have been cleared of which 174 have had their benefit increased, and of 3,352 cases dealt with on renewal which have had benefit reduced or stopped, 525 requests for review have been cleared of which 120 have had their benefit increased.

As at 31 December 1997, 311 Appeals have been received but no cases have been heard by the Independent Tribunal Service. Appeals data cannot be broken down further until the outcome of the appeal is known.

I hope you find the reply helpful.

Mr. Burstow: To ask the Secretary of State for Social Security (1) how many cases of fraud have been reported as a result of the Benefit Integrity Project; [21635]

(2) on which disability living allowance claim form the Benefit Integrity Project questionnaire will be based; [21634]

(3) what percentage of claimants responding to the Benefit Integrity Project questionnaire had their (i) award maintained, (ii) higher rate maintenance reduced to medium rate maintenance, (iii) higher rate maintenance reduced to lower rate maintenance, (iv) higher rate

maintenance reduced to nil, (v) middle rate care reduced to lower rate care and (vi) middle rate care reduced to nil; [21636]

(4) what training has been provided to district office visiting staff undertaking Benefit Integrity Project visits. [21633]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 3 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

The BIP was set up in response to the recent Benefit Review of Disability Living Allowance (DLA) which found that as much as 0.5 billion a year, in DLA, may be being paid to people who are not entitled to receive it. The purpose of the project is to update the information held for DLA customers. Over the next two years, specially trained staff will make enquiries by postal questionnaire or home visit in over 400,000 cases to establish whether DLA is paid correctly.

The BIP obtains an up to date statement of a person's circumstances by post or at a visit. All the information gathered is recorded on form DLA 250, which was reviewed by groups of disabled people and their representatives in June 1997. Form DLA 250 is based on the standard DLA claim form.

As at 30 November 1997, of the 27,511 cases looked at the percentage which have not been changed at all is 84.9%. The percentage of cases where the care component has not been changed is 85.3%. This similarity reflects the relatively small proportion of cases which have been changed. The percentage of awards reduced from higher rate care to medium rate care is 1.1%, to lower rate is 0.3% and to nil rate 0.6%. The percentage of awards reduced from middle rate to lower rate is 3.1% and from middle rate to nil rate is 7.1%.

Approximately 40 cases have been referred to a fraud officer as a result of BIP activity. DLA is no different to any other benefit and we will prosecute if that is the appropriate action.

District Office (DO) staff are not undertaking visits as part of the BIP except in Wales where there are 31 DO staff carrying out BIP visits. These are staff with a background in benefits administration who have also undertaken visits on a range of benefits on behalf of the DOs. Before undertaking any BIP visits all visiting staff, including those in Wales, received a specially designed five day training course, which included sessions on the background to DLA, an opportunity to practice visiting and interviewing skills, an explanation of how to deal with difficult situations and a session delivered by the Disablement Income Group on the special considerations which need to be borne in mind when visiting disabled people.

I hope you find this reply helpful.

Mr. Kidney: To ask the Secretary of State for Social Security what benefits are currently subject to the benefit integrity project; and what further benefits will be subjected to it. [25737]

Mr. Denham: The Benefit Integrity Project is a discrete exercise involving people with certain awards of Disability Living Allowance. It is designed to collect accurate, up-to-date information about beneficiaries' care and mobility needs through a programme of home visits and postal enquiries extending over two or so years. It makes sense that we periodically check that people are getting the right money. This sort of inquiry is routine in other benefits such as Income Support, Invalid Care Allowance and Jobseeker's Allowance.

Jobseeker's Allowance

Mr. Swinney: To ask the Secretary of State for Social Security if she will estimate the administrative costs of the introduction of the jobseeker's allowance, separately identifying staff time. [26085]

Mr. Keith Bradley: The administration of the JobSeeker's Allowance is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Swinney, dated 3 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking for the estimate of administrative costs of the introduction of the JobSeeker's Allowance (JSA), separately identifying staff time.

It is estimated that the total cost of introducing the JSA was £348 million. This included the costs of training and development, estates, communications, IT, and Project management. Of this the estimated total salary costs is approximately £161 million.

I hope you find this reply helpful.

Income Support (Scotland)

Mr. Swinney: To ask the Secretary of State for Social Security how many income support claimants there were in the last available quarter in *(a)* the Tayside Benefits Agency District Office area, *(b)* the Perth and Kinross Council local authority area, *(c)* the Dundee City Council local authority area and *(d)* Tayside North parliamentary constituency, in the client groups (i) disabled, (ii) lone parent and (iii) pensioner. [26087]

Mr. Keith Bradley: The administration of Income Support is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. John Swinney, dated 3 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many Income Support (IS) claimants there were in the last available quarter in (a) the Tayside Benefits Agency District Office area, (b) the Perth and Kinross Council local authority area, (c) the Dundee City Council local authority area and (d) Tayside North parliamentary constituency, in the client groups (i) disabled, (ii) lone parent and (iii) pensioner.

The information is not available in the format requested. The Benefits agency (BA) collates IS statistics by BA District Offices. These Districts do not correspond to constituency boundaries, local authorities or specific geographical areas.

The information that is available is shown in the attached table.

I hope you find this reply helpful.

Number of income support (IS) customers in receipt benefit by client group for the Benefits Agency's Tayside District as at 30 November 1997

Premium	*Number of IS customers in receipt of certain benefit premiums as at 30 November 1997*
Disability	5,914
Family (lone parent)	6,842
Pensioner	14,005

The BA's Tayside District includes the offices of Arbroath, Dundee and Perth.

From April 1997 the IS lone parent premium was replaced by the higher rate of family premium for lone parents. The figure provided for the family premium (lone parent) does not include those lone parent customers who are pensioners nor those registered sick who qualify for a higher rate premium such as a pensioner or disability premium.

The figure provided relating to the number of customers who are over pensionable age and in receipt of a pensioner premium may include customers who are also disabled.

This information is the latest available, is provisional and maybe subject to change.

Child Support Agency

Mr. Gordon Prentice: To ask the Secretary of State for Social Security when she will publish her proposals to reform the Child Support Agency; and if she will make a statement. [26408]

Mr. Keith Bradley: We are looking closely at all aspects of the Child Support scheme to see where improvements can be made. We aim to bring forward proposals by the Summer.

Mr. Chisholm: To ask the Secretary of State for Social Security what proposals she has to guarantee CSA payments to family credit claimants. [25637]

Mr. Keith Bradley: Children are entitled to the financial and emotional support of both parents wherever they live. We are looking closely at all aspects of the child support scheme to see where improvements can be made and we aim to bring forward proposals by the Summer.

Mr. Sarwar: To ask the Secretary of State for Social Security what measures the Government has taken to improve the performance of the Child Support Agency. [25647]

Mr. Keith Bradley: The receipt of regular maintenance is a central part of the Government's strategy for helping lone mothers off Income Support and into work. We are looking closely at all aspects of the Child Support scheme to see where improvements can be made. We aim to bring forward proposals by the Summer. In the meantime we have already announced that an extra £15 million will be invested in the Child Support Agency in each of the next two financial years aimed specifically at increasing the amounts of maintenance which are paid.

From April this year lone mothers will be helped to complete a maintenance application form when visited by Benefits Agency staff at the start of their Income Support claim. This will allow the maintenance process to begin as soon as benefit is claimed.

The Chief Executive of the Child Support Agency is also introducing a number of measures aimed at improving customer service. These include more pro-active use of the telephone and a move to more flexible working patterns, including week-end working, so that clients can be contacted at times which suit them.

Disability Living Allowance

Mr. Cousins: To ask the Secretary of State for Social Security if she will estimate (i) in total, (ii) for men and women separately and (ii) for each region and nation the number of claimants of disability living allowance *(a)* care and *(b)* mobility components who are also claiming jobseekers allowance; and what is this figure as a percentage of the total of such claims. [22977]

Mr. Denham: The information is not available in the form requested. Such information as is available is in the table.

There are only limited statistics on people who receive both Jobseeker's Allowance (JSA) and Disability Living Allowance (DLA) because of the small numbers involved. About 0.5 per cent. of the DLA recipients receive both benefits.

Jobseeker's Allowance recipients also in receipt of DLA at February 1997

000s

	All	*Men*	*Women*
Great Britain			
Mobility only	3	2	1
Care only	2	2	1
Care and Mobility	4	3	1
Total	9	7	2
England			
Mobility only	3	2	1
Care only	2	2	1
Care and Mobility	3	2	1
Total	8	6	2
Scotland			
Mobility only	—	—	—
Care only	—	—	—
Care and Mobility	—	—	—
Total	1	—	—
Wales			
Mobility only	—	—	—
Care only	—	—	—
Care and Mobility	—	—	—
Total	1	—	—

Notes:

1. Numbers are rounded to the nearest thousand and may not sum.
2. All figures have been rounded to the nearest thousand. Figures under 500 are therefore not shown.
3. Sample size 5 per cent.
4. It is only possible to provide reliable data on JSA claimants also receiving DLA where income based JSA is in payment.
5. It is not possible to provide a breakdown by region due to the small number of sample cases involved at this level.

Source:

Jobseeker's Allowance Quarterly Statistical Enquiry: February 1997.

Mr. Fitzpatrick: To ask the Secretary of State for Social Security what is the average age of people receiving disability living allowance at the time of their initial claim for *(a)* the mobility component and *(b)* the care component, broken down separately for men and women. [26165]

Mr. Denham: The information requested is set out in the table.

Average ages of people receiving disability living allowance at the time of their initial claim

	All persons	*Men*	*Women*
Mobility component	45	44	46
Care component	43	42	45

Notes:
Figures based on claims made in the 12 months ending 30 November 1997.
Source:
Analytical Services Division: 5 per cent data.

Mr. Llew Smith: To ask the Secretary of State for Social Security what representations she has had from the National Association of Citizens Advice Bureaux concerning the complexity of the new arrangement in place since last July for those claiming benefit under the disability living allowance. [25061]

Mr. Denham: No new arrangements for claiming Disability Living Allowance were introduced last July and we have not received any representations from the National Association of Citizens Advice Bureaux (NACAB) regarding the claims process since that date.

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security what the state pension for *(a)* a single person and *(b)* a couple will be in 1998–99; what it would have been in 1998–99 if the pension had been uprated by the higher of the retail prices index or earnings; and what estimate he has made of (i) the gross additional costs of such increases in pension and (ii) the net cost after savings in (1) means-tested benefits and (2) increased Treasury receipts from income tax. [25300]

Mr. Denham: The value of the standard rate of basic State Retirement Pension in 1998–99 will be £64.70 for a single pensioner under 80, and £103.40 for a pensioner couple under 80. If uprated by annual growth in the Average Earnings Index (whole economy) to September 1997 the rates would be £65.05 and £103.95 respectively.

The estimated additional cost for uprating contributory Retirement Pension and all linked benefits by earnings would be £200 million. The net costs after savings in means-tested benefits would be £150 million. It is only possible to estimate the extra receipts from income tax in respect of Retirement Pension and not the linked benefits. The net cost after doing so is £130 million.

Note:
The estimates have been rounded to the nearest £10 million.

Mr. O'Hara: To ask the Secretary of State for Social Security what *(a)* number and *(b)* proportion of pensioners in each region of the United Kingdom received (i) income support, (ii) housing benefit and (iii) council tax benefit. [24810]

Mr. Keith Bradley: The information requested is shown in the table.

Pensioners receiving income related benefits in the United Kingdom by region, May 1996

Region	*Income support* *Number of recipients*	*Income support* *Percentage of all aged 60 or over*	*Housing benefit* *Number of recipients*	*Housing benefit* *Percentage of all aged 60 or over*	*Council tax benefit* *Number of recipients*	*Council tax benefit* *Percentage of all aged 60 or over*
United Kingdom (millions)	1.8	15.3	1.9	16.3	2.7	22.7
Northern Ireland	73,000	25.9	49,000	17.5	[1]18,000	6.5
Great Britain (millions)	1.7	15.0	1.9	16.3	2.7	23.1
Scotland	176,000	17.0	230,000	22.2	292,000	28.2
Wales	107,000	16.3	88,000	13.4	131,000	20.0
South East (excluding London)	258,000	11.3	282,000	12.4	406,000	17.8
London (Inner and Outer)	217,000	17.7	247,000	20.2	301,000	24.6
North	110,000	16.7	137,000	20.8	185,000	28.1
Yorkshire and Humberside	171,000	16.5	192,000	18.5	279,000	26.8
East Midlands	117,000	13.7	122,000	14.3	189,000	22.1
East Anglia	59,000	12.4	68,000	14.4	102,000	21.6
South West	131,000	11.5	128,000	11.2	199,000	17.4
West Midlands	182,000	16.8	190,000	17.5	291,000	26.9
North West	237,000	18.2	223,000	17.1	342,000	26.3

[1] Council Tax does not apply to Northern Ireland. Figure quoted for Northern Ireland is for rates.

Notes:
1. Figures are rounded to the nearest thousand.
2. Income related benefits are Income Support, Housing Benefit, Council Tax Benefit, Family Credit and Disability Working Allowance.
3. Information refers to benefit units which may be a single person or a couple.
4. Figures may not sum due to rounding.
5. The information excludes second adult rebate cases.
6. There is an overlap in the figures as most people receive both Housing Benefit and Council Tax Benefit.
7. Pensioners are defined here as being in receipt of a pensioner premium or where the claimant or partner is aged 60 or over.

Sources:
1. Income Support Quarterly Statistical Enquiry, May 1996.
2. Housing Benefit Management Information System, annual 1 per cent. sample inquiries for recipients with and without Income Support taken at the end of May 1996.
3. Office for National Statistics, estimates of the population mid-term 1996.

Mr. O'Hara: To ask the Secretary of State for Social Security what (i) number and (ii) proportion of pensioners received *(a)* income support, *(b)* housing benefit, *(c)* council tax benefit and *(d)* one or more income related benefits for the last year for which figures are available. [24945]

Mr. Keith Bradley: The information requested is given in the table.

Pensioners receiving income related benefits, Great Britain May 1996

Benefit	*Number of recipients*	*Proportion of all aged 60 or over (per cent.)*
Income Support	1,763,000	15.0
Housing Benefit	1,909,000	16.3
Council Tax Benefit	2,717,000	23.1
One or more income related benefit[1,2]	3,280,000	27.9

[1] Figures are rounded to the nearest thousand, except the figure for one or more income related benefit, which is rounded to the nearest ten thousand.

[2] Income related benefits are Income Support, Housing Benefit, Council Tax benefit, Family Credit and Disability Working Allowance.

Notes:

1. Information refers to benefit units which may be a single person or a couple.
2. Figures may not sum due to rounding.
3. The information excludes second adult rebate cases.
4. There is an overlap in the figures as most people receive both Housing Benefit and Council Tax Benefit.
5. Pensioners are defined here as being in receipt of a pensioner premium or where the claimant or partner is aged 60 or over.

Source:

1. Income Support Quarterly Statistical Enquiry, May 1996.
2. Housing Benefit Management Information System, annual 1 per cent. sample inquiries for recipients with and without Income Support taken at the end of May 1996.
3. Office for National Statistics, estimates of the population mid-term 1996.

Benefit Statistics

Dr. Lynne Jones: To ask the Secretary of State for Social Security what was the cost in *(a)* 1995–96 and *(b)* 1996–97 of the (i) income support, (ii) incapacity benefit, (iii) disability living allowance, (iv) attendance allowance, (v) Social Fund, (vi) child benefit, (vii) retirement pension and (viii) maternity allowance in current prices; and what percentage of those costs was accounted for by administration. [26287]

Mr. Denham: The information requested is not available in the format requested. Such information as is available is set out in the table.

Benefit	*Benefit expenditure 1995–96 £ million*	*Administration cost 1995–96 £ million*	*Administration cost as a percentage of benefit expenditure per cent.*
Income Support	16,693	1,504	9.0
Incapacity Benefit	7,623	387	5.1
Disability Living Allowance (includes Mobility Allowance)	3,802	152	4.0
Attendance Allowance	2,194	96	4.4
Child Benefit and One Parent Benefit	6,642	144	2.2
Retirement Pension	29,963	326	1.1
Maternity Allowance	29	4	15.1
Social Fund[1]	796	195	24.5

[1] The Social Fund expenditure figure includes one-off payments from the regulated and discretionary Social Fund plus recoveries of discretionary loans and regulated Funeral Payments.

Note:

Figures for the financial year 1996–97 are being finalised and will be included in the 1998 Social Security Departmental Report scheduled for publication following the Spring Budget Statement.

Source: March 1997 Social Security Departmental Report.

Lone Parents

Mr. Steinberg: To ask the Secretary of State for Social Security how many single parents there are in the United Kingdom by gender; and how many of the women are *(a)* widowed and *(b)* divorced; how many were teenage mothers; and if she will estimate how many have been subject to domestic violence. [26274]

Mr. Keith Bradley: Estimates of one-parent families with dependent children are not available for the United Kingdom. The provisional estimate, made by the Office for National Statistics (ONS), of the number in Great Britain for 1995 is 1.56 million.

ONS estimated that in 1995, 92 per cent. of lone parents in Great Britain were lone mothers, giving provisional estimates of the numbers of lone mothers and lone fathers of 1.44 million and 0.12 million, respectively.

Similarly the estimated percentages of lone mothers who were widowed, or divorced, were 4.8 per cent. and 33.5 per cent. respectively, and provisional estimates of their numbers were 70,000 and 480,000 respectively.

Information is not available on the number of lone parents who had ever been teenage mothers. However, the estimated percentage of all those who in 1995 were teenage lone mothers was 2.3 per cent., and a provisional estimate of their numbers was 30,000.

Information is not available on the number of lone mothers who have been subject to domestic violence. However, there is research information about numbers experiencing domestic violence in the last year of their relationship, and this is shown in the table.

Arguments and violence in the last year of the relationship

Per cent.

	First partner	*Second partner*
Unweighted base	(618)	(109)
Couple never argued	17	13
Argued, no violence	46	47
Some violence, lone mother not injured	8	9
Violence, lone mother injured	29	32

Notes:

1. This information is based on the 1994 lone parent cross-section survey conducted as part of the DSS/Policy Studies Institute (PSI) Programme of Research into Low Income Families.
2. The figures include lone mothers (excluding widows) who had ever lived with a partner. The first partner refers to the lone mother's co-resident partner around or subsequent to the birth of their eldest

child. The second partner is the one subsequent to the first partner (around half of whom were also parents of one or more of the lone mother's children).

Mr. Duncan Smith: To ask the Secretary of State for Social Security, pursuant to his answer of 16 December 1997, *Official Report*, columns *139–40*, how many of the 540 lone parents, not currently receiving income support, are currently claiming *(a)* no benefits, *(b)* only child benefit and *(c)* family credit. [24672]

Mr. Keith Bradley *[holding answer 22 January 1998]:* Information requested in parts *(a)* and *(b)* is not available.

Of the 540 lone parents referred to above, 385 were awarded Family Credit.

A full evaluation report, comparing the outcomes for lone parents in the New Deal for Lone Parent areas with those in the control areas where the service is not yet available, will be published in 1999.

Notes:

1. The figure of 540 lone parents quoted in the Written Answer, 16 December 1997, *Official Report*, column *140* was arrived at as follows: up to the end of November, 864 lone parents had been helped into work through the Government's New Deal for Lone Parents. Although the majority will have moved into work of 16 or more hours per week, information on the hours of work was not available in all cases. Of the 655 cases where information was available at the time, 568 lone parents had moved into work of 16 or more hours per week. Of this group, 540 were not then receiving Income Support.

2. The figure of 385 lone parents awarded Family Credit was derived from the New Deal for Lone Parents Lone Parent Adviser system and a check of Family Credit records.

Mr. Chisholm: To ask the Secretary of State for Social Security what progress has been made on fast-tracking family credit and CSA claims under the New Deal for Lone Parents. [25636]

Mr. Keith Bradley: Fast-track arrangements are in place to clear claims and to secure the speedy payments of Family Credit where a person has just started, or is about to start work. These fast-track arrangements also apply to lone parents participating in the New Deal for Lone Parents programme. The target set for these fast-track claims is to process 95 per cent. within five working days. This target is currently being achieved.

The Child Support Agency has agreed to process applications for maintenance more quickly, where the parent with care has signed up to a New Deal for Lone Parents Action Plan. They will also answer straightforward inquiries from New Deal for Lone Parents Personal Advisers on behalf of lone parents immediately, and all others within five working days.

Family Credit

Mr. Willetts: To ask the Secretary of State for Social Security if she will provide a breakdown of the current recipients of family credit to show the numbers of *(a)* single parents, *(b)* single earner couples, *(c)* two earner couples and *(d)* other categories. [26229]

Mr. Keith Bradley: The information requested is set out in the table.

Family credit recipients by family type, August 1997

Family type	*Number of claimants*
Single parents	351,000
Single earner couples	369,000
Two earner couples	30,000
Others	6,000
All cases	757,000

Notes:

1. All figures have been rounded to the nearest thousand.
2. Cases classified as others are self-employed cases with earning assessed as nil.
3. Sample size 5 per cent.

Source:

Family Credit 5 per cent. sample of all awards.

National Insurance

Mr. Cousins: To ask the Secretary of State for Social Security if she will include in her spending reviews consideration of a free contribution credit for workers with earnings below the lower earnings limit for *(a)* statutory maternity pay, *(b)* contributing jobseekers and *(c)* basic retirement pension; and if she will estimate the spending consequences of the introduction of such credits. [24355]

Mr. Denham: The Comprehensive Spending Review demonstrates that the Government are committed to a far-reaching overhaul of the Social Security system that will modernise the welfare state and prepare it to meet the challenges of the 21st century. Based on our clear objectives of promoting work incentives, reducing poverty and welfare dependency and strengthening community and family life, the review is examining the purpose and nature of each major component of the system. The review is not due to complete its work until the summer and no options have been ruled in or out at this point. It is still too soon to anticipate the outcome.

Class 1 National Insurance contribution credits may assist people to qualify for basic Retirement Pension and contributions-based Jobseeker's Allowance. These credits are currently available to people with earnings below the lower earnings limit who work for less than 16 hours a week and are available for and actively seeking employment or who are receiving Disability Working Allowance or Invalid Care Allowance. Class 3 credits are available to those receiving Family Credit to help them qualify for basic Retirement Pension. Those caring for a severely disabled person or receiving Child Benefit may also be eligible for Home Responsibilities Protection, which reduces the number of qualifying years of paid or credited contributions required for a basic Retirement Pension.

Statutory Maternity Pay is paid by employers to employees who on average, had weekly earnings at or above the lower earnings limit who had been continuously employed for at least 26 weeks up to the 15th week before their baby is expected.

Estimates of the effects on expenditure on contributions-based Jobseeker's Allowance and basic Retirement Pension if credits were awarded to everyone with earnings below the lower earnings limit are not available.

Vaccine Damage

Mr. Llew Smith: To ask the Secretary of State for Social Security how many claims have been allowed by the vaccine damage payments unit for each of the past five years, without the claimant having to go to tribunal. [23822]

Mr. Denham: The information requested is in the table.

Year	*Number of payments made without a tribunal*
1996–97	0
1995–96	2
1994–95	2
1993–94	1
1992–93	6

Source:
Vaccine Damage Payment Unit

Public Appointments (Women)

Mrs. Ballard: To ask the Secretary of State for Social Security what progress has been made on the joint strategy with the public appointments unit to ensure that women are more involved in public bodies. [25731]

Ms Ruddock: We are working with the Public Appointments Unit in Cabinet Office on the issue of public appointments with the aim of raising the proportion of women appointed to public bodies from its current level of 32 per cent.

As part of this the Public Appointments Unit has asked all Departments to draw up individual plans for the increased representation of women on public bodies. These plans will include specific targets for the period 1998–2001.

We will meet in February to jointly scrutinise the plans and agree further action to be taken.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Social Security how many non-career civil servants have been appointed to her Department since 1 May 1997. [25841]

Mr. Field: The number of casual, fixed term appointees and Special Advisers since 1 May 1997 is 8,512. This compares with a total of 12,489 people employed on this basis in 1996–97.

Extended Payment System

Mr. Chisholm: To ask the Secretary of State for Social Security (1) how many claims for extended payments of *(a)* housing benefit and *(b)* council tax benefit have been unsuccessful since the extended payment system was introduced because they were made outside the eight-day qualifying period; [25633]

(2) how many people have received extended payments of *(a)* housing benefit and *(b)* council tax benefit on starting a family credit claim since the extended payment system was introduced. [25634]

Mr. Keith Bradley: The information requested is not available.

Housing Benefit

Mr. Hesford: To ask the Secretary of State for Social Security if she will review the operation of housing benefit in relation to supported housing tenants; and if she will make a statement. [25863]

Mr. Keith Bradley: An inter-Departmental group is currently considering the funding of services in supported accommodation. As part of this review we recently sought stakeholders' views on the best means of translating our objectives for the long term funding of supported accommodation into a modern, practical and sustainable funding system. Over 200 responses were received which are being considered. We are looking to implement a sustainable funding system as a matter of urgency although I cannot, at this time, say when the review will be complete.

Mr. Kidney: To ask the Secretary of State for Social Security what reform of housing benefit is proposed to promote the Government's welfare to work programme. [25739]

Mr. Keith Bradley: The Government firmly believe that work is the best form of welfare. Measures to promote welfare to work are being considered as part of The Housing Comprehensive Spending Review. The review is considering a number of ideas and will report as part of the overall Comprehensive Spending Review in the summer.

Departmental Fuel

Mr. Stunell: To ask the Secretary of State for Social Security what proportion of her Department's energy usage was from combined heating in each year since 1989–90. [25795]

Mr. Field: This Department has not been able to use Combined Heating to date because feasibility studies showed the schemes to be impracticable. However, the Department fully supports environmental initiatives and due consideration will be given to the option of using Combined Heating wherever practicable.

Pensions

Mr. Corbyn: To ask the Secretary of State for Social Security if he will publish all submissions to the Pensions Review; and when he expects to make a statement on future pensions policy. [27433]

Mr. Denham: The Pensions Review is looking at the central areas of insecurity for elderly people. A key objective of the review is to ensure that pensioners should have an adequate pension in retirement; that they should share fairly in rising prosperity; and that public finances should be both sustainable and affordable.

The first part of the Review ended on 31 October. Over 2,000 responses were received and we are carefully considering them. I have no plans to publish the

submissions to the Review. A number of responses were submitted on a confidential basis and it is a matter for the respondents—pensions providers, employers, employees, consumers, pensions experts and pensioners—whether to make their responses public. An up-to-date list of organisations which responded has been placed in the Library.

The technical consultation on our proposals for Stakeholder Pensions ended last week. To date, 175 responses have been received. The outcome of the consultation exercise will be reflected in proposals which will be published alongside the Government's response to the wider review in the first half of this year.

Mr. Corbyn: To ask the Secretary of State for Social Security what is her estimate of the average proportion of income of people in work per quartile of income spent on *(a)* national insurance, *(b)* occupational pensions, *(c)* SERPS and *(d)* individual private pensions. [26861]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Percentage of earnings spent on National Insurance and Occupational Pensions

	Quartile 1	*Quartile 2*	*Quartile 3*	*Quartile 4*
National Insurance	3.2	6.9	7.5	6.5
Occupational Pensions	0.7	1.5	2.4	3.6

Notes:

1. The figures are based on information from the 1995–96 Family Resources Survey (FRS). The 1995–96 survey is the latest for which data are available.
2. The estimates are based on sample counts which have been adjusted for non-response using multi-purpose grossing factors which control for region, Council Tax Band and a number of demographic variables. Estimates are subject to sampling error and to variability in non response.
3. Estimates are based on the distribution of gross earnings of all individual employees with non-zero earnings (not including the self-employed).
4. Proportion of earnings spent on occupational pensions includes contributions (including additional voluntary contributions) made by individuals, but does not include any contribution to occupational pensions made by the employer.
5. The figures for National Insurance are net of any contracted-out rebates. The figures for occupational pensions are the amounts the employee actually pays.

DUCHY OF LANCASTER

Freedom of Information

14. **Mr. Laurence Robertson:** To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the impact of freedom of information legislation on data protection. [25370]

Dr. David Clark: Chapter Four of the White Paper "Your Right to Know" sets out the Government's approach to the interaction of Freedom of Information and Data Protection. We aim to maximise access to official information while ensuring the proper protection of personal privacy.

17. **Mr. Clappison:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress on the promotion of freedom of information. [25374]

Dr. David Clark: This Government are committed to the introduction of a Freedom of Information Act. I recently published "Your Right to Know"—a White Paper—which set out our proposals for such an Act, and on which I have invited the public's views. The White Paper will be followed, later this year, by the publication of a draft Bill for further public consultation.

We have already taken a number of concrete steps to promote greater openness in government. These include, for example, the requirement for all National Health Service Trusts to hold their meetings in public, and all executive and advisory Quangos to produce and make publicly available annual reports.

Mr. Rhodri Morgan: To ask the Chancellor of the Duchy of Lancaster when he will publish the factual and background material relevant to the production of the White Paper, 'Your Right to Know', promised in his oral statement of 11 December 1997, *Official Report*, column 1184. [27985]

Dr. David Clark: I have today published a document containing substantial factual and background information which contributed to the formulation of the Government's proposals set out in "Your Right to Know: Freedom of Information". Copies have been placed in the Library of the House. As with the White Paper itself, the document will shortly be published on the Internet, on the Cabinet Office (Freedom of Information Unit) home page: http://www.open.gov.uk/m-of-g/foihome.htm.

The document is based on material in the papers submitted to the Cabinet Sub-Committee, CRP(FOI), which was established to work on Freedom of Information policy. As such it reflects, in addition to straightforward factual and statistical information, many of the arguments, ideas and proposals expressed in the general debates about openness and Freedom of Information in recent years. Obviously, these contributed to the formulation of the Government's policy on FOI set out in "Your Right to Know": but they do not in themselves constitute Government policy, and should not be interpreted as doing so. Inevitably, some of them were taken up and developed further, and feature in "Your Right to Know"; others do not. Nevertheless, I hope that the document will both contribute generally to our policy of open government and, in particular, will be helpful to those who wish to take up the Government's invitation to submit their comments and views on "Your Right to Know".

Citizens Charters

15. **Mr. Llwyd:** To ask the Chancellor of the Duchy of Lancaster what plans he has evaluated in respect of increases in the number of citizens charters; and if he will make a statement. [25371]

Mr. Kilfoyle: We have recently undertaken a wide-ranging consultation exercise to find out what people want from the new Charter programme, which we intend to launch in the spring.

The relaunched Charter Programme will reflect this consultation and the Government's commitment to improving delivery of public services at both local and national level.

19. **Mr. Bill O'Brien:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his policy for future of citizens charter awards; and if he will make a statement. [25377]

Mr. Kilfoyle: Charter Mark awards are made to recognise excellence in the provision of public services. They will continue to be awarded on the same basis as they are at the moment: by an independent judging panel, following a rigorous, externally audited assessment process.

Charter Mark has been a success. We want to develop and expand it, and will be announcing our plans for doing so in the spring.

Publishing (Outside Bodies)

16. **Mr. Simon Hughes:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the publishing of work commissioned by Government from independent outsiders or outside bodies. [25372]

Mr. Kilfoyle: Work commissioned from independent outsiders or outside bodies is subject to the same criteria arrangements for publication and disclosure as other information held by Government.

Government Services

18. **Ms Moran:** To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the general public's attitude to the delivery of Government services by electronic means. [25375]

Dr. David Clark: My officials in the Central Information Technology Unit are currently conducting extensive national market research to test the public's attitude to using electronic services. A report will be produced in the summer.

23. **Dr. Starkey:** To ask the Chancellor of the Duchy of Lancaster what pilot projects are currently under way to develop the technology used for delivering Government services. [25383]

Dr. David Clark: I refer my hon. Friend to the reply I gave to a similar question from my hon. Friend for Bradford, North (Mr. Rooney) on 17 December 1997, *Official Report*, column 317.

22. **Mr. Malins:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress in improving the effectiveness of central Government services. [25382]

Dr. David Clark: In our first nine months we have made substantial progress in improving the effectiveness of central government services. For example, we have:

launched the Better Government initiative, which is leading to a White Paper on taking public services forward into the new millennium;

published the well-received "12 Guiding Principles in Market Testing and Contracting Out";

launched the Comprehensive Spending Review to ensure that all public spending is effective, as announced to the House by my right hon. Friend the Chief Secretary to the Treasury;

promoted improvement through benchmarking—most Civil Servants are now in organisations that are using the Business Excellence Model;

published the "Executive Non-Departmental Public Bodies 1997 Report"—the first performance report on quangos; and

published the "Freedom of Information" White Paper, which will help the public judge for themselves how effectively services are being delivered.

Millennium Compliance

20. **Dr. Whitehead:** To ask the Chancellor of the Duchy of Lancaster what steps he has taken to address the millennium computer compliance problem as it affects central Government. [25379]

Dr. David Clark: I refer my hon. Friend to the statement I made to the House on 27 November, *Official Report*, columns 1104–1105, and to the answer I gave my hon. Friend the Member for Dumfries (Mr. Brown) on 30 January, *Official Report*, columns *403–04*.

Open Government

21. **Mr. Amess:** To ask the Chancellor of the Duchy of Lancaster what recent representations he has received on open government. [25381]

Dr. David Clark: I refer the hon. Member to the oral answer I gave the hon. Member for North Shropshire (Mr. Paterson).

TREASURY

Euro

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer where *(a)* euro coins will be minted and *(b)* euro notes will be printed. [25267]

Mrs. Liddell: Under Article 105a(2) of the Treaty, participating Member States may issue coins subject to the approval by the ECB of the volume of the issue. Under Article 105a(1) of the Treaty, the ECB has the exclusive right to authorise the issue of banknotes within the Community. The ECB and national central banks may issue such notes. It has been agreed within the EMI that all the printing works of participating member states' central banks will be involved.

Mr. Mitchell: To ask the Chancellor of the Exchequer what EC bodies are responsible for designing the proposed euro currency notes and determining the denominations issued; what maximum denomination has been authorised; and who is responsible for ensuring that the risk of forgery is minimised. [26999]

Mrs. Liddell: The EMI is responsible for supervising the technical preparation of euro banknotes, in accordance with Article 109f(3) of the Treaty. The designs for euro banknotes were unveiled at the European Council in Dublin in December 1996. The maximum denomination is the 500 euro note. Work on anti-counterfeiting features and materials continues in the EMI.

Disability Living Allowance

Mr. Gibb: To ask the Chancellor of the Exchequer what is his Department's estimate of revenue which would be raised from taxing disability living allowance. [25074]

Dawn Primarolo *[holding answer 23 January 1998]:* If Disability Living Allowance were taxed, the yield for 1998–99 would be about £325 million.

Individual Savings Accounts

Mr. Bercow: To ask the Chancellor of the Exchequer what was the cost of hiring the Queen Elizabeth II Conference Centre for the launch of his proposals for individual savings accounts. [25180]

Mr. Geoffrey Robinson *[holding answer 23 Janaury 1998]:* £3,528.40 excluding VAT.

Disabled Children

Miss Begg: To ask the Chancellor of the Exchequer if he will extend tax relief to parents paying maintenance for disabled children over 18 years old; and if he will estimate the cost. [25607]

Dawn Primarolo: Parents paying maintenance for children may be entitled to tax relief until the child reaches the age of 21, and this is the case whether the child is disabled or not. We cannot estimate the revenue cost of further relief for disabled children.

Charities

Mr. Flight: To ask the Chancellor of the Exchequer if he will make a statement on the impact on charities of his policies with regard to the taxation of charities. [24565]

Dawn Primarolo *[holding answer 26 January 1998]:* Charities contribute a great deal to society and this is reflected in their favourable tax treatment. However, the system can be complex and charities have for some time called for a review to reduce the administrative burden on them, freeing them to concentrate on their charitable activities. That is why the Chancellor announced a review of the taxation of charities on 2 July 1997. The Review provides an opportunity to see if we can produce a system which better reflects the needs of charities today.

In the first phase of the review, charities and other interested bodies were invited to submit their views. Almost 2,500 replies were received on a broad range of issues. Officials are currently evaluating these suggestions, and the Government will set out possible options for change in a consultation document to be published in the Spring.

Non-state Pensions

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the total annual tax revenue generated in each of the years from 1995–96 to 1999–2000 from *(a)* removing the relief on contributions to non-state pensions and *(b)* removing the relief on all contributions to non-state pensions on earnings above the upper earnings limit for national insurance. [24749]

Dawn Primarolo *[holding answer 26 January 1998]:* Estimates of the full year costs of the relief for employees' and self employed contributions to occupational and personal pensions and employers' contributions to occupational and personal pensions are given in the first table. The second table shows the yield from restricting employee contributions to occupational pensions to the National Insurance upper earnings limit. It is not possible to provide reliable estimates from restricting reliefs to the upper earnings limit for personal pensions or employers' contributions.

The estimates do not take account of any behavioural effects which might result from such changes and which are likely to be substantial. Estimates for 1999–2000 would depend on levels of income, tax reliefs and allowances.

Cost of tax relief

(£ billion)

	1995–96	*1996–97*	*1997–98*	*1998–99*
Contributions to:[1]				
Occupational pensions	2.6	2.6	2.7	2.9
Personal pensions[2]	2.1	2.1	2.2	2.3
Employers' contributions[3]	3.9	4.6	4.9	5.5

[1] Based on the 1995–96 Survey of Personal Incomes and other survey data and administrative data.

[2] Includes retirement annuity contracts and free standing additional voluntary contracts.

[3] Based on a projection of figures compiled by the Office for National Statistics from a variety of sources.

Restrict relief to the UEL

(£ million)

	1995–96	*1996–97*	*1997–98*	*1998–99*
Relief for employees' contributions to occupational pensions	340	360	380	400

Oil Companies

Mr. Fallon: To ask the Chancellor of the Exchequer what is the cost in 1998–99 of the special tax relief for oil companies which allows them to set the cost of breaking up oil platforms against their profits during the lifetime of the field. [26201]

Dawn Primarolo: The cost in 1998–99 is negligible.

Petroleum Revenue Tax

Mr. Fallon: To ask the Chancellor of the Exchequer how much extra revenue would be raised by increasing petroleum revenue tax to *(a)* 55 per cent., *(b)* 60 per cent., *(c)* 65 per cent. and *(d)* 70 per cent. [26202]

Dawn Primarolo: The estimated revenue effects in 1998–99 and 1999–00 from an increase in the petroleum revenue tax rate for 1998 are given in the table. The effects include offsetting falls in corporation tax receipts.

These estimates are based on the assumptions used for the Pre-Budget report published on 25 November 1997.

£ million

Increases in 1998 Petroleum Revenue Tax rate from 50 per cent. to: Per cent.	Revenue effects 1998–99	1999–00	Total
55	+115	–40	+75
60	+230	–80	+150
65	+350	–120	+230
70	+465	–160	+305

Smuggling

Mr. Fallon: To ask the Chancellor of the Exchequer what assessment he has made of the manpower and resources available to HM Customs and Excise to combat the illegal market in tobacco product supplies from outside the United Kingdom; and if he will make a statement. [26537]

Dawn Primarolo: Customs and Excise keep their strategy and the deployment of their resources in countering tobacco smuggling under constant review. In addition, the Government have recently completed a review of alcohol and tobacco fraud and smuggling. The review has been conducted in partnership with the alcohol and tobacco industries in order to tackle the very real problems of smuggling, particularly of tobacco products. The findings of the review are being considered in the run-up to the spring Budget.

Dr. Marek: To ask the Chancellor of the Exchequer what estimate he has made of loss to the Exchequer as a result of bootlegged and smuggled tobacco products and alcohol in the latest year for which figures are available. [26507]

Dawn Primarolo *[holding answer 30 January 1998]:* HM Customs and Excise estimate that the revenue (excise duty and VAT) lost to the Exchequer through cross-Channel smuggling of alcohol and tobacco in 1997 was about £885 million (£690 million from tobacco products, £195 million from alcoholic drinks). There are no official estimates for the revenue lost through smuggling in freight consignments or by air passengers.

VAT (Energy Conservation)

Mr. Rowlands: To ask the Chancellor of the Exchequer what discussions he has had with his European Union counterparts on a zero rate of VAT for energy saving materials. [26986]

Dawn Primarolo: None. We have advised the Commission that we intend to introduce a reduced rate of VAT for energy saving measures carried out under certain Government-funded schemes and to explore the possibility of a reduced rate with wider application than European law presently allows.

VAT (Tourism)

Mr. Fearn: To ask the Chancellor of the Exchequer what representations he has received in favour of reductions in VAT on *(a)* tourist accommodation and *(b)* other tourism goods and services. [26816]

Dawn Primarolo: I have received a number of representations in favour of a reduced rate of VAT for hotel accommodation but nothing in respect of other tourism goods and services. Given the regular increases in recent years in the number of visitors to the UK and the amount they spend, there is nothing to suggest that the UK tourist industry is suffering because of VAT, but I am continuing to monitor the situation.

Customs and Excise

Mr. Fallon: To ask the Chancellor of the Exchequer what costs in fiscal years *(a)* 1996–97 and *(b)* 1997–98 to date have been incurred by HM Customs and Excise on the storage of excise goods seized or detained as being illegally obtained from outside the United Kingdom; and what assessment he has made of the impact of these costs on HM Customs and Excise's (i) resources and (ii) ability to manage their control programmes. [26848]

Dawn Primarolo: The amount incurred for the storage of excise goods seized and detained by Customs in the 1996–97 financial year was of the order of £1.7 million. In the year 1997–98 up to the end of December the cost has been about £1.9 million. Customs has allowed for these costs in the assessment of its priorities and the allocation of resources to its control programmes.

Income Tax

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 25 November 1997, *Official Report*, column *468*, on income tax, how many people would have a marginal rate of income tax of 10p in the pound, in each band, on the assumption that the 10p rate did not apply to savings income which would remain taxable at 20 per cent. and 40 per cent. [26726]

Dawn Primarolo *[holding answer 30 January 1998]:* Estimates for 1997–98 are given in the table. They assume that the 10p rate band does not apply to savings income.

New 10p starting rate on first (£)	Number of taxpayers who would face a marginal rate of 10 pence (million)
500	0.2
1,000	0.3
1,500	0.4
2,000	0.6
2,500	0.7
3,000	0.8
4,000	1.1
5,000	1.4
6,000	1.7

Mr. MacShane: To ask the Chancellor of the Exchequer what is the cost of revalorising the personal allowance; and what increase in the *(a)* married couples' allowance and *(b)* lone parents' additional personal allowance could be achieved for such a sum. [26913]

Dawn Primarolo: Indexing the non aged personal allowance and aged personal allowance is estimated to cost £960 million in 1998–99. The same amount could be spent on a package which increased the non aged married couple's allowance, the additional personal allowance and the widow's bereavement allowance by £570, the married couple's allowance for those aged 65–74 by £1,000 and the married couple's allowance for those aged 75 and over by £1,010.

Child Benefit

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 January 1998, *Official Report*, column *644*, what is his estimate of the revenue which would be raised from taxing child benefit, assuming household total incomes were assessed on the basis that the taxpayer is deemed to have received the child benefit. [26725]

Dawn Primarolo *[holding answer 30 January 1998]:* The yield from taxing child benefit within the existing system of independent taxation would be around £1,450 million for 1998–99. The yield from taxing child benefit based on household total incomes would depend on the precise system of assessment.

Regions (GDP)

Mr. Yeo: To ask the Chancellor of the Exchequer what was the level of gross domestic product per capita for each of the English regions for each year since 1993. [26793]

Mrs. Liddell *[holding answer 2 February 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Tim Yeo, dated 9 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics, to your recent question on estimates of GDP per head for the regions of England.

Estimates of GDP per head for the Government Office regions of England for the years 1986 to 1996 were published in the article *Regional Accounts 1996: part 1* starting on page 33 of the January 1998 edition of *Economic Trends*, which is available in the House of Commons Library. A copy of this article is attached. Estimates for 1997 are not available.

You will wish to note that the article presents figures on two bases for London and adjacent regions—table 1 allocates the incomes of commuters to where they live, whereas tables 3 and 8 allocate such income to where they work. The workplace based estimates are available only for alternate years and up to 1995. The regional figures published by Eurostat, the Statistical Office of the European Communities, are also workplace based.

Savings

Mr. Sayeed: To ask the Chancellor of the Exchequer what the average amount held in bank and building society accounts by United Kingdom citizens aged 21 to 60 years are, broken down by *(a)* sex, *(b)* the age groups 21 to 30, 31 to 40, 41 to 50 and 51 to 60 years, *(c)* marital status, *(d)* employment in the categories (i) working full-time, (ii) working part-time, (iii) housewife and (iv) unemployed, *(e)* number of dependent children aged 0 to 4, 5 to 10 and 11 to 16 years and *(f)* socio-economic group; and what estimates he has made of how these figures are expected to change in the future. [27316]

Mrs. Liddell: The Government do not collect disaggregate information on the average amounts held in bank and building society accounts by UK citizens.

School Children's Clothing and Footwear (Value Added Tax) Bill

Mr. Loughton: To ask the Chancellor of the Exchequer what is the Government's policy on the School Children's Clothing and Footwear (Value Added Tax) Bill. [27157]

Dawn Primarolo *[holding answer 3 February 1998]:* The Government do not support the Bill.

Mortgages (Consumer Protection)

Mr. Burstow: To ask the Chancellor of the Exchequer (1) what plans he has to require that the moneys payable to a lender, under a mortgage indemnity guarantee scheme, are set against any outstanding debt owed by the mortgagee; [27287]

(2) what evaluation his Department has made of the report and recommendations of the National Consumer Council on insurance law reforms, published in May 1997, in respect of mortgage indemnity policies. [27286]

(3) what evaluation his Department has made of the financial consequences to mortgagees where the mortgagor sells a property for under the market value. [27288]

Mrs. Liddell: The Government are considering these and other issues of consumer protection for mortgage borrowers. However, the Council of Mortgage Lenders has included in its codes of mortgage lending practice a provision that lenders should give borrowers a full written explanation of indemnity policies.

Tax Yield (The Arts)

Mr. Baker: To ask the Chancellor of the Exchequer if he will estimate the *(a)* total tax yield and *(b)* income generated for the United Kingdom economy by the arts in the United Kingdom in the most recent year for which figures are available. [24750]

Mr. Fisher *[holding answer 26 January 1998]:* I have been asked to reply.

Information is not available on the first part of the question. On the second part, my preliminary assessment is that the annual turnover of the arts and creative industries may currently be of the order of £50 billion, their added value around £25 billion and their direct contribution approaching 4 per cent. of UK GDP. However, the arts and creative industries are neither easily found nor adequately covered in the existing official data and work is under way to clarify the extent of their contributions. I believe that the arts and creative industries occupy an increasingly important place within the UK economy but that this economic importance is not yet widely recognised alongside their acknowledged value in enriching and entertaining us all.

HOME DEPARTMENT

Prison Provision

Mr. Burnett: To ask the Secretary of State for the Home Department what extra prison provision his

Department estimates will be necessary to accommodate prisoners in custody for *(a)* 1998–99, *(b)* 1999–2000, and *(c)* 2001–02. [25989]

Ms Quin: To accommodate the prison population, which is continuing to rise and is projected to rise further, the Prison Service will now be allocated further resources in 1998–99 to avoid a shortage of accommodation. This will be used to fund: the continued use of the prison ship, Her Majesty's Prison Weare; the building of more houseblocks and ready to use units; small place creation schemes; extra places for prisoners to be held in new prisons; and repairs on the existing prison estate.

The issue as to how the Service shall cope with the population pressures in 2001 and beyond is under discussion as part of the Comprehensive Spending Review.

New Prisons

Mr. Burnett: To ask the Secretary of State for the Home Department what plans his Department has to commission the building of new prison establishments between 1998 and 2001. [25987]

Ms Quin: The following prisons are to be built between 1998 and 2000:

Prison location	*Number of places*	*Planned opening date*
Greater Manchester	800	October 1999
South Gloucestershire	400	July 1999
East Staffordshire	600	August 2000
Northamptonshire/Warwickshire borders	600	August 2000

The building of further new prisons beyond the year 2000 is under discussion as part of the Comprehensive Spending Review.

Prisoners (Repatriation)

Mr. Beith: To ask the Secretary of State for the Home Department (1) how many foreign nationals who are currently serving a sentence in England and Wales would be eligible for repatriation under the terms of the Council of Europe Convention; [26200]

(2) how many foreign nationals have been repatriated to serve a prison sentence in their country of origin in each of the last five years. [26199]

Ms Quin: On 30 November 1997, the number of sentenced prisoners held in establishments in England and Wales recorded as being nationals of the 37 countries to which repatriation from the United Kingdom is possible under the terms of the Council of Europe Convention on the Transfer of Sentenced Persons was 1,297.

Information on the number of these prisoners who meet the necessary criteria (set out in the Convention) and who might therefore be eligible for repatriation could be obtained only at disproportionate cost.

In addition, some States party to the Convention are prepared to consider repatriation requests from non-nationals who have close ties with those countries. Information on the number of prisoners eligible to apply for repatriation on this basis is unavailable.

The number of foreign nationals repatriated from England and Wales to serve a prison sentence in one of the countries party to the Council of Europe Convention in each of the last five calendar years is as follows:

1993: 9

1994: 5

1995: 12

1996: 21

1997: 17.

I intend to examine ways of improving repatriation rates.

Zero Tolerance Policing

Mr. Flynn: To ask the Secretary of State for the Home Department what progress has been made and what further action is planned in respect of measures to enforce zero tolerance of criminal activity. [26483]

Mr. Michael: "Zero tolerance" policing is one of the tactics available to the police to tackle criminal activity. Many forces have adopted effective strategies to tackle those local crime and disorder problems which impact on the quality of life of their local communities. We have given our full support to such strategies, whether they operate under the term "zero tolerance" or not. The findings of the Her Majesty's Inspectorate of Constabulary thematic inspection report on police community and race relations, published in October 1997, showed that there is strong support for policing which involves effective targeted action on quality of life issues.

Our key objectives for policing in 1998–99 include tackling local problems of crime and disorder in partnership with local authorities, other local agencies and the public.

The Home Office Police Research Group is conducting an evaluation of the range of approaches to counter anti-social behaviour, with a view to developing a key objective on anti-social behaviour for 1999–2000.

Her Majesty's Inspectorate of Constabulary is carrying out a thematic inspection of the policing of disorder.

In June, as part of the United Kingdom Presidency, the Home Office will host a seminar which will consider different approaches to policing anti-social behaviour across the European Union, among other issues.

We are also taking steps to tighten the law in a number of areas. The Crime and Disorder Bill will ensure the criminal justice system is better equipped to deal with anti-social and disorderly behaviour, including petty criminality amongst young offenders. First, anti-social behaviour orders will provide protection from harassment and neighbourhood disorder. They will prohibit specified conduct and may be made on anyone over the age of ten. If their terms are breached, criminal sanctions will be available. Second, joint responsibilities will be placed on the police and local authorities in every area to work in partnership with other agencies and in consultation with the local community to develop and implement strategies to reduce crime and disorder. Third, the Bill includes a range of measures to prevent and tackle youth crime, including powers for local authorities to establish night-time curfews on children

under ten and a statutory police reprimand and warning scheme to replace cautioning for youngsters and ensure a swift, effective response to their offending.

Flying Squad

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what recent discussions he has had with the Metropolitan Police Commissioner concerning the managements structure and operation of the Flying Squad. [26811]

Mr. Michael: My right hon. Friend and I regularly meet the Commissioner to discuss a wide range of issues concerning the policing of London. It is not customary to disclose the nature of these discussions.

CCTV

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what plans he has to expand the use of CCTV facilities in Wales. [26991]

Mr. Michael: £9 million will be available in 1998–99 to support closed circuit television (CCTV) schemes in England and Wales. The bulk of the budget will be required to see through to completion schemes which were approved prior to the General Election. There are eight schemes in this category in Wales. Crime reduction partnerships in Wales will also be able to bid for a share of at least £1 million available for new schemes under round 4 of the CCTV challenge competition which will give priority to imaginative and innovative schemes. The deadline for bids is 27 March.

Rape

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department how many children under the age of 18 years have been prosecuted for offences related to rape in *(a)* Wales and *(b)* England by age, in each of the last five years for which figures are available; and if he will make a statement. [26990]

Mr. Michael: Information on prosecutions is given in the tables.

Table 1: Number of children prosecuted for certain sexual offences by age in Wales, 1992–96

		Age							
Offence	*Year*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
Rape	1992	—	—	—	—	—	1	3	2
	1993	—	—	—	—	—	1	2	2
	1994	—	—	—	3	—	3	2	3
	1995	—	—	—	2	5	1	1	1
	1996	—	—	—	—	—	5	3	2
Indecent assault on a male	1992	—	—	—	—	1	2	—	2
	1993	—	—	—	—	—	1	—	—
	1994	—	—	1	—	—	1	—	—
	1995	—	—	—	—	—	—	1	—
	1996	—	—	—	—	—	2	2	2
Indecent assault on a female	1992	—	—	—	1	2	3	9	10
	1993	—	—	—	7	12	4	4	9
	1994	—	—	3	3	9	13	7	10
	1995	—	—	1	3	5	4	6	5
	1996	—	1	2	9	11	4	4	6
Unlawful sexual intercourse with a girl under 13	1992	—	—	—	—	—	1	—	2
	1993	—	—	—	—	1	—	—	—
	1994	—	—	—	—	—	2	—	1
	1995	—	—	—	—	—	1	2	—
	1996	—	—	—	—	—	1	—	—
Unlawful sexual intercourse with a girl under 16	1992	—	—	—	—	—	1	—	2
	1993	—	—	—	—	—	—	—	—
	1994	—	—	—	—	1	—	1	1
	1995	—	—	—	—	—	—	—	1
	1996	—	—	—	—	—	—	1	—

Table 2: Number of children prosecuted for certain sexual offences by age in England, 1992–96

		Age							
Offence	*Year*	*10*	*11*	*12*	*13*	*14*	*15*	*16*	*17*
Rape	1992	—	—	—	2	8	26	26	45
	1993	—	—	—	2	18	13	32	52
	1994	—	2	—	5	15	20	40	45
	1995	—	—	2	7	15	32	27	38
	1996	—	—	—	5	17	26	36	41

Table 2: Number of children prosecuted for certain sexual offences by age in England, 1992–96

Offence	Year	Age 10	11	12	13	14	15	16	17
Indecent assault on a male	1992	—	—	—	1	10	3	12	13
	1993	—	—	1	6	7	6	12	6
	1994	—	3	3	5	9	11	8	13
	1995	—	1	—	3	11	8	18	12
	1996	—	—	2	1	5	15	18	15
Indecent assault on a female	1992	1	2	8	38	77	70	75	91
	1993	—	3	13	45	66	85	85	84
	1994	1	5	13	37	99	107	92	75
	1995	—	2	22	58	83	115	88	92
	1996	1	10	15	34	87	94	99	96
Unlawful sexual intercourse with a girl under 13	1992	—	—	—	—	—	1	5	4
	1993	—	—	—	—	—	4	3	10
	1994	—	—	—	1	2	6	4	1
	1995	—	—	—	2	1	3	5	3
	1996	—	—	—	1	1	1	2	1
Unlawful sexual intercourse with a girl under 16	1992	—	—	—	—	2	3	3	9
	1993	—	—	—	—	—	4	4	11
	1994	—	—	—	—	1	3	8	9
	1995	—	—	—	—	4	5	2	9
	1996	—	—	—	—	1	2	5	8

Immigration

Dr. Harris: To ask the Secretary of State for the Home Department in relation to the concessionary arrangements for same sex couples outside the immigration rules of 13 October, what consideration he gave to the practice in other countries and if he will list those countries; what qualifying periods are operated by those countries for same sex relationships to be treated in the same way as opposite sex relationships; and if he will make a statement. [26781]

Mr. Mike O'Brien: Some consideration was given to other countries' policies in relation to same sex relationships. However, immigration policy is a matter for each country to decide. We have developed a policy which we consider to be appropriate to the United Kingdom, and have not based it on any other country's system.

Dr. Harris: To ask the Secretary of State for the Home Department how many couples have applied under the concessionary arrangements outside the immigration rules announced on 13 October; and, of those couples, how many have been same sex couples. [26779]

Mr. Mike O'Brien: Statistics are not kept in the format requested. However, in the final quarter of 1997, approximately 80 applications for leave to remain were received under the unmarried partners concession: about 30 of these were same sex applications. Approximately half of both same sex cases and heterosexual cases have been granted. There have also been about 10 admissions to the United Kingdom under the concession.

Dr. Harris: To ask the Secretary of State for the Home Department what is his policy with regard to the incorporation of recognition of same sex relationships within the Immigration Rules; and if he will make a statement. [26780]

Mr. Mike O'Brien: It has been a fundamental principle of the Immigration Rules that someone already settled in the United Kingdom may bring their spouse into the United Kingdom to join them, subject to meeting clear tests as to the genuineness of the marriage and the financial capacity of the couple. The policy which was announced on 10 October is a concession outside the Immigration Rules for those unmarried partners who are legally unable to marry. This retains the special position of marriage. There are no current plans to incorporate this concession into the Immigration Rules.

Tariffs

Mr. McNamara: To ask the Secretary of State for the Home Department when he expects to announce the tariffs for *(a)* Eddie Butler, *(b)* Hugh Doherty, *(c)* Harry Duggan and *(d)* Ire O'Connell. [25479]

Ms Quin: Following careful consideration of all the facts, and the representations made on behalf of Joseph O'Connell in December 1997, whole life tariffs have been set for these four mandatory life sentence prisoners. The decisions and the reasons for them were disclosed to the men on 30 January.

Asylum Seekers (Algeria)

Mr. Corbyn: To ask the Secretary of State for the Home Department how many applications for asylum were received from Algerian nationals in each month since October; and, of these, how many have had their applications *(a)* granted, *(b)* refused but been allowed to remain and *(c)* refused and been removed from Britain. [27438]

Mr. Mike O'Brien: The information requested is given in the following table.

Decisions[1] on applications[2] received for asylum in the United Kingdom, and the removal or voluntary departure of asylum applicants, excluding dependants, for nationals of Algeria, October to December 1997[3,4]

Number of principal applicants

	Applications for asylum	*Grants of asylum*	*Grants of exceptional leave to remain*	*Refused asylum and exceptional leave to remain*	*Removals and voluntary departures*
October 1997	85	30	—	10	10
November 1997	65	5	5	15	*
December 1997	105	20	—	15	5
Total	255	55	5	40	15

[1] Information of initial determination decisions, excluding the outcome of appeals or other subsequent decisions.
[2] Applications and decisions on asylum applications may not relate to the same cases within each period.
[3] Figures rounded to the nearest five with *=1 or 2.
[4] All figures are provisional.

Crime (Rural Areas)

Mr. Pond: To ask the Secretary of State for the Home Department if he will make a statement on trends in crime in rural areas; and what measures the Government are taking to tackle crime in rural areas. [27120]

Mr. Michael: According to the most recent research—the 1996 British Crime Survey—rural communities are at considerably less risk of burglary, vehicle-related theft, vandalism and contact crime. 3.9 per cent. of homes in rural areas were burgled in 1995 compared to 6.3 per cent. in urban areas and 10.3 per cent. in inner cities. In addition, there is less fear of crime. 15.2 per cent. said they were worried about being burgled, compared with 23 per cent. living in urban areas and 32 per cent. living in inner cities. Despite their older age profile, those surveyed said they felt safer on their local streets. 23 per cent. said they felt fairly or very unsafe walking alone after dark, compared to 33 per cent. in urban areas and 45 per cent. of inner city dwellers.

We recognise that rural areas can suffer the twin problems of a less obvious police presence and longer response times to emergency calls. The most effective way to deal with rural crime is for the police and local community to work together in partnership.

The Crime and Disorder Bill will provide for new statutory duties for local authorities and the police to create an effective results-orientated framework for local action to tackle local problems. The nature of these problems will vary significantly from one area to another, and it is the Government's intention to allow maximum flexibility to reflect this. Rural areas, in common with urban and inner city areas, will benefit from this approach.

Operation Countryman

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department if he will release the report of the investigation compiled as a result of the Operation Countryman exercise. [26749]

Mr. Michael: Operation Countryman was an investigation into allegations of corruption, made in 1978, against officers in the Metropolitan Police and the City of London Police. The investigating officer was from Dorset Constabulary. Investigating officers' reports are as a class regarded by the courts as subject to public interest immunity. Separately, we are considering issues of discipline in the light of the recent report by the Home Affairs Select Committee.

Written Answers to Questions

Thursday 5 February 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Homelessness

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions what were the levels of recorded homelessness over the last 10 years *(a)* in Hampshire, *(b)* in Winchester City Council area and *(c)* nationally. [24550]

Mr. Raynsford *[holding answer 22 January 1998]:* The available data on the numbers of households in the years since 1987 that were in priority need, and for which local authorities in England accepted responsibility to provide accommodation under the homelessness provisions of the Housing Act 1985, are set out in the table.

Year	*Winchester*	*Hampshire*	*England*
1987	[1]69	not available	98,890
1988	111	not available	102,500
1989	161	2,266	110,380
1990	159	2,639	128,090
1991	142	3,225	137,250
1992	185	3,216	138,740
1993	131	2,874	127,630
1994	118	2,787	118,490
1995	125	2,904	117,490
1996	154	3,021	113,560

[1] data for 3 quarters only.

There was a change in recording practice from the second quarter of 1991 which relates to the recording of intentionally homeless households which have been excluded from acceptance figures since then. Estimated figures for England on this revised basis have been produced for the period prior to the change and the answer uses these adjusted figures. Similar estimates have not been made at county or local authority so the figures for Winchester and Hampshire for the years up to 1991 may include some acceptances of intentionally homeless households.

Minicabs

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will ensure that minicabs tendering for rail replacement services will be required to provide vehicles with disabled access. [25955]

Ms Glenda Jackson: In the event of a disruption to passenger train services, franchise operators are required by the terms of their Franchise Agreement to use all reasonable endeavours to provide or secure the provision of such alternative transport arrangements for their passengers as are reasonably feasible.

We have no powers under the Disability Discrimination Act 1995 to introduce accessibility requirements for minicabs. Our priority is to use the powers which are currently provided by the Act to bring forward accessibility regulations for taxis, buses and coaches and rail vehicles. We understand that access to minicabs is of concern to some disability organisations and we will keep the issue under review.

Paddock Wood to Tonbridge Line

Mr. Caplin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact on punctuality of the delay caused by the recent trespass incident on the Paddock Wood to Tonbridge line by the West Kent Hunt. [26767]

Ms Glenda Jackson: Railtrack have advised me that the railway line was blocked for 41 minutes on the 20 January 1998. Three scheduled services were cancelled and there was a total train delay of 603 minutes.

Mr. Caplin: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the report by the British Transport Police on incidents of trespass on the Paddock Wood to Tonbridge railway lines. [26766]

Ms Glenda Jackson: The British Transport Police have not produced a report on incidents of trespass on this line.

Mr. Caplin: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on an incident of trespass by the West Kent Hunt on the railway line between Paddock Wood and Tonbridge; and if he will make a statement. [26769]

Ms Glenda Jackson: I have received no representations concerning this incident. Inquiries by the British Transport Police have revealed that only the dogs went onto the track. Huntsmen did not enter the track until they were instructed by rail staff to remove the carcases.

Aircraft (Mode C Data)

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the completion of the NATS research to determine the accuracy of Mode C data when aircraft are in close proximity. [27011]

Ms Glenda Jackson: I am advised by National Air Traffic Services Ltd. that they expect to complete this research in April 1998.

Air Traffic Control

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the audit of the flow management arrangements for the London Area and Terminal Control Centre to be completed. [27013]

Ms Glenda Jackson: I am advised by National Air Traffic Services Ltd., who run the London Area and Terminal Control Centre (LATCC), that the audit of the flow management arrangements for the LATCC by the Safety Regulation Group of the Civil Aviation Authority should be completed by the end of next month.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what estimate the CAA and National Air Traffic Services have made of the time required to complete work on the air traffic control system to deal with the millennium computer compliance issue; [27010]

(2) what is the compliance date for the computer system in operation at the Scottish Air Traffic Control Centre to address the millennium computer compliance problem. [26998]

Ms Glenda Jackson: National Air Traffic Services Limited's plans for Year 2000 compliance commenced in early 1996 and include compliance of its operational systems and service by the end of 1998. This process includes all relevant testing and assurance activities. The operational systems at the Scottish Air Traffic Control Centre are an integral part of these plans.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of occasions that the application of reduced separation on final approach at Heathrow and Gatwick has been used during the last two years. [27014]

Ms Glenda Jackson: I refer to my answer of 29 July 1997, *Official Report*, column *212*.

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by month for each of the last three years the number of CHIRP reports submitted by air traffic controllers. [27009]

Ms Glenda Jackson: The CHIRP Charitable Trust, which manages the UK Confidential Human Factors Incident Report Programme, has supplied the following monthly figures for confidential reports submitted by air traffic controllers for the year 1995 to 1997 inclusive:

CHIRP Reports by air traffic controllers per month 1995–1997

Month	*1995 CHIRP Reports*	*1996 CHIRP Reports*	*1997 CHIRIP Reports*
January	0	0	1
February	0	0	2
March	0	0	1
April	0	4	2
May	0	3	10
June	6	5	2
July	2	6	1
August	1	3	7
September	2	1	1
October	2	0	2
November	2	2	7
December	1	0	3
Total	16	24	39

Green Belt

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions how much land was removed from the Green Belt during the period May 1979 to May 1997. [26761]

Mr. Raynsford: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Stinchcombe: To ask the Secretary of State for the Environment, Transport and the Regions how many applications for development of the Green Belt were granted on appeal for each year since May 1979. [26763]

Mr. Raynsford: The following information has been provided by the Planning Inspectorate. The number of appeals allowed since 1991, in which green belt policy was an issue in deciding the appeal, is set out in the table. The information requested is not available prior to April 1991.

Year	*Number of appeals allowed*
1 April 1991 - 31 March 1992	627
1 April 1992 - 31 March 1993	518
1 April 1993 - 31 March 1994	458
1 April 1994 - 31 March 1995	378
1 April 1995 - 31 March 1996	337
1 April 1996 - 31 March 1997	361
1 April 1997 - 30 January 1998	327
Total	3,006

Correspondence

Mr. Ian Bruce: To ask the Secretary of State for the Environment, Transport and the Regions how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27040]

Angela Eagle *[holding answer 2 February 1998]:* The Department has a target of 15 working days from receipt to answer letters from hon. Members. In 1997, the number of replies to reach this target has been 59 per cent., while the average reply time was 20 working days. Once a letter is typed, it is signed as soon as possible, usually overnight the same day, and despatched the following day.

Rolling Stock Companies

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to ensure that ROSCOs invest adequate amounts in improving the quality of rolling stock on the United Kingdom's railways; [27100]

(2) what plans he has to ensure that ROSCOs do not over-charge rail operators; [27101]

(3) what plans he has to ensure that the public subsidy to the railways is devoted to improving services, with particular reference to the quality of the rolling stock. [27102]

Ms Glenda Jackson: My right hon. Friend the Secretary of State announced on 21 January that he had asked the Rail Regulator to conduct an urgent and wide-ranging inquiry into the operation of the rolling stock market. The Regulator has been asked specifically to examine the scope for the rolling stock companies to abuse their market power either through excessive pricing, through inadequate investment in new or refurbished rolling stock or more generally through their response to the requirements of train operators to secure improvements in performance. The Regulator has been

asked to report by the middle of April. The Government will then consider, in the light of the Regulator's recommendations, whether further action should be taken.

Minerals Extraction Tax

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the benefits of a minerals extraction tax. [27390]

Mr. Raynsford: Taxation is a matter for the Chancellor of the Exchequer. The economic and social benefits of extracting minerals have to be set against the costs, in terms of noise, dust, traffic and impacts on amenity, landscape and habitats. My Department is currently conducting research into these costs and benefits to inform the Chancellor's consideration of whether to proceed in principle to develop a minerals extraction tax.

Mobile Home Dwellers

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions if mobile home dwellers are eligible for assistance under sections 76 to 78 of the Housing Grants and Regeneration Act 1996. [27344]

Mr. Raynsford: Sections 77 and 78 of the Housing Grants, Construction and Regeneration Act 1996 set out the criteria under which mobile home owners may be eligible for home repair assistance.

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions if he will undertake a review of the provisions of the Housing Grants, Construction and Regeneration Act 1996, governing the eligibility of ethnic groups living in caravans on local authority sites for home repair assistance under sections 76 to 78; and if he will make a statement. [27347]

Mr. Raynsford: Grants under Part I of the Housing Grants, Construction and Regeneration Act 1996, including Home Repair Assistance, do not and should not depend on the ethnic grouping of the applicant. They are housing grants and eligibility depends on the type and age of the dwelling and the applicant's interest in the property. My Department is currently reviewing the criteria for eligibility for Home Repair Assistance in so far as they relate to the site on which a mobile home is situated.

Drink Driving

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will establish a successor to the Blennerhassett review on drinking and driving with the remit to consider effects on society as well as road safety considerations. [27353]

Ms Glenda Jackson *[holding answer 4 February 1998]:* The publication earlier this week of the consultation document on drinking and driving will provide a full opportunity for those in all areas of society to comment on the proposed package of measures to reduce the level of drinking and driving. The establishment of a further review could hold up new initiatives at a time when we are anxious to move forward. Copies of the consultation document have been placed in the Library of the House.

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the scientific evidence which indicates that reducing the limit for drivers from 80 milligrams of alcohol per 100 millilitres of blood to 50 milligrams will have a significant effect on road safety. [27352]

Ms Glenda Jackson *[holding answer 4 February 1998]:* The effect of a reduction in the legal limit from 80 to 50 milligram per 100 millilitres has been the subject of much detailed research. There is reference to a number of the scientific papers containing details of that research in the consultation paper on drinking and driving which was published earlier this week. Copies have been placed in the Library of the House and I am sending one directly to my hon. Friend.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26657]

Angela Eagle: The estimate of my Department's expenditure on newspapers and magazines from 1995–96 is of the order of:

Year	£
1995–96	622.1k
1996–97	606.4k
1997–98 to 31 January 1998	532.24k
1997–98 Full year estimate	619.1k

Some of the information requested is not held centrally and gathering it would involve disproportionate cost. Titles include daily and regional newspapers, weekly magazines and trade and technical journals. To list each title would involve disproportionate cost.

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26653]

Angela Eagle: Since 1996, the Department of the Environment, the Department of Transport and latterly the Department of the Environment, Transport and the Regions has commissioned over 100 market research exercises with a value of over £4,000,000. These range from evaluation of attitudes to cycling initiatives, traffic management schemes, eco-labelling schemes, the housing market, environmental issues etc., to customer satisfaction surveys and evaluating of publicity. Details of these projects along with expenditure, have been placed in the House Library.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27801]

Angela Eagle: The estimated costs for the use of Ministerial cars and drivers is as follows:

	1995–96	*1996–97*	*1997–98 to date*	*1997–98 full year*
DOE	361,317	348,466	—	—
DOT	247,292	190,544	—	—
DETR	—	—	424,285	509,000
Total	608,609	539,010	424,285	509,000

The figures for 1997–98 includes expenditure incurred by the former Departments of the Environment and Transport prior to merger.

As indicated in my reply to the hon. Member for Buckingham (Mr. Bercow) on 26 January 1998, *Official Report*, column *15*, this Department has reduced the number of Ministerial cars and drivers to 9. The previous Government had 10 cars prior to the General Election.

The information requested on the Departmental use of taxis cannot be separately identified.

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26654]

Angela Eagle: Estimated expenditure on external consultants[1] since 1995–96 is as follows:

£ million

	1995–96	*1996–97*	*1997–98 to date*	*1997–98 full year estimated*
DETR	70.52	17.52	9.48	13.41
Agencies	4.48	5.48	2.51	3.38
NDPBs	24.23	30.52	24.54	34.59

[1] The definition of external consultants is that used for the 1994 Efficiency Scrutiny on the use of external consultants.

It is not possible to estimate the annual cost savings resulting from this expenditure, the vast majority of which was for specific programme deliverables.

Civil Servants

Mr. Duncan: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27462]

Angela Eagle: Since 1 May 1997 *(a)* two senior civil servants have retired before pensionable age, *(b)* no central record is kept of official leave taken, *(c)* no senior officers have been dismissed, *(d)* 14 senior staff have changed jobs within the Department largely as a result of the merger of the Departments of the Environment and of Transport which took place in June 1997, *(e)* 1 senior officer has moved to another Department *(f)* no senior officers have formally been offered and rejected posts in either this Department or any other Department.

SAVE II Agencies

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the agencies established in 1997 in the United Kingdom under the SAVE II programme; and if he will make a statement on the objectives of these agencies. [27531]

Angela Eagle: I understand that the European Commission propose, under the 1997 round of their SAVE II energy efficiency programme, to support energy agencies in the London Borough of Southwark, and in Milton Keynes. The Commission describes the aim of this element of the SAVE II Programme as to

"help local authorities to formulate their energy strategy and to support them in providing all consumers, particularly the general public, with information and assistance".

Byways

Kali Mountford: To ask the Secretary of State for the Environment, Transport and the Regions what conclusions he has drawn from the consultation exercise on managing vehicles on byways conducted by his Department. [28561]

Mr. Meacher: Motor vehicles on byways can cause considerable localised damage. There may be a need for better management of byways at local level. We therefore:

acknowledge that there may be a case for changes to the road traffic regulation powers of highway authorities. We intend to consider whether the scope of the circumstances for making traffic regulation orders should be widened to include nature and landscape conservation. We also intend to look at the scope for streamlining the procedures surrounding traffic regulation orders;

are publishing today a practical guide to managing vehicles on byways *Making the Best of Byways*. Copies are being distributed to highway authorities and others with an interest; and

wish to encourage the promotion of codes of conduct for members of vehicle groups.

However, we have found no compelling evidence of widespread problems being caused by recreational use of motor vehicles on byways and have concluded that there is no case for a general ban.

Cotswold Way

Ms Kingham: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the Cotswold Way. [28562]

Mr. Meacher: My right hon. Friend the Secretary of State has today approved without modifications the Countryside Commission's proposals for a Cotswold Way National Trail. The Trail will be a long distance walking route between Bath and Chipping Campden, mainly within the Cotswolds Area of Outstanding Natural Beauty, following broadly the route of the existing Cotswold Way path.

Establishment of this new National Trail will safeguard the Cotswold Way for future generations. It will increase the enjoyment of users through better safety and overall facilities, and introduce new recreational opportunities for many people of varying abilities. It will bring economic benefits to businesses in the area and provide increased protection for wildlife and historic sites. The decision took account of the strong local support for the Commission's proposals and local people will be involved in the planning and development of the route.

Work-related Deaths and Accidents

Mr. Pond: To ask the Secretary of State for the Environment, Transport and the Regions how many employees aged under 16 years were *(a)* killed and *(b)* injured at work in each year since 1990. [27121]

Angela Eagle: The following is the information

Numbers reported to the health and safety enforcing authorities are:

Year	*Fatal*	*Non-Fatal*	*Total*
1990–91	—	58.00	58.00
1991–92	—	30.00	30.00
1992–93	1.00	35.00	36.00
1993–94	1.00	33.00	34.00
1994–95	1.00	35.00	36.00
1995–96	—	37.00	37.00
1996–97[p]	1.00	38.00	39.00
1997–98[p]	1.00	46.00	47.00
Total	5.00	312.00	317.00

[p] Provisional

Notes:

1. Non-fatal includes major and over 3 day injuries as defined by the Reporting of Injuries. Diseases and Dangerous Occurrences Regulations.
2. 1996–97, injury figures, excluding fatalities cannot be directly compared with those of previous years which were reported under different legislation.
3. 1997–98 data covers the period 1 April 1997 to 31 December 1997 and has not been validated.

CABINET OFFICE

EU Meetings

Mr. Wilkinson: To ask the Minister without Portfolio under what arrangements *(a)* he and *(b)* his office report to other Ministers on meetings he holds with their EU counterparts; and if he will list those meetings arranged at the instigation of his office. [27893]

Mr. Mandelson: Such meetings are generally reported by letter or FCO telegram. They are generally arranged as part of a wider programme of calls, and not instigated by my office.

Club of Three Meetings

Mr. Wilkinson: To ask the Minister without Portfolio, pursuant to his answer of 29 January 1998, *Official Report*, column *331*, on Club of Three meetings which of his Ministerial responsibilities led to his presence at the meeting; and from which Department attending civil servants came. [27889]

Mr. Mandelson: I attended the meeting as Minister responsible for the strategic implementation of Government policy and its effective presentation. I was accompanied by HM Ambassador, Bonn.

DUCHY OF LANCASTER

Deregulation Task Force

Mrs. Ballard: To ask the Chancellor of the Duchy of Lancaster if he will increase small business representation on the Deregulation Task Force. [25699]

Dr. David Clark: The Deregulation Task Force has been replaced by the Better Regulation Task Force. This new group was appointed in September 1997. The change of name reflects the change in approach from deregulation to the wider issue of ensuring regulations are necessary, fair and effective for all concerned. The terms of reference of the Task Force reflect the importance given to the small business representation; they are

"to advise Government . . . taking particular account of the needs of small businesses".

The establishment of the new Task Force fulfilled the Government's manifesto commitment for half of the members to represent small business. There are therefore no plans to increase small business representation on the Task Force. Other members represent citizen and consumer issues, the voluntary sector, larger businesses and the enforcement community.

PRIME MINISTER

Ministerial Visits

Mr. Wilshire: To ask the Prime Minister if he will list those applications under Rule 83 of the Ministerial Code which he has received since 1 May indicating *(a)* the Minister on whose behalf the application was made, *(b)* the accompanying person, *(c)* the purpose, venue and dates of the visit and *(d)* if the application was approved or refused. [23740]

The Prime Minister *[holding answer 19 January 1998]:* The principles governing foreign travel by Ministers have not changed and are the same as those followed under the previous Administration.

It is not the practice to publish exchanges of Ministerial correspondence.

Overseas Visits

Mr. Wilshire: To ask the Prime Minister what factors underlay the decision that Lady Irvine's attendance was clearly in the public interest when granting permission

under Rule 83 of the Ministerial Code for her to accompany the Lord Chancellor to Trinidad and Tobago between 4 and 11 January 1998. [24498]

The Prime Minister *[holding answer 22 January 1998]:* The key principle governing travel remains the same as that applied by the previous Administration, as set out in the Ministerial Code. Anyone who accompanies a Minister at a cost to the public purse must do so for official purposes; it must be in the public interest, and it must receive my prior approval. My Government will continue to adhere to that principle.

Mr. Wilshire: To ask the Prime Minister (1) what was the public interest justification under Rule 83 of the Ministerial Code when he granted permission to the President of the Board of Trade to take her husband *(a)* to India and Australia from 15 to 22 November 1997 and *(b)* to China, Hong Kong and Pakistan from 10 to 21 January 1998; [25568]

(2) what was the public interest justification under Rule 83 of the Ministerial Code when he granted permission to the Attorney-General to take his wife to Dublin on 17 and 18 September 1997; [25570]

(3) what was the public interest justification under Rule 83 of the Ministerial Code when he granted permission to Lord Clinton-Davis to take his wife to Korea and Japan from 21 to 29 September 1997; [25569]

(4) what was the public interest justification under Rule 83 of the Ministerial Code when he granted permission to Lord Williams to take his wife *(a)* to Jersey on 11 and 12 July 1997 and *(b)* to the Isle of Man on 15 and 16 August 1997. [25567]

The Prime Minister *[holding answer 26 January 1998]:* I refer the hon. Member to the reply I gave him today.

Mr. Green: To ask the Prime Minister what guidelines he has issued about the granting of diplomatic immunity to Ministers on overseas visits. [27254]

The Prime Minister: None. There is no provision in the Vienna Convention on Diplomatic Relations for Ministers to be afforded diplomatic immunity whilst on overseas visits.

Ministerial Code

Mr. Wilshire: To ask the Prime Minister what definition of partner will apply to paragraph 83 of the ministerial code of conduct. [25462]

The Prime Minister *[holding answer 26 January 1998]:* The key principle governing travel remains the same as that which applied under the previous Administration: anyone who accompanies a Minister at a cost to the public purse, be they spouse, partner or official, must do so for official purposes; it must be in the public interest; and it must be with my prior approval. The Government will continue to adhere to this principle.

CULTURE, MEDIA AND SPORT

Overseas Conference Visitors

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport what is his Department's policy in respect of the provision of conference facilities for overseas visitors in *(a)* London and *(b)* the United Kingdom. [26840]

Mr. Tom Clarke: Conference facilities are an important part of business tourism which is why an industry led Working Group has been asked to look at this. Its findings will feed into the strategy for tourism we aim to publish in the summer.

World Cup

Mr. Nigel Jones: To ask the Secretary of State for Culture, Media and Sport what representations he has received concerning the ticket allocation system for the 1998 Football World Cup; and if he will make a statement. [26266]

Mr. Banks: I have received a number of representations about the ticket allocation for England and Scotland supporters for this summer's World Cup Finals. Ticketing is a matter for the football authorities. I refer the hon. Member to the reply I gave him and the right hon. Member for Horsham (Mr. Maude) on this subject on 4 February 1998, *Official Report,* columns *673–74.*

Millennium Celebrations

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport what data he has collated about plans by *(a)* Government departments, *(b)* agencies, *(c)* independent organisations, *(d)* local authorities and *(e)* churches to celebrate the millennium; and if he will make a statement. [26496]

Mr. Chris Smith: My Department is aware of a great many Millennium projects being undertaken by a wide variety of organisations and an up-to-date list has been placed in the Libraries of the House.

From April 1998, the British Tourist Authority (BTA), through its Regional Tourist Boards, will be collecting information on Millennium-specific events, which will be available from BTA offices or via the Internet at "www.visitbritain.com". This will supersede the paper record kept by my Department in due course.

SCOTLAND

Industrial Action

Mr. Jenkin: To ask the Secretary of State for Scotland how many working days were lost in Scotland as a result of industrial action in each year since 1978–79. [22379]

Mr. Wilson *[holding answer 12 January 1998]:* The table shows the number of working days lost (in

thousands) and the working days lost per 1,000 employees in Scotland in each year since 1978.

The annual figures are given in the table.

	Working days lost (thousands)	*Working days lost per 1,000 employees in Scotland*
1978	886	429
1979	3,298	1,569
1980	1,447	695
1981	599	299
1982	634	328
1983	308	162
1984	2,333	1,210
1985	681	358
1986	312	166
1987	425	226
1988	205	107
1989	541	276
1990	122	62
1991	121	60
1992	55	27
1993	111	57
1994	16	8
1995	71	36
1996	119	60

Source:
Office for National Statistics

Prisoners (Alcohol Consumption)

Mr. Godman: To ask the Secretary of State for Scotland how many prisoners have been apprehended while consuming alcohol in the past three years; how many were charged and found guilty and which prisons were involved; and if he will make a statement. [25830]

Mr. McLeish *[holding answer 30 January 1998]:* Prisoners who are suspected of consuming alcohol in prison may be charged under Rule 94, Schedule 3(v) of the Prisons and Young Offenders Institutions (Scotland) Rules 1994 which states that

"a prisoner shall be guilty of a breach of discipline if he consumes, takes, injects or ingests any substance which is a prohibited article". Information concerning those charged with consuming alcohol specifically is not held centrally and could be provided only at disproportionate cost.

Nursery Students

Mr. Welsh: To ask the Secretary of State for Scotland what financial assistance will be available to those nursing, midwifery and the professions allied to medicine students who are unsuccessful in applying for maintenance bursaries. [26560]

Mr. Galbraith *[holding answer 30 January 1998]:* All students gaining a place on a diploma level nursing or midwifery course in Scotland will have access to non means-tested bursaries. Scottish domiciled students undertaking full-time degree courses leading to qualifications in nursing and midwifery, and those undertaking courses in the professions allied to medicine will have access to means-tested bursaries. Those who do not secure a bursary will be assisted on the same terms as other entrants to full-time higher education from academic year 1998–99 onwards.

A90

Mr. McAllion: To ask the Secretary of State for Scotland what progress has been made with implementing the route action plan for the A90 agreed by his Department in 1989, with particular reference to *(a)* grade separated junctions and *(b)* the installation of central reserve safety fencing. [27087]

Mr. McLeish: The first of the four grade separated junctions announced within the route action plan was opened to traffic in August 1996 at Longforgan. The second, at Inchmichael, was the subject of a Public Local Inquiry last July, and the Reporter's findings and recommendations are now with the Secretary of State for consideration. Publication of the Orders required for the third, at Inchture is scheduled for next month. Preparation work on the last, at Glendoick, along with an additional junction at Kinfauns is at an early stage.

Safety fencing has been installed on the A90 between Perth and Dundee with the exception of the sections between Halfway and Inchmartine and Longforgan to Swallow Roundabout. Safety fencing is planned to be introduced as part of a package of road improvements on these sections. Proposals for the former were subject to consideration as part of the Public Local Inquiry into Inchmichael Interchange, whilst negotiations are underway to resolve issues arising from the publication of draft Orders for the latter section.

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the number of fatalities and seriously injured involved in accidents on the A90 in each of the last 10 years for which figures are available. [27086]

Mr. McLeish: The table lists the numbers of fatal and serious casualties on the A90 between Perth and the Aberdeen City Boundary from 1988 to 1997 inclusive.

A90 Fatal and Serious Casualty Numbers (1988–1997[1])

Year	*Fatal*	*Serious*	*Total*
1988	17	93	110
1989	27	104	131
1990	23	87	110
1991	12	83	95
1992	14	75	89
1993	13	74	87
1994	5	51	56
1995	21	58	79
1996	9	52	61
1997[1]	2	15	17
Total	143	692	835

[1] Figures are only part year.

Sport

Mr. Jim Murphy: To ask the Secretary of State for Scotland (1) how many sports his Department recognises for the purpose of funding; [27129]

(2) if he will list the chairpersons or chief executives responsible for the governance of sport in Scotland; indicating those who have represented their country; [27130]

(3) if he will list the governing bodies for sport in Scotland; and how many places there are on each;
[27131]

(4) if he will make a statement on the cost to public funds of the governing bodies for sport in Scotland.
[27132]

Mr. Galbraith: The recognition of sports in Scotland is a matter for the Scottish Sports Council. In the financial year ended 31 March 1997, the Council provided grants totalling £2.549 million to the 52 governing bodies set out as follows.

Details are not held centrally of the names or sporting backgrounds of chairpersons and chief executives of governing bodies, or the numbers of members on governing body councils or executives.

Archery
Scottish Archery Association
Scottish Field Archery Association
Athletics
Scottish Athletics Federation
Badminton
Scottish Badminton Union
Basketball
Scottish Basketball Association
Bowling
Scottish Bowls Coaching Committee
Canoeing
Scottish Canoe Association
Cricket
Scottish Cricket Union
Croquet
Scottish Croquet Association
Curling
Royal Caledonian Curling Club
Cycling
Scottish Cyclists Union
Dance and Keep Fit
Fitness Scotland
Health and Beauty Exercise
Disabled
Scottish Sports Association for the Disabled
Fencing
Scottish Fencing
Fishing
Scottish Anglers National Association
Scottish Federation for Coarse Angling
Football
Scottish Women's Football Association
Games (Highland and Border)
Scottish Games Association
Gliding
Scottish Gliding Association
Golf
Scottish Ladies Golfing Association
Gymnastics
Scottish Gymnastics
Hang Gliding
Scottish Hang Gliding and Paragliding Federation
Hockey
Scottish Hockey Union
Judo
Scottish Judo Federation
Karate
Scottish Karate Board
Lacrosse
Scottish Lacrosse Association
Lawn Tennis
Scottish Lawn Tennis Association
Mountaineering
Mountaineering Council of Scotland
Netball
Scottish Netball Association
Orienteering
Scottish Orienteering Association
Parachuting
Scottish Sport Parachute Association
Petanque
Scottish Petanque Association
Riding
British Horse Society
Rowing
Scottish Amateur Rowing Association
Rugby
Scottish Rugby Union
Scottish Women's Rugby Union
Shinty
The Camanachd Association
Shooting
Scottish Target Shooting Federation
Skating
Scottish Ice Skating Association
Skiing
Scottish National Ski Council
Sub Aqua
British Sub Aqua Club (Scottish Federation)
Swimming
Scottish Amateur Swimming Association
Table Tennis
Scottish Table Tennis Association
Trampolining
Scottish Trampoline Association
Triathlon
Scottish Triathlon Association
Tug of War
Scottish Tug of War Association
Volleyball
Scottish Volleyball Association
Water Skiing
Scottish Water Ski Association
Weight-Lifting
Scottish Amateur Weight-Lifters' Association
Wrestling
Scottish Amateur Wrestling Association
Yachting
Royal Yachting Association, Scotland

Police (Complaints)

Mr. McNamara: To ask the Secretary of State for Scotland, pursuant to his answer of 10 December 1997, *Official Report*, column *627*, if he will estimate how many individuals made complaints against the police in 1996–97. [27416]

Mr. McLeish: As indicated in my previous answer on 10 December 1997, *Official Report*, columns *627–28*, there were 1,333 complaint cases against the police in Scotland in 1996–97. It is not possible, however, to distinguish from the records held centrally on these cases the total number of individuals who made complaints.

Health Green Paper

Mr. Ernie Ross: To ask the Secretary of State for Scotland when the Green Paper on improving Scotland's health will be published; and if he will make a statement. [28494]

Mr. Dewar: The Green Paper, "Working Together For A Healthier Scotland", is published today. Copies have been laid before the House and are available in the Library of the House and the Vote Office.

The Green Paper seeks views on a range of proposals for improving health in Scotland, in a way which recognises the relationship with poverty, poor housing, unemployment and the environment as well as the importance of healthy lifestyles in addressing Scotland's major health problems such as coronary heart disease and cancer. Particular emphasis is placed on the need for a concerted approach across Government and involving local authorities and other bodies whose policies impact on health.

The Green Paper will be widely distributed and comments are invited by 30 April 1998, with a view to the publication of a White Paper later in the year.

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26639]

Mr. McLeish: The information sought is not held centrally and could be collected only at disproportionate cost.

HOME DEPARTMENT

Prison Officers Association

Mr. Cox: To ask the Secretary of State for the Home Department when he last met national officers of the Prison Officers Association; and what issues were discussed. [27399]

Ms Quin: My right hon. Friend last met the Prison Officers Association on 18 December 1997. He discussed industrial action in the Prison Service and the role of the Prison Officers Association and the Government's position on private prisons.

Judith Ward

Mr. McNamara: To ask the Secretary of State for the Home Department when he expects a final settlement of compensation to be made to Judith Ward. [27414]

Mr. Michael: I understand that the assessor expects to complete his final assessment of the amount of compensation payable to Judith Ward within a few weeks.

Illegal Drugs

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many meetings he has had with the President of the Council in order to discuss educating young people about the dangers of illegal drugs; [26295]

(2) how many meetings he has had with the Secretary of State for Education in order to discuss educating young people about the dangers of illegal drugs. [26294]

Mr. Straw: The Cabinet sub-committee on Drug Misuse, on which my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth) represents the Home Office, takes the lead in co-ordinating policy on this subject. I have therefore had no formal meetings on this issue with my right hon. Friends, but I have had many informal discussions with them and we correspond regularly.

Tariffs

Mr. McNamara: To ask the Secretary of State for the Home Department if he will make a statement on the setting of tariffs for Eddie Bolton, Harry Duggan, Joe O'Connell and Hugh Doherty. [27415]

Ms Quin: I refer my hon. Friend to the reply I gave to him on 4 February 1998, *Official Report*, column *720*.

Young Offenders Institutions

Mr. Clappison: To ask the Secretary of State for the Home Department what initiatives he has undertaken since 1 May 1997 to promote more active regimes within young offenders institutions. [26305]

Ms Quin: My right hon. Friend announced in a speech on 2 February 1998 that the Prison Service will be piloting welfare-to-work programmes over the coming year in nine young offender institutions. Intensive eight-week courses of job preparation and skills training will be designed so that on release the young offenders can gain maximum benefit from the Government's New Deal for 18 to 24 year-olds.

Immigration and Nationality Directorate

Mr. Singh: To ask the Secretary of State for the Home Department (1) what consideration he has given to re-investing the projected efficiency savings from the computerisation of the Immigration and Nationality Directorate in order to eliminate the backlog of asylum applications; [26518]

(2) what efficiency savings, expressed as a percentage, he expects to result from the computerisation of the Immigration and Nationality Directorate. [26515]

Mr. Mike O'Brien: The Immigration and Nationality Directorate Caseworking Programme is a privately financed project where the supplier, Siemens Business Services, shares the efficiency benefits as payment for the Programme. Any substantial increase in casework output in order to reduce backlogs would require additional funding. The future funding levels will be decided in the light of the outcome of the Comprehensive Spending Reviews. Siemens Business Services forecast that, when fully effective, the new systems will improve efficiency by 40 per cent.

Civil Servants

Mr. Forth: To ask the Secretary of State for the Home Department how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26919]

Mr. Straw: No senior civil servants in the pay band covering posts at the level equivalent to grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age or *(c)* moved to different responsibilities within the Department since 1 May 1997.

Drink Driving

Dr. Marek: To ask the Secretary of State for the Home Department if he has issued advice to chief constables in respect of the allocation of police resources to target drinking drivers. [27349]

Mr. Michael *[holding answer 4 February 1998]:* No advice has been issued because the allocation of resources to particular areas of police activity is a matter for individual chief officers and their police authorities to determine in accordance with local needs and priorities.

Chief officers attach high importance to the enforcement of drink driving legislation. Police forces in England and Wales administered a total of 781.100 screening breath tests during 1996. This figure represented an 11 per cent. increase over the number of tests taken in 1995.

Children (Employment)

Mr. Pond: To ask the Secretary of State for the Home Department how many offences relating to the employment of children were recorded for each year since 1990; and what were the average penalties imposed for each type of offence. [27119]

Mr. Michael: Offences relating to the employment of children are summary offences and do not form part of the notifiable offences series (recorded crime).

The table shows the number of persons cautioned and defendants prosecuted for offences relating to the employment of children by type of sentence given from 1990 to 1996.

Persons cautioned and defendants prosecuted and found guilty at magistrates' courts for offences relating to the employment of children by type of offence and result, 1990–1996

England and Wales

Offence description/ Year	*Total cautioned*	*Total proceeded against*	*Total found guilty*	*Total sentenced*
Causing a child or young person to be in any street, &c. for purpose of begging [Children and Young Persons Act 1933, S4]				
1990	—	7	5	5
1991	1	6	6	6
1992	1	21	19	19
1993	2	29	25	25
1994	4	14	11	11
1995	2	39	31	31
1996	1	32	29	29
Causing or allowing person under 18 to go abroad to perform for profit [Children and Young Persons Act 1933 S25 & 26]				
1992	—	1	1	1
1994	—	2	2	2
1995	—	7	7	7
Offences against the Employment of Women, Young Persons and Children Act 1920, S1—so far as relates to industrial undertakings other than mines, factories and workshops				
1990	—	2	2	2
Offences against the Education Act 1944, S58 to 60—including offences against byelaws as to employment of children (except offences relating to mines, factories or workshops)				
1991	3	2	2	2
1993	—	2	1	1
1994	—	8	4	4
1995	—	2	1	1

Persons cautioned and defendants prosecuted and found guilty at magistrates' courts for offences relating to the employment of children by type of offence and result, 1990–1996

England and Wales

Offence description/ Year	*Total cautioned*	*Total proceeded against*	*Total found guilty*	*Total sentenced*
Offences in connection with employment of children and young persons [Children and Young Persons Act 1933, S18 to 21 (S18 as amended by the Children Act 1972)]				
1990	5	25	21	21
1991	3	15	12	12
1992	3	12	9	9
1993	1	5	4	4
1994	1	3	2	2
1995	1	3	3	3
1996	2	1	—	—
Causing or allowing children to take part in entertainments without licence [Children and Young Persons Act 1963, S40(1)(a)]				
1990	—	1	1	1
1991	—	1	1	1
1996	—	1	—	—
Obstructing officer in the exercise of powers conferred under Part II of the Children and Young Persons Act 1993, S28				
1990	—	4	2	2
1991	1	1	1	1
Similar provisions in Local Acts, but not offences against the Mines Acts, Factory Acts, &c.				
1991	—	2	1	1
1992	—	1	1	1

Offence description/ Year	*Type of sentence given*						
	Discharge	*Fine*	*Average fine(£)*	*Community penalties*	*Fully suspended sentence*	*Immediate custody*	*Average sentence length*
Causing a child or young person to be in any street, &c. for purpose of begging [Children and Young Persons Act 1933, S4]							
1990	1	3	43	—	1	—	—
1991	3	3	55	—	—	—	—
1992	5	14	36	—	—	—	—
1993	16	8	31	1	—	—	—
1994	8	3	43	—	—	—	—
1995	6	24	77	1	—	—	—
1996	5	23	43	—	—	1	7 days
Causing or allowing person under 18 to go abroad to perform for profit [Children and Young Persons Act 1933 S25 & 26]							
1992	—	1	200	—	—	—	—
1994	1	1	50	—	—	—	—
1995	—	7	127	—	—	—	—
Offences against the Employment of Women, Young Persons and Children Act 1920, S1—so far as relates to industrial undertakings other than mines, factories and workshops							
1990	1	1	100	—	—	—	—
Offences against the Education Act 1944, S58 to 60—including offences against byelaws as to employment of children (except offences relating to mines, factories or workshops)							
1991	—	2	80	—	—	—	—
1993	—	1	50	—	—	—	—
1994	—	4	138	—	—	—	—
1995	—	1	200	—	—	—	—
Offences in connection with employment of children and young persons [Children and Young Persons Act 1933, S18 to 21 (S18 as amended by the Children Act 1972)]							
1990	3	18	74	—	—	—	—
1991	—	12	83	—	—	—	—
1992	—	9	67	—	—	—	—
1993	—	4	159	—	—	—	—
1994	—	2	150	—	—	—	—
1995	1	2	200	—	—	—	—
1996	—	—	—	—	—	—	—
Causing or allowing children to take part in entertainments without licence [Children and Young Persons Act 1963, S40(1)(a)]							
1990	—	—	—	1	—	—	—
1991	1	—	—	—	—	—	—
1996	—	—	—	—	—	—	—

Offence description/ Year	Type of sentence given: Discharge	Fine	Average fine(£)	Community penalties	Fully suspended sentence	Immediate custody	Average sentence length
Obstructing officer in the exercise of powers conferred under Part II of the Children and Young Persons Act 1993, S28							
1990	—	2	33	—	—	—	—
1991	—	1	30	—	—	—	—
Similar provisions in Local Acts, but not offences against the Mines Acts, Factory Acts, &c.							
1991	1	—	—	—	—	—	—
1992	—	1	30	—	—	—	—

Air Weapons

Mr. Robathan: To ask the Secretary of State for the Home Department how many incidents of cats being illegally shot with air weapons have been reported to the police in *(a)* 1995, *(b)* 1996 and *(c)* 1997. [27134]

Mr. Michael: The information requested is not collected centrally.

Mr. Robathan: To ask the Secretary of State for the Home Department how many police officers have been *(a)* killed and *(b)* injured in attacks with air weapons in each year since 1988. [27133]

Mr. Michael: The information requested is contained in the table:

Notifiable offences recorded by the police in which a police officer on duty was injured by an air weapon

	Fatal injury	Other injury	Total
1988	—	4	4
1989	—	3	3
1990	—	2	2
1991	—	—	—
1992	—	4	4
1993	—	2	2
1994	—	7	7
1995	not available centrally		
1996	not available centrally		

Correspondence

Sir Teddy Taylor: To ask the Secretary of State for the Home Department when he intends to reply to the letter of 24 October from the hon. Member for Rochford and Southend, East about his constituent Mr. Jonathan Edwards and the final payment under the Firearms Compensation Scheme, and to the further letters on the same issue sent on 5 November 1997 and 16 January 1998. [27162]

Mr. Michael: The reply was incorporated in my composite letter of 30 January 1998 to each hon. Member about the present position on the compensation scheme. I regret that the volume of correspondence received about the progress of individual claims had delayed a reply in this particular case, although I have replied to the hon. Member on other cases.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department if he will require those establishments given project licences under the Animals (Scientific Procedures) Act 1986 to keep full records of animals bred for experimentation and subsequently destroyed or sold on without being so used. [27542]

Mr. George Howarth: Project licences authorise programmes of work regulated under the Animals (Scientific Procedures) Act 1986. They are not granted to establishments but to individuals.

Under sections 6 and 7 of the Act, establishments where animals are used in scientific procedures or where animals listed in Schedule 2 of the Act are bred or supplied for such use must be designated in a certificate issued by the Secretary of State. The standard conditions which apply to all designated user establishments include:

"The certificate holder shall ensure that records are maintained of the source, use and final disposal of all protected animals accommodated in the establishment for scientific purposes and that such records are available to be seen by the Inspector or for submission to the Secretary of State".

For designated breeders or suppliers they include:

"The certificate holder shall ensure that records are maintained of the source, use and final disposal of all protected animals bred, kept for breeding or kept for subsequent supply for use for scientific purposes and that such records are available to be seen by the Inspector or for submission to the Secretary of State".

These records are not, however, collated centrally.

We do not propose to bring all animals which are protected under the terms of section 1 of the Act within the scope of Schedule 2. It will, therefore, remain possible for animals not included in Schedule 2 to be bred for use in scientific procedures in non-designated establishments. We have no powers to require such establishments to keep or provide records.

All the standard conditions on Certificates of Designation, Project Licences and Personal Licences are published in the Appendices of the Guidance on the Operation of the Animals (Scientific Procedures) Act 1986.

Data Protection

Mr. Baker: To ask the Secretary of State for the Home Department what assessment he has made of the practice of MI5 of withholding all information from persons on whom records are held in respect of non-security matters; and what data protection requirements apply to MI5 in this respect. [27543]

Mr. Straw: Section 27 (1) of the Data Protection Act 1984 provides that personal data are exempt from the Act's registration and subject access provisions if the exemption is required for the purpose of safeguarding national security. The previous Administration determined in 1986, under section 27 (2) of the Data Protection Act

1984, that all personal data held by the Security Service were required to be exempt from the registration and subject access provisions of that Act in order to safeguard national security. Similar determinations were made for all personal data held by Security Intelligence Service and Government Communication Headquarters.

My Department has been considering with the Security Service and the intelligence agencies whether such a blanket exemption will still be necessary under the Data Protection Bill now before Parliament. That consideration is not yet complete. Its outcome will be announced in due course.

As regards the wider question of access to information about whether the Service holds files on any individual, I am unable to add to the answer by my right hon. Friend the Prime Minister given to my hon. Friend the Member for Pendle (Mr. Prentice) on 29 January 1998, *Official Report*, column *307*.

Driving Licences

Mr. Gray: To ask the Secretary of State for the Home Department what discussions his Department has held with the Department of Transport over use of the new format driving licence as an identity document; what representations he has received on this issue; and if he will make a statement. [27527]

Mr. George Howarth: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions and I have made it clear that the Government will be issuing the photocard driving licence solely as a driving licence, not as an identity document.

I regularly receive representations for and against national identity cards from hon. Members, members of the public and interest groups. We have no current plans to introduce national identity cards in the United Kingdom.

Prisons (Drugs)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department (1) how many penal institutions *(a)* regularly, *(b)* occasionally and *(c)* never allow drug-detecting dogs to roam during prison visit sessions; [27513]

(2) how many penal institutions have *(a)* more than three, *(b)* three, *(c)* two, *(d)* one and *(e)* no dogs trained to detect drugs. [27514]

Mr. George Howarth: Passive drug detection dogs were used in 28 establishments in 1997 to search visitors and staff for drugs on entry into the establishment or the visits area. Active drug dogs are used occasionally to search visits areas before or after visits. Although drug detection dogs may pass through visits areas as a deterrent during visits it is not policy to allow dogs to roam in visits areas during visiting times.

There are currently:

12 establishments with more than three dogs;

2 establishments with three dogs;

9 establishments with two dogs;

37 establishments with one dog; and

75 establishments with no dogs.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department what is the time elapse after which it is not possible to detect heroin in prisoners using present drug detecting equipment. [27512]

Mr. George Howarth: Using the testing processes and cut-off levels employed on behalf of the Prison Service, it is possible to determine that a positive test result was definitely due to heroin in a urine sample taken up to 12 hours after last use. Heroin degrades to morphine, which can be detected for up to seven days after last use. In these circumstances, it is not possible to be certain that heroin was the drug used.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list the results and dates of the last three mandatory drug tests in each penal institution in England by *(a)* numbers tested, *(b)* the number of tests found positive and *(c)* the percentage of positive tests. [27517]

Mr. George Howarth: Figures are provided in tables for the last three mandatory drug tests undertaken at each establishment in England prior to 1 December 1997, which is the most recent period for which reliable data are available. A copy of these tables has been placed in the Library.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list the results and dates of the last three random drug tests in each penal institution in England by *(a)* numbers tested, *(b)* the number of tests found positive and *(c)* the percentage of positive tests. [27516]

Mr. George Howarth: Figures are provided in tables for the last three random mandatory drug tests undertaken at each establishment in England prior to 1 December 1997, which is the most recent period for which reliable data are available. A copy of these tables has been placed in the Library.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list, by each penal institution in the country the number of people charged with supplying drugs to prisoners and the number found guilty in the last year for which figures are available. [27515]

Mr. George Howarth: The following table gives, for each penal institution in England and Wales, for the twelve months ending 31 December 1997, the number of visitors to prisons who were arrested by police in connection with possible drug related offences. The Prison Service does not record what action was subsequently taken by the police.

Establishment	*Number arrested*
HMP Acklington	19
HMP Albany	2
HMP Aldington	2
HMP Ashwell	7
HMP Aylesbury	2
HMP Belmarsh	2
HMP Buckley Hall	10
HMP Blundeston	14
HMP Bedford	8
HMP Brockhill	2
HMP Bristol	8
HMP Birmingham	2

Establishment	Number arrested
HMP Bullingdon	4
HMYOI Brinsford	4
HMP Blakenhurst	28
HMP Brixton	3
HMP Chelmsford	11
HMP Cardiff	43
HMP Camp Hill	8
HMP Cookham Wood	2
HMP Coldingley	1
HMYOI Castington	5
HMP Channings Wood	10
HMP Canterbury	16
HMP Dartmoor	7
HMP Durham	21
HMP Doncaster	25
HMP Dorchester	1
HMYOI Deerbolt	2
HMYOI Dover	1
HMP Erlestoke	6
HMP Everthorpe	5
HMP Exeter	13
HMP Elmley	30
HMP Frankland	8
HMYOI Feltham	130
HMP Full Sutton	8
HMP Featherstone	3
HMP Garth	34
HMP Guys Marsh	5
HMP Grendon	1
HMYOI Glen Parva	6
HMP Gartree	2
HMP Hollesley Bay	1
HMP Holme House	45
HMYOI Hindley	1
HMP Hull	14
HMP Highdown	2
HMP Highpoint	16
HMP Haverigg	13
HMP Holloway	19
HMP Kirkham	3
HMP Lancaster	4
HMP Leicester	13
HMP Leeds	42
HMYOI Lancaster Farms	27
HMP Lindholme	9
HMP Lincoln	17
HMP Long Lartin	5
HMP Liverpool	4
HMP Littlehey	4
HMP Lewes	23
HMP Moorland	18
HMP Manchester	72
HMP Maidstone	6
HMP The Mount	10
HMP Nottingham	8
HMRC Northallerton	8
HMP Norwich	28
HMYOI Onley	8
HMYOI Portland	1
HMP Parkhurst	9
HMP Preston	11
HMP Pentonville	17
HMP Rochester	1
HMRC Reading	5
HMP Ranby	8
HMP Risley	15
HMP Stafford	18
HMYOI Stoke Heath	2
HMP Stocken	5
HMP Swaleside	4
HMP Shepton Mallet	1
HMYOI Swinfen Hall	1
HMP Styal	4
HMP Swansea	9
HMP Shrewsbury	7
HMP The Verne	2
HMP Wellingborough	7
HMP Winchester	1
HMP Wakefield	7
HMP Wealstun	1
HMP Woodhill	25
HMP Wayland	6
HMP Wymott	4
HMP Wolds	20
HMP Whitemoor	2
HMP Wormwood Scrubs	34
HMP Wandsworth	8

Notes:
1. HMP: Her Majesty's prison
2. HMYOI: Her Majesty's Young Offender Institution.

Immigration Advisers

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department if he will list the 250 firms of immigration advisors, including the 40 firms of solicitors, he referred to as unscrupulous in his oral answer to the hon. Member for Dudley, North (Mr. Cranston) of 2 February 1998, *Official Report*, column 704. [27944]

Mr. Mike O'Brien: No. It would not be right to publish details of companies and individuals whose activities are currently under investigation or who may be further investigated in the future or who may be behaving in a way which is currently within the law where we believe the law to be inadequate and in need of amendment.

Handguns (Compensation)

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department how many legal cases have been brought against the Government over the non-payment or late payment of compensation claims for surrendered handguns; and what was the outcome in each case. [27697]

Mr. Michael: County Court proceedings have been issued in four cases, as follows:

Court	Number of guns involved	Current position
Ilford	2	Case struck out as disclosing no reasonable cause of action
Cheltenham	3	Awaiting hearing
Norwich	8	Awaiting hearing
West London	2	Subject to Appeal

The Appeal in the fourth case above is by the Home Office against a District Judge's refusal to strike out the case as disclosing no reasonable cause of action. A further case, before a Sheriff Court in Scotland, has also been struck out.

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department how many compensation claims arising from the surrender of handguns before

(a) 1 August 1997, *(b)* 1 September 1997, *(c)* 1 October 1997 and *(d)* 1 November 1997 were not paid by 1 February 1998. [27696]

Mr. Michael: The information is not available in the detail requested, as all claims have not yet been entered on the computer system. At 1 February 1998, around 18,000 claims received in the Firearms Compensation Section after 1 September 1997 had received no payment, and 11,477 claims received on or before that date, the great majority of which are mixed claims which have received a payment under Options A and B of the compensation scheme, were awaiting payment under Option C.

Hunt Trespass

Mr. Caplin: To ask the Secretary of State for the Home Department in how many instances the British Transport Police have prosecuted hunts for trespass on operational railway lines. [26768]

Ms Glenda Jackson: I have been asked to reply.

In the three years between 1994–95 and 1996–97 the British Transport Police have prosecuted one hunt for the offence of trespass on railway lines.

FOREIGN AND COMMONWEALTH AFFAIRS

Diplomatic Staff

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom diplomatic staff from ethnic minorities hold overseas postings. [27397]

Mr. Fatchett: The number of UK-based FCO staff who have declared themselves to be members of ethnic minority groups and who are on overseas postings is 34.

Turkey

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what position Her Majesty's Government's representative to the Council of Europe's Committee of Ministers will adopt on human rights in Turkey with particular reference to Turkish parliamentarians who are imprisoned, when the Committee of Ministers next meets. [27407]

Mr. Doug Henderson: Our representative at the Council of Europe Ministerial meeting in May will adopt the same approach to the issue of human rights in Turkey as the government has consistently maintained to date. We remain concerned at Turkey's poor human rights record, but believe that legitimate criticism of Turkey's shortcomings must be backed up by constructive assistance.

We have stressed to the Turkish authorities that the imprisonment of democratically elected politicians for the non-violent expression of their views can only damage Turkey's international standing.

Convention on the Elimination of Racial Discrimination

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the conclusions of the 14 January 1998, meeting of state parties to the Convention on the Elimination of Racial Discrimination. [27413]

Mr. Fatchett: The States Parties elected nine members to the Committee on the Elimination of Racial Discrimination. Professor Michael Banton, the UK nominee, was re-elected.

Homosexuality

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to British Dependent Territories in the Caribbean on legislation outlawing homosexuality. [27362]

Mr. Fatchett: The Governors of all five of the British Dependent Territories in the Caribbean were instructed in October 1997 to raise with their respective local governments our concerns about legislation outlawing certain homosexual acts, and all have done so.

Venezuela

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what negotiations he has entered into with the Venezuelan Government in respect of concluding a prisoner exchange agreement; what timescale he has set for the conclusion of an agreement; and if he will make a statement. [27381]

Mr. Fatchett: We first approached the Venezuelan authorities in 1994 regarding a bilateral Prisoner Transfer Agreement but could not agree a mutually acceptable text. On 17 April 1997 we approached them about accession to the Council of Europe Convention on the Transfer of Sentenced Persons. We continue to press for their reply.

A priority of our Presidency of the European Union is to encourage countries that have not already done so to accede to the Convention. We will raise the subject again with the Venezuelan authorities at the earliest opportunity.

Argentina

Mr. Godsiff: To ask the Secretary of State for Foreign and Commonwealth Affairs if there have been any new exceptions to the arms embargo on Argentina. [28232]

Mr. Tony Lloyd: We have recently granted an exception to the embargo to allow the sale of 155 NBC suits and 50 pairs of boots for use by the Argentine contingent of the UN task force in Kuwait. This is an exception but not a change to the embargo.

Intelligence and Security Services

Mr. Godsiff: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 July 1997, *Official Report*, column *605*, whether he will make any changes to the nationality rules for applicants for employment with the intelligence and security services. [28231]

Mr. Robin Cook: After a detailed and careful review of existing procedures in which the interests of not discriminating against the individual have been balanced against the requirements of national security, I have approved several changes to the nationality rules for employment with GCHQ and the Secret Intelligence Service. My right hon. Friend the Home Secretary has

approved the same changes with respect to the Security Service. The new rules still require that an applicant or employee should be a British citizen, (and hold no other citizenship) but those relating to parental nationality have been simplified. The requirement is now that at least one parent should be British or have substantial ties with the United Kingdom.

The rule restricting the nationality of spouses and cohabitants to limited categories of countries has also been relaxed. It will, however, continue to be the case that the circumstances of each applicant are examined in detail as part of the security vetting process in order to assess any risks. The new rules will come into force with immediate effect.

Luxembourg European Council

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the increase in pre-accession aid announced in the Presidency conclusion of the Luxembourg European Council of 12 to 13 December 1997. [27519]

Mr. Doug Henderson: We welcome the commitment to an increase of preaccession aid made in paragraph 17 of the Luxembourg European Council Presidency Conclusions. We look forward to detailed Commission proposals being tabled soon.

Dayton Agreement

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress towards meeting the Dayton Agreement with respect to Bosnia. [25682]

Mr. Fatchett: Implementation of the Dayton Peace Agreement in Bosnia is progressing steadily. The Bonn Peace Implementation Conference in 1997 found that notable progress had been made. However, much more could have been achieved had the authorities in Bosnia contributed their full share to the construction of a civil and democratic society in the country.

A copy of the conclusions of the Bonn Peace Implementation Conference has been placed in the Libraries of the House today.

Since the Bonn conference, the pace of implementation has been maintained, in particular by the High Representative Mr. Carlos Westendorp making use of the enhanced powers given to him at Bonn to impose deadlock-breaking decisions.

The international community also welcomes the formation in January of a new government in the Republika Srpska committed to co-operation with Dayton implementation. The detention by SFOR troops in January of a further war crimes indictee also demonstrated that the international community continues to attach high priority to this important aspect of Dayton implementation.

Israel

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidance *(a)* the EC and *(b)* Her Majesty's Government have given to importers in respect of the geographical limits of the trade preference given under the EC-Israel agreement. [27199]

Mr. Doug Henderson: Importers can seek guidance on matters relating to preferential Community agreements, including the EU-Israel agreement, from Customs Advice centres.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 January 1998, *Official Report*, column *718*, when the importers into the EC of Brazilian orange juice mislabelled as Israeli, will be required to repay the lost duty. [27200]

Mr. Doug Henderson: HM Customs and Excise and the European Commission are currently examining Israeli preference certificates issued for orange juice in 1995. Appropriate action will be taken with UK importers when this examination is completed.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 23 January 1998, *Official Report*, column *718*, if *(a)* the EC and *(b)* Her Majesty's Government have informed those importers who imported at a preferential rate Brazilian orange juice mislabelled as Israeli, that they are liable to repay any lost duty. [27198]

Mr. Doug Henderson: In its notice to importers, published in the *Official Journal* of the European Communities on 8 November, the European Commission advised importers that if preferential certificates issued by Israel proved to be invalid, such certificates have already engendered, or could give rise to a customs debt. HM Customs and Excise gave this notice wide publicity through trade associations and journals.

INTERNATIONAL DEVELOPMENT

Ministerial Travel

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis, in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27731]

Clare Short: *(a)* The estimated cost of ministerial cars and drivers for the Department for International Development is as follows:

Year	*Expenditure £*
1995–96	46,000
1996–97	52,000
1997–98 (to date)	84,000
1997–98 (full year)	112,000

(b) We do not hold information centrally on the amount spent on taxis and this could be provided only at disproportionate cost.

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) her Department, (ii) agencies and (iii) other

public bodies for which she has responsibility, in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year. [26649]

Mr. Foulkes: (i) Neither the Department for International Development (DFID) nor the former Overseas Development Administration owned empty properties for the years in question.

(ii) DFID has no agencies.

(iii) In the case of public bodies for which DFID is currently responsible, the information is as follows:

1995–96 nil

1996–97 Annual cost £4,500

Total value £37,100

1997–98 Annual cost £10,400

Total value £164,000

The total value figures relate to the capital cost of the premises and not the market value for which records do not exist. The figures refer to properties overseas.

Overseas Visits

Mr. Duncan: To ask the Secretary of State for International Development if she will list which Ministers in her Department have made overseas visits and to which countries since 1 May. [27821]

Clare Short: The following is the information

Year	
Secretary of State's visits overseas	
1997	
5 June	Luxembourg
9 June	Zurich
22 June	New York
1 July	Paris
2 July	Geneva
15–25 September	Bangladesh/Hong Kong/Japan
5–10 October	Uganda/Nairobi/Rwanda
21 October	Brussels
22 October	Paris
27–29 October	Sweden/Norway
10 November	Brussels
28 November	Brussels
2–3 December	Canada
11–12 December	Rome
15–16 December	Spain/Portugal
1998	
3–8 January	Malawi
19 January	Brussels
2–3 February	Bosnia
Parliamentary Under Secretary of State's visits overseas	
1997	
20–22 May	Toronto
4–5 June	Luxembourg
26–30 July	Botswana and South Africa
31 August-3 September	Montserrat and Antigua
12–13 October	Geneva
23–26 November	Ukraine
1998	
13 January	Paris

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the expenditure of her Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will list the newspapers and magazines purchased or subscribed to on a regular basis. [26650]

Mr. Foulkes: Expenditure on newspapers and magazines was as follows:

£

Date	*Expenditure*
1995–96	15,409
1996–97	15,507
1997–98 (full year)	15,943
1997–98 (to date)	12,476

The titles taken are:

Financial Times
Times
Sunday Times
Daily Telegraph
Sunday Telegraph
Guardian
Observer
Independent
Independent on Sunday
Le Monde
London Financial News
Daily Mail
Mail on Sunday
Express
Express on Sunday
Sun
Observer
Daily Mirror
News of the World
Evening Standard
The Herald
The Scotsman
East Kilbride News
Times Educational Supplement
Times Higher Educational Supplement
Times Literary Supplement
What's on in London
The List
Economist
Time
Newsweek
Spectator
Paris Match
New Scientist
European
Private Eye
Bookseller
West Africa
Flight

Newsweek
Construction News
Farmers' Weekly
Tribune
Choice
Flight International
New Statesman.

We also take a number of free and paid-for professional journals.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non departmental public bodies, in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27732]

Clare Short: *(a)* The Department for International Development submits an annual return to the Treasury of suspected and proven fraud, including attempted fraud. Figures are as follows:

1995–96: £19,756
1996–97: £11,262
1997–98 to date: £5,177.

The cost of theft is:

1995–96: £10,000
1996–97: £22,000
1997–98 to date: £1,825.

(b) The Department has no agencies.

(c) In the case of public bodies for which DFID is currently responsible, the cost of theft and fraud combined is as follows:

1995–96: £27,100
1996–97: £65,500
1997–98 to date: £12,100.

These figures relate to the Commonwealth Development Corporation (CDC) and include frauds and theft where the loss was over £7,500. Details of thefts from the CDC's overseas businesses prior to 31 December 1995 are not available.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her current estimate of the expenditure of her Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27735]

Clare Short: The current estimate of expenditure for the Department for International Development on hospitality is £27,426.

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the expenditure of her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if she will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26647]

Clare Short: External consultants have been employed by my Department as follows:

£ million

	Cost of external consultants	*Resulting cost savings*
1995–96	1.2	1.2
1996–97	0.82	0.35
1997–98 (to date)	0.94	nil
1997–98 (full year)	1.1	nil

Since 1997–98, external consultants have primarily been used to assist with IT developments and training by bridging short-term skill gaps.

Civil Servants

Mr. Duncan: To ask the Secretary of State for International Development if she will list by grade the number of officials in her Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27452]

Clare Short: Individual grades no longer exist in the Senior Civil Service. The information is as follows in respect of officials at former Grade 3 level and above.

(a) none
(b) 10
(c) none
(d) 3
(e) 1
(f) (i) none
(ii) none

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for International Development if she will list those items valued at more than £25 stolen or lost from her Department since 1 May 1997; and if she will make a statement. [27733]

Clare Short: Items valued at more than £25 stolen or lost from Department for International Development since 1 May 1997 are as follows:

Item	*£*
Mobile phone charger	45
Lap-top Computer	915
Video Camera	600

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the cost of buildings refurbishment carried out by her Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will make a statement. [26651]

Clare Short: The cost of buildings refurbishment carried out by Department for International Development is as follows:

Year	*£*
1995–96	79,600
1996–97	9,500
1997–98 to date	25,300
1997–98 full year	25,300

These costs relate to refurbishment only and exclude day to day maintenance and reconfigurations required for operational reasons.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for International Development if she will estimate the rates of absenteeism in her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if she will make a statement. [26648]

Clare Short: *(a)* The estimated rate of absenteeism in Department for International Development (DFID) for the year 1995–96 was 4 per cent. Figures for 1996–97 and 1997–98 are not yet available and I will write to the hon. Gentleman when the information is to hand.

(b) DFID currently has no agencies.

(c) The estimated rates of absenteeism in public bodies for which DFID is currently responsible are:

Year	*Per cent.*
1995–96	1.8
1996–97	2.1
1997–98	1.7

Brazil (Amazonian Regions)

Mr. Sheerman: To ask the Secretary of State for International Development what new initiatives her Department is taking to open up markets in Europe for products which emanate from the Amazonian regions from enterprises other than logging. [27097]

Clare Short: In Amazonia and elsewhere, our aim is to promote consistent policies which ensure that economic development and trade in non-timber forest products is managed sustainably, and prevents over-exploitation of natural resources. Within our programme, we support projects which help to identify potential non-timber products and encourage linkages with European and other international markets. We shall continue to look out for further opportunities in this area.

Computer Systems

Mr. Clifton-Brown: To ask the Secretary of State for International Development if she will list each major new computer system that *(a)* her Department, *(b)* non-departmental bodies and *(c)* agencies under her responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27853]

Clare Short: The Department for International Development's major computer systems implemented in the last 5 years are as follows:

Resource Accounting System (RAB)

Purchase cost of software—£271,000

Final cost of system—£2,000,000

Actual commissioning date—February 1998

Management Accounting System Migration (MIS)

System developed, not purchased

Final cost of system—£1,784,000

Actual commissioning date—February 1998

Pensions System Migration

System developed, not purchased

System developed jointly with MIS, so costs included above

Actual commissioning date—February 1998

Replacement Office System (ASSIST)

System developed, not purchased

Final cost of system—£3,332,000

Planned commissioning date—end December 1996 (UK) mid 1997 (overseas)

Actual commissioning date—end December 1996 (UK) end December 1997 (overseas)

Systems to be implemented in the next Financial Year are as follows:

Project Information Monitoring System (PRISM)

System being developed, not purchased

Planned cost £1 million (£600,000 this Financial Year)

Planned commissioning date—First quarter Financial Year 1998–99

DFID Intranet

System being developed, not purchased

Cost to date—£84,000

Planned commissioning date—March 1998

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for International Development what is her estimate of the cost of Ministerial overseas travel in her Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26646]

Clare Short:

1995–96: £132,875

1996–97: £96,815

1997–98 (to date): £97,858

DEFENCE

Army Base Storage and Distribution Agency

Mr. Vaz: To ask the Secretary of State for Defence if he will make a statement on the Government's proposals in respect of the Army Base Storage and Distribution Agency at Old Dalby, Leicestershire; what representations he has received in respect of these proposals; what is the cost to the Exchequer of keeping the ABSDA open; and

what assessment he has made on the potential impact of the closure of the ABSDA, for firms based in Leicester. [23183]

Dr. Reid: I have accepted, as the basis for consultation, the recommendation of the Quarter-Master General's Storage Rationalisation Study recommendation that the sub-depot of the Army Base Storage and Distribution Agency (ABSDA) at Old Dalby should close. Consultation with all relevant parties on this proposal ended on 23 January.

The saving expected from the implementation of the study's recommendations, including the closure of Sub-Depot Old Dalby, is £17.5 million in net present value terms over 10 years.

A number of representations against the proposed closure have been received from both individual employees and other organisations. All the points raised including those relating to its economic and other effects are, of course, being taken fully into account as part of the consultation process.

Foxes

Mr. Gray: To ask the Secretary of State for Defence (1) what is his policy on the control of foxes by *(a)* gassing, *(b)* snaring and *(c)* shooting on his Department's estate by personnel other than his Department's employees; [27523]

(2) what is his policy on the gassing of foxes on his Department's estate; [27525]

(3) what is his policy with regard to the use of rifles for fox control on training areas currently in use on his Department's estate; [27521]

(4) what is his policy on snaring of foxes on his Department's estate; [27526]

(5) what is his policy with regard to the use of rifles *(a)* by day and *(b)* by night for the control of foxes on his Department's estate; [27522]

(6) To ask the Secretary of State for Defence what is his policy with regard to the use of shotguns as a means of fox control on his Department's estate *(a)* by day and *(b)* by night. [27520]

Mr. Spellar: While the gassing of foxes is not illegal, there are no Government approved products for such use. The gassing of foxes is not therefore permitted.

Snaring is legal provided the snares used are the free running type. These are used on the Defence Estate.

Rifles and shotguns are licenced for use both during the day and night.

Mr. Gray: To ask the Secretary of State for Defence what is his policy on digging out foxes on his Department's estate for purposes of fox control. [27524]

Mr. Spellar: The policy for digging out foxes on my Department's land has not changed. Under the Master of Foxhounds Rules, digging out must only take place at the request of the landowner. It remains my Department's policy that, as a landowner, this request would not be made.

I have, however, directed that if any of my Department's tenants are troubled by rogue and destructive foxes, application may be made for the fox to be dug out following a prescribed authorisation process. It is stressed that where such action is permitted, it is on the basis that it is a specified fox control measure and will not be taken to form part of general hunting practice.

Type 42 Destroyers

Mr. Hancock: To ask the Secretary of State for Defence what has been the average availability of Type 42 destroyers for operational service in each of the last five years. [27176]

Dr. Reid: Type 42 destroyers achieved approximately 84 to 86 per cent. average availability for operational service in each of the last five years. This discounts time spent in planned maintenance.

Mr. Hancock: To ask the Secretary of State for Defence what the complement of crew carried by Type 42 destroyers *(a)* was when they were commissioned and *(b)* is currently. [27177]

Dr. Reid: When first commissioned the complement of crew carried by Type 42 destroyers was 270. The current complement is 247.

Married Quarters

Mr. Malins: To ask the Secretary of State for Defence if it is his policy to allow service personnel to occupy married quarters with a person other than a spouse; and if he will make a statement. [27243]

Dr. Reid: It is not current MOD policy to allow Service personnel to occupy married quarters with a person other than a spouse. Whilst this policy is kept under review, there are no present plans to alter it.

Early Leavers Child Support Agency

Mr. Sheerman: To ask the Secretary of State for Defence how many servicemen leaving the service early have given the activities of the Child Support Agency as one of their reasons for leaving. [27093]

Dr. Reid: Specific information of the nature requested is not held centrally. Such information as is available comes from the feedback which the Services receive in the form of individual returns to the various internal surveys which are carried out. According to the responses to these surveys, no Service personnel have given the activities of the Child Support Agency as a reason for their decision to leave the Armed Forces.

Type 22 Frigates

Mr. Hancock: To ask the Secretary of State for Defence what has been the average period availability of Type 22 frigates for operational service in each of the last five years. [27386]

Dr. Reid: Type 22 frigates achieved approximately 82 to 86 per cent. average availability for operational service in each of the last five years. This discounts time spent in planned maintenance.

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to refit Type 22 frigates with less manpower-intensive equipment; and if he will make a statement. [27364]

Dr. Reid: There are no plans to specifically refit Type 22 frigates with less manpower-intensive equipment. The installation of new or updated equipments on all vessels, including Type 22 frigates, is made to address issues of obsolescence, achieve improved reliability or provide enhanced operational capability.

Mr. Hancock: To ask the Secretary of State for Defence what crew complement Type 22 frigates carried when first commissioned; and what complement they now carry. [27363]

Dr. Reid: The Type 22 frigate was introduced in three Batches. When first commissioned the complement of crew carried by a Batch 1 Type 22 frigate was 229. The current complement has increased slightly to 243 on the latest Batch.

Hyderabad and Meeanee Barracks, Colchester

Mr. Bob Russell: To ask the Secretary of State for Defence when he expects that the Hyderabad and Meeanee Barracks at Colchester will cease to be required for military purposes and disposed of. [27896]

Dr. Reid: It is too early to say. Future plans for the existing Hyderabad and Meeanee Barracks will depend on progress with the major Private Finance Initiative project which I announced by writing to the hon. Member on 13 October last year, and whose purpose is to redevelop the whole of Colchester Garrison. As I told the hon. Member in a second letter on 14 November, this project holds out the possibility of yielding surplus land for development, and the land that is earmarked for disposal includes the current sites of Meeanee and Hyderabad Barracks.

Royal Family (Helicopters)

Ms Dari Taylor: To ask the Secretary of State for Defence if he will make a statement about the future provision of helicopter flying for the Royal Family. [28563]

Mr. Spellar *[pursuant to his reply 31 July 1997, c. 466]:* The Ministry of Defence has run a competition, on behalf of the Royal Household, for the provision of a helicopter service for the Royal Family. As a result of the responses to the competition it became clear that the option of using an aircraft with civilian aircrew operating out of a civilian airfield would provide greater savings to the taxpayer than a military operated solution. The Royal Household therefore decided that they wished to pursue this option and have now decided to place contracts for such a civilian service with Sikorsky and Air Hanson.

Recruitment and Training

Ms Squire: To ask the Secretary of State for Defence if he will make a statement on the current status of the Partnering Arrangement between the Naval Recruiting and Training Agency and Flagship Training Ltd. [28287]

Dr. Reid: Under a Competing for Quality and Public/Private Partnering initiative, the Naval Recruiting and Training Agency (NRTA) entered into a 15 years contract with Flagship Training Limited in July 1996. Flagship is a public limited company set up specially for the provision of training administrative and support activities, Income Generation and Public/Private Partnership initiatives in a Partnering Arrangement with the NRTA. Flagship's equity is held by Vosper Thornycroft, GEC Marconi and Johnson Controls Limited.

Under this pathfinder project, Flagship will market NRTA's irreducible spare training capacity and provide support services in return for fixed maximum charges. The NRTA has wholeheartedly embraced Partnering. Certain Support Services (mainly the already contractorised catering and cleaning) have already been transferred to NRTA's considerable advantage.

I am pleased to announce that, following detailed negotiation between the Agency and Flagship, agreement has been reached over the transfer to Flagship of the first and major phase of support service activities. This agreement centres on the provision of activities in the General, Administration and Training Support areas; 434 Civil Service posts and 550 uniformed posts presently deliver these activities. The net result of transferring the posts to Flagship is expected to be the creation of approaching 300 new civilian jobs and release of much needed uniformed personnel to fill gaps elsewhere in the Navy. A conservative assessment of the net cash savings to the NRTA is £29 million over 13 years from this first phase of transfer; with downstream savings of a similar amount expected from later phases.

Under Income Generation, approximately £20 million worth of contracts have already been secured by Flagship, and, prospective business worth about £300 million over 13 years has been identified, with the potential for creating up to a further 100 jobs in areas affected by previous reductions in the Defence budget. The recently awarded Kuwait contract typifies the benefits that Partnering offers the UK. The provision of naval training for a ship order secured by another nation is unprecedented, and indicates the value of combining Flagship's commercial expertise with Naval training internationally recognised as second to none.

National and Local Trades Unions have been informed regularly of the progress and I have recently approved, in principle, the signing of a formal contractual agreement involving the transfer of the activities and employees from the NRTA to Flagship in a phased manner beginning on 5 May 1998, subject to the outcome of formal consultation with Departmental Trade Unions. A copy of the consultative document has been placed in the Library of the House.

NORTHERN IRELAND

Youth Service

Mr. Godman: To ask the Secretary of State for Northern Ireland what assessment she has made of the current arrangements in the Youth Service; and if she will order a review of the service. [22736]

Mr. Worthington: I launched a review of youth service policy on 16 June 1997. The Policy Review Group which I appointed is expected to report in 3 stages and I expect to make a comprehensive policy statement by Easter 1999.

Weapons Decommissioning

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what weapons and explosives have been dealt with to date, by the Decommissioning Body. [22900]

Mr. Ingram: No terrorist weapons or explosives have yet been dealt with by the Independent International Commission on Decommissioning. The Commission quickly produced their proposals for schemes and continue to work on the detailed arrangements to facilitate actual decommissioning. It is now for those in possession of illegal arms to take this important confidence building step.

Irish Republic (Bombs)

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what representations she has made to the Irish Government about the origin of the bomb planted in Newry Street, Banbridge on 6 January. [22902]

Mr. Ingram: My right hon. Friend the Secretary of State has made no representations to the Irish Government about the origin of the bomb. The RUC are, however, continuing with their investigations with help from the Gardai.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will make it her policy to hold the Irish Republic Government financially responsible for the costs of compensation where explosions in Northern Ireland result from bombs manufactured there. [22903]

Mr. Ingram: No.

Fluoridation

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if HM Prison Maze *(a)* is or *(b)* has been artificially fluoridated. [25114]

Mr. Ingram: There is not nor has there been any artificial fluoridation of the water supply to HMP Maze.

Handguns

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many target *(a)* pistols and *(b)* revolvers, belonging to members of licensed gun clubs, have been used in terrorist incidents in each of the past five years; and if she will make a statement. [25672]

Mr. Ingram *[holding answer 28 January 1998]:* There is no evidence to indicate that weapons belonging to members of licensed gun clubs have been used in terrorist incidents in the past five years.

SACHR

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what guidance she has issued to the Standing Advisory Commission on Human Rights regarding its powers to *(a)* commission research and *(b)* propose policy; and what assessment she has made of its effectiveness in dealing with political discrimination. [26736]

Marjorie Mowlam: The Standing Advisory Commission on Human Rights was established by the 1973 NI Constitution Act. Its remit is defined by that Act. In order to fulfil that remit, SACHR does commission research and make recommendations on policy. I have not issued any separate guidance. SACHR's role is to advise on the adequacy and effectiveness of the law in preventing discrimination, but not to provide remedies for people who may have been discriminated against. The Government very much welcomes the advice given by SACHR, which they take into account in making policy decisions.

Anglo-Irish Secretariat

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland if she will list the number, rank and status of Irish military personnel stationed at the Anglo-Irish Secretariat at Maryfield; and if she will make a statement. [26734]

Mr. Paul Murphy: It would not be appropriate to provide information concerning staffing arrangements in respect of the Irish Side of the Anglo-Irish Secretariat.

Provisional IRA

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what representations she has received on reparations from the Irish Government for their part in the creation of the Provisional IRA; and if she will list the numbers of soldiers, police and civilians killed by the organisation. [26739]

Mr. Ingram: The Government have received representations from two of the Northern Ireland parties in relation to their call for an inquiry in the Republic into the creation of the Provisional IRA. No representations have been received about reparations as such. Records are not available to show the number of deaths caused by individual organisations. However, the table indicates the number of deaths of RUC members, army and civilians due to Republican terrorists from 1969 to 29 January 1998.

Deaths due to the security situation 1969 to date (29 January 1998)

Attribution	*RUC*	*Army*	*[1]Civilian*	*Deaths Total*
By Republican	293	640	957	1,890

[1] Includes persons actively engaged in terrorist activity at the time of Incident.

Firearms

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland for what reasons the written question on licensed firearms, tabled by the right hon. Member for Strangford on 22 January 1998, for answer on 28 January 1998 was not answered on that day; and if she will make a statement. [27098]

Mr. Ingram: It is regretted that the written question referred to was not answered on 28 January as it was necessary to refer the question to a number of branches in the RUC, which required a manual search of records.

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland how many barristers in Northern Ireland are QCs; and what percentage of the Northern Ireland Bar this represents. [27832]

Mr. Ingram: There are 430 practising barristers in Northern Ireland, 54 of whom are Queen's Counsel, representing just over 12 per cent. of the Northern Ireland Bar.

Royal Ulster Constabulary

Mr. McDonnell: To ask the Secretary of State for Northern Ireland when she plans to publish the 1997–98 Report on the Royal Ulster Constabulary by Her Majesty's Inspector of Constabulary. [28448]

Marjorie Mowlam: Copies of the 1997–98 Inspection Report, which is the fifth RUC Inspection Report to be published, have today been placed in the Library.

I am most grateful for the Report and will be considering its recommendations carefully. Her Majesty's Inspector's overall remit is to examine police operational efficiency and effectiveness and offer his independent and professional recommendations. These are largely for the Chief Constable to consider and action. This report has covered a number of areas relating to matters such as organisation, planning, personnel and community relations.

I am pleased to note that Her Majesty's Inspector continues to be impressed, as I am, by the courage, enthusiasm and commitment of the RUC and considers it to be efficient and effective.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland if she will estimate the rates of absenteeism in her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if she will make a statement. [26606]

Mr. Paul Murphy: The estimated rates of absenteeism for non-industrial staff in the Northern Ireland Civil Service *(a)* the cores of Northern Ireland Departments and the Northern Ireland office and *(b)* their agencies are as follows:

	(a) *Departmental cores* *Per cent.*	*(b)* *Agencies* *Per cent.*
(i) 1995–96	5.6	8.3
(ii) 1996–97	5.6	6.5
(iii) 1997–98 (1 April 1997–31 December 1997)	5.7	6.5

Information in respect of non-departmental public bodies as at (i), (ii) and (iii) is not readily available and could be obtained only at disproportionate cost.

Northern Ireland departments/agencies and the NIO monitor their absenteeism levels closely. They have introduced a number of initiatives to improve control and tackle particular problems in this area and are continuing to explore all available solutions to improve attendance.

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) her Department, (ii) agencies and (iii) other public bodies for which she has responsibility, in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year. [26607]

Mr. Paul Murphy: Information in the form requested is not readily available and could be compiled only at disproportionate cost.

Civil Servants

Mr. Duncan: To ask the Secretary of State for Northern Ireland if she will list by grade the number of officials in her Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27451]

Mr. Paul Murphy: The answers to the questions are as follows:

(a) 3 Staff (2 Grade 1 and 1 Grade 3)

(b) Nil

(c) Nil

(d) 2 Staff (1 Grade 2 and 1 Grade 3)

(e) Nil

(f) Nil.

Prisoners (Transfers)

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors underlay the delays in effecting inter-jurisdictional transfers of prisoners between the Republic of Ireland and the United Kingdom. [27544]

Mr. Ingram: Since the Republic of Ireland ratified the Convention on the transfer of Sentenced Persons in November 1995, there have been 18 applications for transfer from the Republic of Ireland to Northern Ireland. Arising from those applications, 9 prisoners have been repatriated; a further 4 applications have been approved; 2 were withdrawn; 1 has been refused and 2 remain under consideration. Six applications have also been made for repatriation from Northern Ireland to the Republic; 5 were recently submitted and are being processed and one application was subsequently withdrawn by the prisoner concerned.

Factors which may not enable some applications to be processed immediately on receipt are largely the necessity to seek further information or clarification which will enable an informed decision to be made on the applicants eligibility for repatriation.

Under the Convention for the transfer of sentenced persons, to which both the UK and the Republic of Ireland are signatories, the two States involved in any transfer are required to exchange information in advance of making a determination regarding the applicant and also to provide the prisoner with information regarding the effect of the repatriation on his sentence to allow him on balance to decide whether to accept the transfer.

My right hon. Friends the Home Secretary and the Secretary of State for Scotland are of course responsible for such matters relating to each of their own jurisdictions.

Judiciary (Independence)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will place in the Library the report of the UN Special Rapporteur on the Independence of the Judiciary. [27405]

Mr. Fatchett: I have been asked to reply.

The report of Dato' Param Cumaraswamy, the UN Special Rapporteur on the Independence of Judges and Lawyers, is expected to be published within the next six weeks. The Report will be available through the UN's Optical Disk System in the House of Commons library. We will also arrange for a paper copy of the Report to be deposited in the libraries of the House.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the cost of Ministerial overseas travel in her Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26604]

Mr. Ingram: The cost of overseas travel for Ministers is as follows:

1995–96: £103,929

1996–97: £69,874

1997–98: £37,328 to 30 January 1998.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the cost of buildings refurbishment carried out by her Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will make a statement. [26609]

Mr. Paul Murphy: The estimate of the costs are as follows:

Year	*£*
1995–96	13,718,843
1996–97	21,962,985
1997–98 (to date)	13,096,874
1997–98 (full-year)	17,235,883

WALES

Transport Policy

Mr. Wigley: To ask the Secretary of State for Wales for what reasons powers for the regulation of the railways will not be devolved to the Welsh Assembly; and what assessment he has made of the impact of this on the Government's plans for an integrated transport policy. [27178]

Mr. Hain: The Government's policy on devolution is that the National Assembly will take over virtually all the functions of the Secretary of State for Wales. My right hon. Friend has very few statutory functions in relation to the railways. The Government are committed to the creation of a new rail authority, combining functions currently carried out by the Franchising Director and the Department of the Environment, Transport and the Regions, to ensure effective and accountable regulation of the railways throughout Great Britain. It will in due course be necessary to define the Assembly's relationship with the new rail authority.

Work is continuing on the development of an integrated transport policy, and a separate policy statement for Wales will be published at around the same time as the integrated transport White Paper.

Welsh Joint Education Committee

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will make a statement on the future of the Welsh Joint Education Committee. [27446]

Mr. Hain: With effect from 1 April 1996 the Welsh Joint Education Committee became a company limited by guarantee jointly owned by the unitary authorities and its future is, therefore, a matter for them. I would expect the WJEC, alongside the other examination boards, to play an active role in implementing the reforms to the post-16 qualifications framework set out in the consultation paper "Qualifying for Success".

Civil Servants

Mr. Duncan: To ask the Secretary of State for Wales if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27465]

Mr. Ron Davies: The number of officials in my Department within the Senior Civil Service equivalent to the former Grade 3 and above who have since 1 May 1997 taken:

(a) Early retirement: nil

(b) Official leave: in accordance with their conditions of service

(c) Been dismissed: nil

(d) Changed jobs within the Department: nil

(e) Moved to another Department: nil

(f) Been offered and rejected an alternative position—

(i) within the Department: nil

(ii) in another Department: nil.

LORD CHANCELLOR'S DEPARTMENT

Theft and Fraud

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27792]

Mr. Hoon: Estimates of the cost of theft and fraud are given in the table.

£

	Cost by financial year		
	1995–96	*1996–97*	*1997–98 to date*
LCD[1]	17,658	55,145	51,943
Court Service	118,833	65,648	not available
Public Trust Office	0	0	0
Northern ireland Court Service	0	0	1,700
Public Record Office	1,321	0	440
Land Registry	51,485	13,308	4,093
Legal Aid Board	40,000	7,000	0
ACLEC	0	0	0

[1] Headquarters, associated offices and magistrates courts losses borne by the Department.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27793]

Mr. Hoon: Items stolen or lost are as listed, together with their values:

Theft of electronic stapler: £373

Theft of heavy duty stapler: £55

Theft of lap top computer: £1,500.

AGRICULTURE, FISHERIES AND FOOD

Fishing

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will list the landings of fish by weight in the European Community by each member state whose fleets operate in *(a)* international fishing zones or third countries with which the European Community has an international agreement, *(b)* those states where no agreement exists and *(c)* international waters, indicating the approximate proportion of European Community fish consumption that is represented by all such sources. [24414]

Mr. Morley: I am afraid that information to establish the proportion of European Community fish consumption accounted for by fish caught by Member States fleets in the various fisheries outside EU waters is not available. Neither UK nor EU statistics make it possible to identify where landings by Member States' fleets operating in international fishing zones or third countries have occurred. Nor do consumption figures indicate the origins of the fish consumed.

Correspondence

Mr. Ian Bruce: To ask the Minister of Agriculture, Fisheries and Food how long on average it takes his Department to answer letters from hon. Members; what target date his Department sets; what percentage receive replies within the target date; and what assessment he has made of how long it takes to deliver a letter after it has been typed. [27045]

Dr. John Cunningham *[holding answer 2 February 1998]:* My Department aims to reply to letters from hon. Members and Peers within 15 working days. MAFF received almost 7,500 letters during 1997 and 76 per cent. of those received a reply within this target. The procedure is constantly monitored to ensure letters are dispatched as soon as possible after typing.

Bovine Tuberculosis

Mr. Edwards: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the membership of the Expert Group recommended by the Krebs Report on Bovine Tuberculosis in Cattle and Badgers. [28492]

Dr. John Cunningham: I am pleased to be able to announce the membership of the independent Expert Group to oversee the experiment recommended in Professor Krebs' Report to assess the effectiveness of badger culling in reducing TB breakdowns in cattle herds. I am grateful to Professor John Bourne for agreeing to chair the Group and to Dr. Christl Donnelly who will be Deputy Chairman. In addition, Sir David Cox, Professor George Gettinby, Professor Ivan Morrison and Dr. Rosie Woodroffe have all kindly agreed to serve as members.

The terms of reference for the Group are:

'To advise Ministers on implementation of the Krebs Report on bovine TB in cattle and badgers by:

overseeing the design and analysis of the randomised experiment to test the effectiveness of badger culling as a means of controlling bovine TB;

regularly monitoring the progress of, and outputs from, the experiment and assessing any important differences in results between the treatments;

monitoring the data on the *M bovis* situation in areas and species outside the experiment;

reporting to Ministers on progress; and

advising, as requested, on related issues.'

We are currently consulting on how the report's recommendations should be implemented. Firm decisions on implementation of the report's recommendations will not be made until the end of this consultation period and until further consideration has been given to the public expenditure, legal and practical implications. We shall make another announcement once this further work has been done. In the meantime, I have asked the Expert Group to press on with its work on the detailed experiment design.

The Group has a key role in providing independent expert advice as we carry this important work forward. In addition, my ministerial colleagues and I and MAFF officials will seek to ensure that close contact is maintained with all the key interested parties, including wildlife, conservation and farming organisations on implementation of the Krebs report.

HEALTH

Radiotherapy

Ms Moran: To ask the Secretary of State for Health (1) what research his Department has *(a)* commissioned and *(b)* evaluated into radiotherapy damage resulting from radiotherapy treatment; [24536]

(2) what information is made available to alert women to the possible side effects of radiotherapy for breast cancer. [24537]

Mr. Milburn: In 1994, the Department of Health issued guidance to the National Health Service on quality assurance in radiotherapy, "Quality Assurance in Radiotherapy—A Quality Management System for Radiotherapy". This is monitored through the Inspectorate for the Ionising Radiation Regulations (1988).

More recently, the Department's Central Audit Unit has funded two pieces of work. The first was guidelines on the management of women with adverse effects following radiotherapy treatment. They were produced by the Royal College of Radiologists (RCR) through a group chaired by Dr. Jane Maher. The guidelines were issued to the NHS by the Department in October 1995. The second was a confidential clinical review of 126 consenting members of Radiotherapy Action Group Exposure (RAGE)—a support group representing those suffering damage following treatment by radiotherapy for breast cancer—which was also conducted by the RCR and disseminated by the College to its fellows.

We are concerned to ensure that all patients and their families, including cancer patients who may have particular worries about the disease and its treatment, receive information which is clear, concise and easily understood, not only about the proposed treatments, but about possible alternatives and any substantial risks, so that they can make a balanced judgment about accepting treatment.

In 1995, the support group British Association of Cancer United Patients (BACUP), in conjunction with the Royal Colleges and other charities like CancerLink, Breast Cancer Care and RAGE, produced a series of three leaflets about radiotherapy for breast cancer and early detection of any adverse effects. This was partly funded by the Department of Health.

Copies of the leaflets were sent to each breast care nurse and oncologist with details of how to obtain a stock from BACUP for distribution to patients as needed. It was considered that these professionals were in the best position to make the leaflets available to patients at the appropriate stage in their treatment. Copies will be placed in the Library.

Hysterectomies

Mr. Cousins: To ask the Secretary of State for Health how many hysterectomies were carried out for menorrhagia in the last year; at what cost; and what clinical guidance his Department issues as to the appropriateness of this procedure. [26940]

Ms Jowell: 18,804 hysterectomies were carried out for menorrhagia in National Health Service hospitals in England in 1995–96, the latest year available. The estimated average cost of a hysterectomy, based on 1995–96 prices, is approximately £2,400.

The Department of Health issued an Effective Healthcare Bulletin on 'The Management of Menorrhagia' in 1995. The Royal College of Obstetricians and Gynaecologists is currently preparing clinical guidelines on the management of menorrhagia in both primary and secondary care. The guidelines, which are funded by the Department of Health, are expected to be published later this year.

Accident and Emergency Departments

Miss Kirkbride: To ask the Secretary of State for Health who has the ultimate responsibility for determining whether the accident and emergency departments at the *(a)* Alexander Hospital in Redditch and *(b)* Kidderminster General Hospital close. [27159]

Ms Jowell: My right hon. Friend the Secretary of State.

Opencast Mining

Ms Walley: To ask the Secretary of State for Health when he expects his Department's joint research with the Department of the Environment, Transport and the Regions into the effects of opencast mining on health to be made available; and if he will make a statement. [27117]

Ms Jowell: This research, which started in August 1996, is being undertaken at Newcastle University and is expected to be completed in October this year, although it is unlikely that the results will be published until early in 1999.

St. Bartholomew's Hospital

Mr. Corbyn: To ask the Secretary of State for Health what representations he has received on the future of Bart's Hospital; and when he expects to make a statement on his decision. [27372]

Ms Jowell: We received a large number of representations on the future of St. Bartholomew's Hospital. Its future has been discussed with managers, clinicians and local people.

The Government announced their response to the Turnberg report in a statement to the House on 3 February 1998, *Official Report*, columns 843–46. We have accepted all the recommendations in the report, including the recommendation that St. Bartholomew's Hospital should not close.

As part of our ten year programme to modernise London's health services Bart's will continue in its present role while other hospital developments in east London take place; Bart's will then concentrate its renowned specialist expertise on cancer and cardiac services.

Civil Servants

Mr. Duncan: To ask the Secretary of State for Health if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early

retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27454]

Mr. Boateng: Since 1 May 1997, at Grade 3 equivalent or above in the Department, 1 Grade 1 and 2 Grade 3 equivalents have taken early retirement; records of annual leave are not kept centrally; none have been dismissed; none have changed jobs within the Department; 1 Grade 2 equivalent has moved to another department on promotion; and none have been offered and rejected alternative positions either within the Department of Health or other departments.

NHS Board Appointments

Mr. Maples: To ask the Secretary of State for Health, pursuant to his answer of 12 January 1998, *Official Report*, columns *155–56*, if he will publish the full text of *(a)* the guidance given to regional chairmen in June on NHS board appointments and *(b)* the guidance given by regional chairmen to council leaders in June when requesting nominations for NHS board appointments, together with accompanying documentation in each case. [27811]

Mr. Dobson: Copies of the guidance have been placed in the Library.

Correspondence

Mr. Steen: To ask the Secretary of State for Health when he expects to answer the letter from the hon. Member for Totnes of 15 December concerning Michael Ashley of Southdown College, Mill Lane, Brixham, and his treatment for haemophilia. [27813]

Mr. Boateng: My noble Friend Baroness Jay replied on Wednesday 4 February.

TREASURY

Public Sector Pay

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will estimate the effective annualised increase in public sector pay for those workers covered by the Pay Review Bodies for each of the last five years; and if he will make a statement. [24743]

Mr. Darling *[holding answer 23 January 1998]:* The following table shows the pay settlements for the groups covered by the Review Body on Armed Forces Pay (AFPRB), the Review Body on Doctors' and Dentists' Remuneration (DDRB), the Review Body for Nursing Staff, Midwives, Health Visitors and Professions Allied to Medicine (NPRB), the School Teachers' Review Body (STRB) and the Review Body on Senior Salaries (SSRB).

Percentages

Review Body	*1993–94*	*1994–95*		*1995–96*	*1996–97*		*1997–98*		*1998–99*	
		Apr. 1994	*Jan. 1995*		*Apr. 1996*	*Dec. 1996*	*Apr. 1997*	*Dec. 1997*	*Apr. 1998*	*Dec. 1998*
AFPRB	1.5	2.7	0.9	2.6	2.7–3.3	1.0	2.00	1.0–1.4	2.00	1.75–2.2
DDRB	1.5	3.0	—	2.5–3.0	2.8–5.8	1.0	2.00	1.4	2.00	4.2–5.2
NPRB	1.5	3.0	—	[1]1.0	[1]2.0	—	2.00	1.3	2.00	1.80
STRB	1.5	2.9	—	2.7	2.75	1.0	2.00	1.3	2.00	1.80
SSRB										
Senior Military	[2]0	2.75	—	3.2	2.9–4.6	1.0	2.00	0.75–4.0	2.00	0.3–5.0
Judiciary	[2]0	2.75	—	[2]2.5	2.90	1.0	2.00	1.0–5.0	2.00	3.50
Senior Civil Service	[2]0	2.75	—	2.5	[4]—	—	—	—	[4]—	—
Average										
Recommendation	—	3.1		[5]2.7		[5]4.0		3.3		3.9
Award (In-year)	1.5	3.1		[5]2.7		[3]3.3		2.4		2.7

[1] Initial increases in central pay scales, supplemented by local pay negotiations.
[2] The Pay Review Bodies were asked not to report in 1993.
[3] To implement a recommendation in the 1994 SSRB report, the Judiciary receive an additional 0.63–2.48 per cent. annual increase for five years from 1 April 1995.
[4] For the Senior Civil Service, new pay ranges were set in 1996–97 and increased by 2.75 per cent. in 1997–98 and 3.5 per cent in 1998–99. Within these ranges, individual performance-related increases were staged on the same basis as other groups.
[5] Excluding Nurses whose pay was supplemented by local pay negotiations.

Individual Savings Account

Mr. Loughton: To ask the Chancellor of the Exchequer what plans he has to publish the findings of the consultation exercise on the ISA Green Paper; and if he will place the full results in the Library at the end of the consultation period. [24881]

Mr. Geoffrey Robinson *[holding answer 23 January 1998]:* The consultation exercise allows the Government to draw on the widest possible range of experience and expertise. An appropriate summary of the findings of the consultation exercise will be made available after details of the scheme have been announced.

Framework Arrangements (Northern Ireland)

Miss McIntosh: To ask the Chancellor of the Exchequer if he will make a statement on the litigation in the European Court of Justice on the use of framework arrangements in Northern Ireland; what discussions he has held with other departments on the implications for procurement procedure; and if he will place in the Library the Reasoned Opinion of the European Commission of 2 May 1997 and the response by the Northern Ireland section of his Department of 25 May 1997. [27701]

Mr. Geoffrey Robinson: The European Commission has announced its decision to refer the United Kingdom to the European Court of Justice concerning the use of framework arrangements for the award of contracts to

which EC Directives on public procurement apply. The United Kingdom does not accept that the directives have been breached and will continue to put its case forcefully, if necessary. The case has been discussed with departments.

The Commission's Reasoned Opinion and the United Kingdom's response of 25 July 1997 cover complex and delicate issues which might not be raised before the Court. They are considered by both parties as confidential between them and I am unable to place these documents in the library. If the case goes ahead, details of it will of course be available in the judgment of the Court.

Euro

Mr. Gray: To ask the Chancellor of the Exchequer what assessment he has made of the effect of the sale of excess reserves of *(a)* gold and *(b)* foreign currency by central banks participating in the euro on (i) world gold prices and (ii) international exchanges. [27528]

Mrs. Liddell: Developments in the world gold market are kept under continuous review as part of the normal process of managing the official reserves.

Mr. Willetts: To ask the Chancellor of the Exchequer for what period he expects the United Kingdom would be required to keep the pound in a fixed relationship with the euro before the United Kingdom were to join the Economic and Monetary Union. [27815]

Mrs. Liddell: The interpretation of the criteria set out in Article 109j of the Maastricht Treaty is a matter for collective discussion between EU Heads of State and Government when they meet in May to decide which Member States meet the conditions for Stage Three of EMU.

It is not the Government's intention to rejoin the ERM. The Government believe that what is important for exchange rate stability is macroeconomic stability achieved through sound fiscal and monetary policies. The Government's new framework for macroeconomic policy and programme of structural reforms will deliver the macroeconomic stability the UK economy needs before we can join EMU. The Government do not believe that ERM membership is the best way to achieve stability or convergence.

Bank of England Bill

Mr. Timms: To ask the Chancellor of the Exchequer if he will publish the European Monetary Institute's opinion concerning the Bank of England Bill under Article 109f(6) of the Treaty establishing the European Community and Article 5.3 of the Statute of the EMI. [28493]

Mr. Darling: I have today placed copies of the opinion in the Libraries of the House.

Savings

Mr. Fallon: To ask the Chancellor of the Exchequer if he will estimate the number of non-taxpayers without an interest-bearing account. [26234]

Mr. Geoffrey Robinson: Inland Revenue can make no estimate of this from its own records.

In household surveys, about 40 per cent. of adults aged 16 and over who report a gross income below their personal tax allowance also report that they hold no interest-bearing accounts. This would imply a total of about 8 million adult non-taxpayers with no interest-bearing accounts in the population. Similar sources yield an estimate of about 6 million children under 16 holding no interest-bearing accounts.

Competition Policy (Ministerial Meetings)

Miss McIntosh: To ask the Chancellor of the Exchequer which ministers in his Department have attended meetings in connection with policy on competition. [27681]

Mr. Geoffrey Robinson: I am responsible for the Treasury's interests in competition policy as part of the wider growth agenda. Other Ministers' responsibilities may, on occasion, involve competition issues.

Beef Industry

Mr. Salmond: To ask the Chancellor of the Exchequer what estimate he has made of the revenue lost to the Treasury as a result of the recent decline in sales and employment in the beef sector. [22595]

Mr. Darling: Information on revenue from beef sales and employment levels in the beef sector is not held centrally. However, MAFF, the other Agriculture Departments, and HM Treasury have commissioned an independent study which aims to provide a comprehensive assessment of the economic impact of BSE across the UK economy and the regions. The study, which includes an assessment of the public expenditure and employment effects of the BSE crisis, is currently being finalised and will be published shortly.

Orion Trust

Mr. Maclean: To ask the Chancellor of the Exchequer (1) what further discussions the Paymaster General has had with the Permanent Secretary to the Treasury since 14 December concerning Orion Trust and TransTec shares; [25533]

(2) what information the Paymaster General has provided to him on the circumstances leading to the transfer of TransTec shares to the Orion Trust on 30 April 1997; [25532]

(3) what reasons the notes to the accounts of Stenbell Ltd. describe the Paymaster General as a beneficiary of the Orion Trust rather than a potential discretionary beneficiary; [25531]

(4) what part the Paymaster General had in the selection of Richmond Corporate Services as trustees of the Orion Trust; [25541]

(5) if the "Geoffrey Robinson personal settlement" financed or guaranteed the money which enabled Stenbell Ltd. to purchase the Paymaster General's TransTec shares. [25530]

Mr. Gordon Brown *[holding answers 26 January 1998]:* I refer the right hon. Member to the reply I gave to the hon. Member for Sevenoaks (Mr. Fallon) on 13 January 1998, *Official Report*, column *169*.

Mr. Maclean: To ask the Chancellor of the Exchequer what letters of wishes the Paymaster General has written to the Orion trustees. [25529]

Mr. Gordon Brown *[holding answer 26 January 1998]:* The Paymaster General has complied with the Ministerial Code of Conduct.

Mr. Maclean: To ask the Chancellor of the Exchequer when the Treasury Press Office received the information that the Paymaster General had suggested to Orion that it buy TransTec shares. [25543]

Mr. Gordon Brown *[holding answer 26 January 1998]:* The question refers to the Paymaster General's interview with *The Observer* on 13 December. As is the standard practice, a Treasury Press Officer was in attendance.

Correspondence

Mr. Maclean: To ask the Chancellor of the Exchequer when the Permanent Secretary to the Treasury will reply to the letter of 12 December from my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley). [25534]

Mr. Gordon Brown *[holding answer 26 January 1998]:* He has done so.

Offshore Trusts (Taxation)

Mr. Maclean: To ask the Chancellor of the Exchequer if he will ensure that papers relating to taxation of offshore trusts and tax enforcement are not passed to the Paymaster General. [25539]

Mr. Gordon Brown *[holding answer 26 January 1998]:* I refer the right hon. Member to the second of my answers to the right hon. Member for Hitchin and Harpenden (Mr. Lilley) of 10 December 1997, *Official Report,* column *576.* Decisions on the taxation of offshore trusts and tax enforcement are a matter for me.

Tax Affairs (Confidentiality)

Mr. Maclean: To ask the Chancellor of the Exchequer what discussions he has had with the Paymaster General concerning the possibility of the Paymaster General waiving his right to confidentiality in his tax affairs. [25542]

Mr. Gordon Brown *[holding answer 26 January 1998]:* None.

Paymaster General (Press Statement)

Mr. Maclean: To ask the Chancellor of the Exchequer if the Permanent Secretary to the Treasury approved in advance the statement and accompanying document issued by the Treasury Press Office on 8 December concerning the Paymaster General. [25536]

Mr. Gordon Brown *[holding answer 26 January 1998]:* The Permanent Secretary was consulted on whether it was appropriate to issue the statement on Treasury headed paper. After seeing the text, he agreed that it was.

Titmuss Gainer, Delheny Letters

Mr. Maclean: To ask the Chancellor of the Exchequer what contacts *(a)* the Chief Press Officer and *(b)* other Treasury civil servants have had with Titmuss Gainer, Delheny subsequent to the issue of their letters of 8 December. [25538]

Mr. Gordon Brown *[holding answer 26 January 1998]:* All Treasury officials have acted in line with established Civil Service guidance.

Mr. Maclean: To ask the Chancellor of the Exchequer what representations he has received concerning the accuracy of the Treasury press release of 8 December 1997 containing the Titmuss Sainer, Dechert letters to *The Sunday Times* and *The Observer.* [25540]

Mr. Gordon Brown *[holding answer 26 January 1998]:* None, apart from standard Press inquiries, Parliamentary Questions and the points raised in the Adjournment Debate on 21 January.

Paymaster General (Financial Affairs)

Mr. Maclean: To ask the Chancellor of the Exchequer if he will state the amount of Treasury resources, including press office time, devoted to dealing with the queries surrounding the Paymaster General's financial affairs. [25537]

Mr. Gordon Brown *[holding answer 26 January 1998]:* All such queries were handled within existing Treasury resources. To disaggregate running costs in the way that is requested would be disproportionately expensive, and is not a practice pursued by previous Governments.

TRADE AND INDUSTRY

Sterling

13. **Mr. St.Aubyn:** To ask the President of the Board of Trade what representations she has received from exporters on the current value of the pound. [25697]

Mrs. Roche: Ministers and officials in my Department hold regular meetings with representatives of the business community. Exports and the current value of the pound are among the many issues discussed.

Inward Investment

21. **Mrs. May:** To ask the President of the Board of Trade if she will make a statement on the estimated level of inward investment into the United Kingdom this year. [25707]

Mrs. Beckett: The full results for 1997–98 will be announced later this year in the IBB Annual Report. There have, though, already been some notable successes including the ACER peripherals investment in Cardiff which will create 1,000 jobs, Pfizer's announcement of a £109 million expansion to their research centre in Kent, creating 1,000 new jobs; Cadence Design Systems of the US investment in Scotland creating 1,895 jobs and Capital One, one of the largest US credit card issuing companies locating in Nottingham creating 600 new jobs. This is

clear evidence that the UK continues to be the preferred location for internationally mobile companies who wish to compete on a global scale.

Far East (Economic Instability)

23. **Mr. Flight:** To ask the President of the Board of Trade what discussion she has recently held with her counterparts in Asian countries to discuss trading conditions following the recent economic difficulties in the region; and if she will make a statement. [25709]

Mrs. Beckett: During my recent visit to China and Hong Kong I discussed this with senior members of the Chinese and Hong Kong SAR Governments.

Post Office (Liverpool)

24. **Mrs. Ellman:** To ask the President of the Board of Trade what representations she has received on the Post Office's proposals for mail distribution services in Liverpool; and if she will make a statement. [25710]

Mr. Ian McCartney: My right hon. Friend has received representations about Royal Mail's proposals for mail processing services in Liverpool from hon. Members representing Merseyside constituencies, from Liverpool City Council, from the Communication Workers Union and from individual post office employees and members of the public. I understand that Royal Mail is currently assessing an alternative proposal which has been submitted to them by the CWU.

Low Pay Commission

25. **Mr. Edwards:** To ask the President of the Board of Trade when she expects the Low Pay Commission to report. [25711]

Mr. Ian McCartney: We have asked the Low Pay Commission to report with its recommendations by the end of May 1998 at the latest.

Oil and Gas Reserves

26. **Mr. Bill O'Brien:** To ask the President of the Board of Trade if she will make a statement on the current estimate of oil and gas reserves in the United Kingdom. [25712]

Mr. Battle: Details of the UK's oil and gas reserves can be found in the Department's 1997 Energy Report, which is available in the Library of the House.

Millennium Compliance

27. **Mr. David Atkinson:** To ask the President of the Board of Trade if she will make a statement on the level of awareness of the need to take action on the millennium compliance of computer systems in the private sector. [25713]

Mrs. Roche: Surveys indicate a relatively high level of awareness, some as high as 90 per cent. However, we remain concerned that many businesses, particularly small and medium ones, are still not taking the necessary action to tackle the millennium bug. DTI's initiative—Action 2000—will, as part of its programme of work, undertake research specifically to benchmark the current levels in business across the board. The outcome will ensure that Action 2000's programme is properly focused.

Look-alike Products

28. **Mr. Quinn:** To ask the President of the Board of Trade what discussions have taken place between her Department and the British Brands Group about look-alike products. [25714]

Mr. Nigel Griffiths: The Department has had a number of discussions with the British Brands Group about look-alikes, most recently in meetings on 23 November 1997. I met representatives of the BBG with a number of colleagues on 20 January 1998. I am grateful to the BBG for the helpful material they have supplied and which is the subject of discussions with DTI officials.

Defence Industry (Chelmsford)

29. **Mr. Burns:** To ask the President of the Board of Trade what measures she is taking to help workers in defence-related industries in the Chelmsford area who have been made redundant as a result of the peace dividend; and if she will make a statement. [25715]

Mr. Battle: My Department maintains close contact with local organisations which are working in partnership to address immediate redundancies in the Chelmsford area and long-term dependence on defence related manufacturing.

KONVER funding is being used for retraining and to provide support to start-up businesses.

Business Performance

30. **Ms Southworth:** To ask the President of the Board of Trade what representations she has received from business about the development of policies to improve Britain's business performance. [25716]

Mrs. Beckett: Through my Competitiveness UK initiative and through other contacts, I have had extensive discussions with a wide range of businesses.

South-East Asia

31. **Mr. Spring:** To ask the President of the Board of Trade if she will make a statement on trade with south-east Asia. [25717]

Mrs. Beckett: In 1997, UK exports of goods to South East Asia were worth £16.7 billion, 2 per cent. higher than a year earlier. The value of imports from the region increased by 4½ per cent. to £29.2 billion. Information on UK trade in services is not available for many of the countries in South East Asia, nor for the region as a whole.

Details of UK trade in goods with each of the countries in the region are given in the following tables.

UK Exports—Goods

£ million, current prices

	1993	*1994*	*1995*	*1996*	*1997*	*percentage change on 1996*
Burma	19	13	15	21	15	-28.3
Thailand	664	749	838	974	862	-11.5
Laos	1	1	3	5	3	-41.7
Vietnam	17	63	60	50	95	91.2
Cambodia	3	2	3	3	2	-26.6
Indonesia	331	366	525	828	701	-15.3
Malaysia	966	1,310	1,197	1,160	1,205	3.9

UK Exports—Goods

£ million, current prices

	1993	1994	1995	1996	1997	percentage change on 1996
Brunei	324	418	1,254	562	560	-0.4
Singapore	1,431	1,769	2,071	2,145	2,043	-4.7
Philippines	306	355	432	395	600	51.8
S Korea	796	971	1,153	1,304	1,223	-6.2
Taiwan	668	735	962	941	1,034	9.8
Hong Kong	2,170	2,298	2,655	2,923	3,211	9.8
China	739	845	828	739	920	24.6
Japan	2,654	3,001	3,783	4,264	4,178	-2.0
SE Asia	11,090	12,898	14,781	16,315	16,653	2.1

UK Imports—Goods

£ million, current prices

	1993	1994	1995	1996	1997	percentage change on 1996
Burma	9	14	9	14	19	41.6
Thailand	771	914	1,040	1,188	1,222	2.9
Laos	0	2	14	7	6	-13.7
Vietnam	22	66	107	160	194	21.5
Cambodia	1	2	8	22	25	12.1
Indonesia	701	783	904	981	1,029	4.9
Malaysia	1,397	1,204	1,489	2,380	2,025	-14.9
Brunei	308	294	126	292	337	15.4
Singapore	1,618	1,896	2,206	2,573	2,714	5.5
Philippines	277	244	352	895	761	-15.0
S Korea	1,080	1,095	1,562	2,038	2,239	0.8
Taiwan	1,621	1,582	1,727	2,088	2,342	12.1
Hong Kong	2,998	3,081	3,539	4,073	4,349	6.8
China	1,327	1,642	1,940	2,202	2,495	13.3
Japan	8,532	8,831	9,635	8,994	9,410	4.6
SE Asia	20,661	21,651	24,658	27,907	29,167	4.5

Source:
Overseas Trade Statistics of the United Kingdom, HM Customs and Excise.

Competitiveness

32. **Ms Dari Taylor:** To ask the President of the Board of Trade what steps she is taking to assist British companies to improve their competitiveness. [25718]

Mrs. Beckett: I refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Bradford, South (Mr. Sutcliffe).

Economic and Monetary Union

33. **Mr. Bradshaw:** To ask the President of the Board of Trade what progress her Department has made in preparing United Kingdom businesses for EMU. [25719]

Mrs. Beckett: My noble Friend the Minister for Trade and Competitiveness in Europe, who is a Minister in both the DTI and the Treasury, has been appointed as Minister responsible for business preparations.

My Department has worked with the Treasury to produce a Booklet "EMU: Practical Information for Business", some 65,000 copies of which have been distributed. My Ministerial colleagues and officials also emphasise the need for firms to prepare for the single currency in their contacts with business. To reinforce this approach, the Government are also planning an awareness and information campaign to alert British business to the effects of EMU from 1 January 1999 and help them prepare.

Electricity Industry

34. **Mr. Lansley:** To ask the President of the Board of Trade if she will make a statement on the future of competition in the electricity industry. [25720]

Mr. Battle: PA and OFFER have recommended that the roll out of electricity supply competition start in September and the industry has endorsed this proposal. Customers will benefit from new price controls which will take effect on 1 April and from penalties on the public electricity suppliers which will take effect from the end of April.

University Capital Equipment

35. **Dr. Lynne Jones:** To ask the President of the Board of Trade what action her Department is taking to make up the shortfall in university capital equipment identified in the Dearing report. [25722]

Mr. Battle: The issue of university infrastructure and equipment needs is being considered within the Comprehensive Spending Review. In the meantime, the Government have demonstrated their commitment to maintaining state of the art equipment within UK universities through the increased funding of £13 million provided by the Research Councils, the Higher Education Funding Council for England (HEFCE) and the Department for Education and Employment for the 1997 round of the Joint Research Equipment Initiative (JREI). This raised the total amount of public funds for this round of the scheme to over £34 million, which with the associated contributions from the private sector, has provided research equipment worth some £80 million. We also announced in January that the JREI would continue on an annual basis.

Manufacturing

36. **Mr. Burden:** To ask the President of the Board of Trade if she will make a statement on the prospects for manufacturing industry. [25723]

Mrs. Beckett: Through our Competitiveness UK initiative and commitment to macro-economic stability, the Government are determined to create a climate in which all business, including manufacturing, can prosper.

Coal Industry

Mr. John Cryer: To ask the President of the Board of Trade if she will make a statement on the long-term future of Britain's coal industry. [25691]

Mr. Battle: The future of the UK coal industry will be influenced by many factors, some of which are currently the subject of reviews initiated by the Government, others of which are the subject of action already taken by the Government. I believe that the Government will be better placed to report to the House on their views of the future of the industry once we are in a position to report on the outcomes of those reviews.

Utilities (Regulation)

Mr. Breed: To ask the President of the Board of Trade when she expects the review of utility regulation to present its findings; and if she will make a statement. [25694]

Mr. Battle: I hope to be in a position to publish the conclusions of the Review on utility regulation in a Green Paper in the near future. Following publication, there will be a period of consultation during which all interested parties will have the opportunity to submit representations on any proposals for change. I do not propose to make a statement in advance of publication.

EU Structural Funds

Ms Atherton: To ask the President of the Board of Trade what progress the Government have made in obtaining objective 1 status for Cornwall. [25708]

Mrs. Roche: In its communication "Agenda 2000", published on 16 July 1997, the Commission outlined in general terms its approach to the reform of the Structural Funds. We expect the Commission to publish more detailed draft regulations covering the future operation of the Funds in March or April this year. These draft regulations, covering the period 2000–2006, will then need to be negotiated in the Council of Ministers and approved by the European Parliament. Only once the final regulations have been agreed will we know which specific regions or areas will be eligible for Structural Funds. I and other Ministers have raised the specific treatment of Cornwall and other similar UK areas with low per capita GDP directly with the Commission. The Government will be working hard to ensure an outcome which is fair to the UK's regions and to the UK as a whole.

Overseas Travel

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the cost of Ministerial overseas travel in her Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26598]

Mrs. Beckett: The estimated costs of Ministerial overseas travel for the years 1995–96, 1996–97 and 1997–98 to date are as set out.

Year	£
1995–96	399,000
1996–97	443,000
1997–98	176,000

British Coal Corporation

Yvette Cooper: To ask the President of the Board of Trade what arrangements have been put in place for the future management of the British Coal Corporation. [28564]

Mrs. Beckett: At the end of December 1997, most of the Corporation's remaining property was transferred to the Coal Authority, and the outstanding actual and contingent liabilities for accident and health damage claims were transferred to the DTI. In light of the greatly reduced scale of activity, I have decided that the future management of the Corporation should be provided from within the DTI (Coal Directorate) at 1 Victoria Street, London SW1H OET. I have accordingly appointed Mike Atkinson as Corporation Chairman with effect from 1 January 1998. I have no immediate plans for the dissolution of the Corporation.

Working Time Directive

Mr. Gray: To ask the President of the Board of Trade if she will make a statement on the extension of working time controls to sectors excluded from the Working Time Directive. [27529]

Mr. Ian McCartney: The European Commission issued a White Paper on the sectors and activities excluded from the Working Time Directive on 15 July last year. The White Paper was discussed by the Social Affairs Council on 15 December. As yet, the Commission has made no formal proposals to extend working time controls to the excluded sectors and activities.

Clean Coal Technology

Mr. Prior: To ask the President of the Board of Trade if she will make a statement on her Department's support for clean coal technology. [25721]

Mr. Battle: I refer the hon. Member to the answer given to my hon. Friend the Member for Normanton (Mr. O'Brien) on 26 January 1998, *Official Report*, column *54*.

Medicines (Retail Price Maintenance)

Dr. Brand: To ask the President of the Board of Trade what estimate she has made of the cost to public funds of the referral of retail price maintenance of over-the-counter medicines to the Restrictive Practices Court by the Office of Fair Trading; and if she will publish this estimate. [26804]

Mr. Nigel Griffiths *[holding answer 4 February 1998]:* Referrals to the Restrictive Practices Court are a matter for the Director General of Fair Trading. I am asking him to write to the hon. Member.

Racing Newspapers

Mr. Caplin: To ask the President of the Board of Trade (1) if she will make a statement on the proposed transfer to Mirror Group plc of the assets of *The Racing Post* and the right to use the title name; [26936]

(2) what assessment she has made of the percentage of the United Kingdom's existing racing newspaper market covered by *(a) The Racing Post* and *(b) The Sporting Life*. [26937]

Mr. Nigel Griffiths: I announced today that I have given my consent, under section 58 (4) of the Fair Trading Act 1973, to the transfer of *The Racing Post*, and its assets, from The Racing Post Limited to Mirror Group plc, without a reference to the Monopolies and Mergers Commission. In coming to this decision, I took into account all relevant considerations.

Concessionary Fuel Agreement

Mr. Clapham: To ask the President of the Board of Trade on what statutory basis he has decided to change existing entitlements to concessionary fuel as set out in the 1983 Concessionary Fuel Agreement. [22234]

Mr. Battle: We are required to ensure that, as a major purchaser of solid fuel, our purchasing does not discriminate between suppliers of fuels. Such discrimination is unlawful under Article 30 of the EC Treaty (Treaty of Rome) and under Articles 4 and 63 of the ECSC Treaty (Treaty of Paris). In addition, the Public Procurement Supplies Directive (93/36/EEC) imposes obligations of non-discrimination, spelt out particularly in the provisions relating to technical specifications. It is necessary that required specifications are not used in a potentially discriminatory manner. Specification of manufactured smokeless fuel products by brand name is not permitted.

Hydrogen-fuelled Vehicles

Mr. Edwards: To ask the President of the Board of Trade what proposals the Government have to assist research into the use of hydrogen as a fuel in the internal combustion engine. [25492]

Mr. Battle: The Government are supporting research at the University of Loughborough on novel techniques for the storage of hydrogen fuel. In addition, proposals have been invited under the Foresight Vehicles LINK Programme, covering the supply, distribution and provision for refuelling, of gaseous fuels for road vehicles, and also for on-board storage and re-forming of methane into hydrogen for use in fuel cells.

Radioactive Wastes

Mr. Llew Smith: To ask the President of the Board of Trade, pursuant to her answer to the hon. Member for Truro and St. Austell (Mr. Taylor) of 10 June 1997, *Official Report*, column *415*, on radioactive wastes, what progress has been made with the negotiations between BNFL and ENEL on the return of reprocessed Magnox radioactive wastes; and if she will place in the Library a copy of the exchange of letters between the United Kingdom and Italian Governments on the option to return wastes to Italy. [27245]

Mr. Battle: BNFL continues to negotiate with ENEL on the form and timescale of return of wastes from the reprocessing of the latter's Magnox fuel.

I have arranged for the letters between the British and Italian governments dated 29 February and 12 April 1984 and a translation into English of the Italian letter to be placed in the Library of the House.

Nuclear Fuel

Mr. Baker: To ask the President of the Board of Trade what is the total volume of spent nuclear fuel imported for reprocessing for each year since 1990 broken down to show *(a)* high level, *(b)* intermediate level and *(c)* low level waste, indicating countries of origin. [26979]

Mr. Battle *[holding answer 2 February 1998]:* Reprocessing of imported spent nuclear fuel is carried out at British Nuclear Fuels' site at Sellafield and by the United Kingdom Atomic Energy Authority at its Dounreay site. All spent nuclear fuel imported is categorised as high level.

While it is not possible to give figures for each year since 1990, in the period from 1 April 1990 to 31 March 1997, over 1,700 tonnes of spent nuclear fuel, which is categorised as high-level nuclear material, was imported for reprocessing in the United Kingdom. This material originated from Australia, Belgium, Germany, Italy, Japan, Netherlands, Spain and Switzerland.

SOCIAL SECURITY

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security what would be the gross annual cost of increasing the basic state pension by *(a)* £5, *(b)* £10 and *(c)* £20 per week; what would be (i) the annual savings in means-tested benefits and (ii) increased Treasury receipts from income tax if the basic state pension was increased by (1) £5 per week, (2) £10 per week, (3) £20 per week; and what increase in national insurance contributions would be needed to meet the net cost of increasing the basic state pension by (A) £5 per week, (B) £10 per week, and (C) £20 per week. [24807]

Mr. Denham: The information requested is set out in the tables.

The additional costs of increasing basic state pension in 1998–99 by £5, £10 and £20 if contributory retirement pension (RP) only increased

1998–99	*£5 increase*	*£10 increase*	*£20 increase*
Gross cost (£ million)	2,380	4,750	9,510
Income-related benefit offset (£ million)	-630	-1,210	-2,220
Income tax offset (£ million)	-190	-400	-830
National Insurance effects			
The Lower Earnings Limit would be increased to	£69	£74	£84
The Upper Earnings Limited would be increased to	£520	£560	£635
To offset the increase in net costs:			
The employees' NIC rate would have to be increased by	0.4 percentage points	0.9 percentage points	1.9 percentage points
The employers' NIC rate would have to be increased by	0.2 percentage points	0.5 percentage points	1.1 percentage points

The additional costs of increasing basic state pension in 1998–99 by £5, £10 and £20 if contributory retirement pension (RP) and linked benefits increase

1998–99	*£5 increase*	*£10 increase*	*£20 increase*
Gross cost (£ million)	2,860	5,720	11,440
Income-related benefit offset (£ million)	-750	-1,450	-2,710
Income tax offset (£ million)	-190	-400	-830
National Insurance effects			
The Lower Earnings Limit would be increased to	£69	£74	£84
The Upper Earnings Limit would be increased to	£520	£560	£635

The additional costs of increasing basic state pension in 1998–99 by £5, £10 and £20 if contributory retirement pension (RP) and linked benefits increase

1998–99	*£5 increase*	*£10 increase*	*£20 increase*
To offset the increase in net costs:			
The employees' NIC rate would have to be increased by	0.5 percentage points	1.0 percentage points	2.3 percentage points
The employers' NIC rate would have to be increased by	0.3 percentage points	0.6 percentage points	1.4 percentage points

Notes:

1. All estimates are rounded to the nearest £10 million.
2. Gross costs were estimated by the Government Actuary's Department (GAD).
3. The effect on income tax revenues were estimated by Inland Revenue.
4. Means-tested benefit offsets were calculated using the 1995–96 Family Resources Survey and the May 1996 Income Support Quarterly Statistical Enquiry, both uprated to 1997–98 prices, benefits and earnings levels, and calibrated to the forecasts underlying the 1997 Departmental Report.
5. The lower earnings limit and the upper earnings limit are legally linked to the rate of basic State pension; The Class 2 and Class 3 rates are all tied to the basic State pension rate by convention. GAD have assumed that all these limits and rates will continue to be linked to the RP rate. Hence altering the basic State pension rate has an automatic knock-on effect on several aspects of the contributions system.
6. Inland Revenue are not able to estimate the effect of increasing the linked benefits on income tax revenues. The net costs of increasing contributory RP and the linked benefits have therefore been calculated by subtracting the estimated increase in income tax receipts from increasing contributory RP only from the net DSS costs of increasing contributory RP and the linked benefits.
7. Since income related benefits and income to tax revenues do not form part of the NI Fund, the revenue raised from increasing National Insurance Contribution rates on the basis shown will be insufficient to meet the extra expenditure falling on the Fund from the stated benefit increases.

Civil Servants

Mr. Duncan: To ask the Secretary of State for Social Security if she will list by grade the number of officials in her Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27450]

Mr. Denham: From 1 April 1996, the Department moved away from grades for staff previously at grade 5 and above, to a system based on nine overlapping paybands. Posts were scored in a range of 7 to 22, using Job Evaluation of Senior Posts (JESP) methodology. Posts with a JESP score of 13 or above are considered to be equivalent to grade 3 or above.

Since 1 May 1997, no officials have taken early retirement; no officials have taken official leave; no officials have been dismissed; one civil servant in a post with a JESP score of 16 has changed jobs within the Department; three civil servants in posts with JESP scores of 13, 16 and 20 respectively have moved to another Department; no officials have been offered and rejected an alternative position within this Department or another Department.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the expenditure of her Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will list the newspapers and magazines purchased or subscribed to on a regular basis. [26622]

Mr. Field: The information is not available in the format requested. Such information as is available is set out. Offices of the Department's Agencies also subscribe to publications; however, details of these are not held centrally and could be obtained only at disproportionate cost.

Expenditure on newspapers and magazines

Year	£
1995–96 (approximate)	68,000
1996–97	74,058
1997–98 to date	72,002
1997–98 (estimated outturn for year)	87,514

The Department subscribes to a wide range of publications including all of the major daily and weekend newspapers.

Magazines currently purchased include:

The Actuary
American Economic Review
Anbar Abstracts
Anti Poverty Matters
Bank of England Quarterly Bulletin
Benefits and Compensation International
The Big Issue
Byte
Campaign
CCTA Technology Update
Community Care
Current Research in Social Security
Disability Now
Economic Trends
Economist
Equal Opportunities Review
Europe Daily Bulletin
European Social Policy
Family Matters
Financial Adviser
Findings: Joseph Rowntree Foundation
Government Business
Health and Safety at Work
Health Service Journal
Housing Review
Housing Today
IBIS Review
IDS Pension Service Bulletin
Interfaces
International Social Security Review
Internet Magazine
Investors Chronicle
Journal of Documentation

Journal of European Social Policy
Journal of Political Policy
Journal of Social Security Law
Journal of Social Welfare and Family Law
Labour Market Quarterly Report
Lancet
Legal Action
Management Today
Managing Information
Money Management
Municipal Journal
National Institute Economic Review
Nature
New Law Journal
New Scientist
New Statesman
Occupational Health
Occupational Pensions
OECD Observer
Official Journal of the European Communities
Online
Oxford Economic Papers
PC Magazine
Pensions Age
Pensions Management
Personal Computer World
Political Quarterly
Press Gazette
Private Eye
Records Management Journal
Roof
Scientific American
Social Policy and Administration
Social Policy Bulletin
Social Security Abroad
Spectator
Taxation
Total Quality Management
Trends in Social Security
Voluntary Voice
Volunteering
The Week
Welfare Rights Bulletin
What Investment
Which
Work, Employment and Society
Working Brief

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) her Department, (ii) agencies and (iii) other public bodies for which she has responsibility, in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year. [26621]

Mr. Field: When calculating the cost to the department of "empty properties" it has been assumed that reference was being made to properties that are wholly vacant and not to vacant space within the department. The value of such Crown properties has been calculated to be £429,000. The last valuation exercise was conducted in June 1995, information for 1996 to date could be obtained only at disproportionate cost. The amount of commercial rent that is payable on the property that is also vacant, for the period 1997–98 is approximately £1.01 million.

There are properties on the estate that have been identified as having space that is vacant, but as the building is still used to house staff employed by the department these properties have not been included in calculating the figures used in this response. The disposal of surplus space has formed part of the recently signed PRIME contract whose aim is to reduce the overall running costs to the department of the space needed to deliver the department's business.

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non departmental public bodies, in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27747]

Mr. Denham: The estimated cost of theft and detected internal fraud within the Department of Social Security for the years 1995–96 and 1996–97 is shown in the table. It is not yet possible to provide costing figures for the year 1997–98.

£000

Agencies	*1995–96*	*1996–97*
BA	1,190	693
CSA	27	5
CA	23	22
WPA	1	0
ITSA	6	33
HQ	16	30
Department total	1,263	783

Note:
The estimated cost figures for non-departmental public bodies for 1995–96 is £300 and nil cost for 1996–97.

The previous administration estimated the level of benefit fraud at around £4 billion a year. The Government are currently examining the estimate of fraud in the light of further analysis of the findings of the ongoing programme of benefit reviews.

Contract (Criteria)

Mr. Woolas: To ask the Secretary of State for Social Security what plans she has to apply best value criteria to the awarding of contracts for provision of accommodation and office services for her Department. [26538]

Mr. Field: Bids from the private sector will be tested against the criteria outlined in my announcement of 31 July 1997 to ensure that service delivery proposals work and that they are fair to customers, taxpayers and staff. They will establish a minimum quality of service threshold that must be met; give priority to flexible service delivery, controlled through robust quality

monitoring systems that ensure high performance; and test bidders' plans for managing people against our new strengthened criteria and concern for staff issues. Contracts will not be awarded unless they meet these criteria, no matter how low the price.

Child Care Disregard

Mr. Chisholm: To ask the Secretary of State for Social Security what estimates were made for take-up of the child care disregard on family credit prior to its introduction; what percentage of family credit claimants actually receive the child care disregard; and what assessment she has made of the reasons underlying the take-up rate. [25632]

Mr. Keith Bradley: The original estimate was that, in the long term, 150,000 families would benefit from the child care disregard.

The latest figures available, as at August 1997, for Family Credit recipients with an allowed claim for child care costs are set out in the table:

	Number	*Percentage*
Number of Family Credit recipients	757,000	
Number with allowed claim for help with child care	37,000	4.9
of which receiving no extra benefit	5,000	0.7
of which receiving extra benefit	32,000	4.2

Source:
Family Credit 5 per cent. sample of all awards.

It is not possible to assess the reasons underlying the level of take up as the take up estimates produced for the income-related benefits do not provide estimates of component elements such as the child care disregard.

The number of families who benefit from the child care disregard reflects the lack of affordable, quality child care. The development of a National Child Care Strategy will seek to ensure that the provision of affordable, quality child care meets the needs of parents so that they may successfully balance their family and working lives.

Councillors' Allowances

Mr. Bob Russell: To ask the Secretary of State for Social Security, pursuant to her answer of 22 January 1998, *Official Report*, column *671*, on councillors' allowances, if she will list concessions in the benefits system which are available to councillors but not to other people. [25859]

Mr. Keith Bradley: Neither Jobseeker's Allowance nor Income Support are payable to people who work for 16 hours a week or more on average. Work done as a councillor does not count towards the 16 hours allowed before benefit entitlement ceases.

Travel allowances paid to councillors, including those from home to council offices, are also ignored for benefit purposes. For other part-time employees, work related expenses, including travel expenses, are not disregarded.

Lone Parents

Mr. Burns: To ask the Secretary of State for Social Security, pursuant to his answer of 22 December 1997, *Official Report*, column *465*, for the period 23 July 1997 to 23 January 1998, how many *(a)* letters were sent out to lone parents, *(b)* lone parents attended interviews or booked appointments, *(c)* lone parents agreed to continue to participate following an interview, *(d)* lone parents found jobs, *(e)* lone parents failed to respond to the initial letter sent to them and *(f)* lone parents declined to participate following an interview with a personal adviser. [27540]

Mr. Keith Bradley: Sufficient data to evaluate the results of the New Deal for Lone Parents are not yet available, and conclusions cannot be drawn from early figures. A full report of the New Deal for Lone Parents will be published in 1999. The impact of the first phase will be measured by comparing outcomes for lone parents in the New Deal areas with the outcomes for lone parents in a similar, but geographically separate, group of control areas where the New Deal service is not yet available.

Information on the operation of the New Deal for Lone Parents is available up to and including 31 December.

As at 31 December 1997:

16,311 first invitations had been issued to lone parents.

5,240 initial interviews had been arranged, and 3,404 lone parents had attended interviews.

2,728 lone parents had agreed to participate in the New Deal for lone Parents following initial interviews.

1,015 lone parents have found jobs following agreement to participate in the New Deal for Lone Parents programme.

Information on the number of lone parents who have failed to respond to initial letters is not available from the Management Information Statistics reports which are kept on New Deal for Lone Parents. However, Personal Advisers will follow up initial letters with further contacts.

676 lone parents have declined to participate in the New Deal for Lone Parents programme following an interview with a personal adviser.

Mr. Duncan Smith: To ask the Secretary of State for Social Security how many lone parents through the New Deal for Lone Parents *(a)* have been sent letters, *(b)* have obtained employment and *(c)* of those who obtained employment were in full-time employment on 1 February. [27698]

Mr. Keith Bradley: Data for 1 February 1998 are not yet available. As of 31 December 1997, 16,311 lone parents had received initial letters through the New Deal for Lone Parents; 1,015 lone parents had obtained employment; of which 755 were in full-time employment.

Mr. Duncan Smith: To ask the Secretary of State for Social Security how many lone parents who have obtained work through the New Deal for Lone Parents scheme are aged *(a)* between 21 and 25, *(b)* between 26 and 30, *(c)* between 31 and 35, (e) between 36 and 40 and (f) over 40 years of age. [27699]

Mr. Keith Bradley: The information requested is set out in the table.

Number of lone parents who have obtained work through the new deal for lone parent by age groups as of 31 December 1997

Age Group	Number of lone parents who have obtained jobs
21 - 25	139
26 - 30	219
31 - 35	249
36 - 40	220
over 40	155

Mr. Sarwar: To ask the Secretary of State for Social Security what is her estimate of the number of lone parents who are *(a)* in work and *(b)* not in work. [25648]

Mr. Keith Bradley: We estimate that there are around 730,000 lone parents in work and 930,000 out of work.

Notes:

These figures are derived from the latest Department of Social Security estimates of the total number of lone parents in 1996–97, and from the Spring 1997 Labour Force Survey which suggests that around 44 per cent of lone parents in Great Britain are in work.

"In work" includes those lone parents who are employed, self-employed and in Government training schemes on a part-time or full-time basis.

Figures rounded to the nearest 10,000.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security if she will estimate the rates of absenteeism in her *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if she will make a statement. [26620]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Days sickness absence per member of staff per year for 1995

	Days sickness absence
Department overall	11.8
BA	12.7
CA	12.5
CSA	13.4
ITSA	9.7
WPA	13.0
HQ inc ISBs	10.5

Notes:

1. The table shows the number of days of sickness absence per member of staff per year. It includes overall Departmental figures, plus Agencies and Headquarters separately.
2. The Headquarters figure includes all non-departmental public bodies.
3. The figures are available in the occupational Health and Safety Agency published reports, copies of which are in the library.
4. 1996 figures are due to be published shortly. 1997 figures are not yet available.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security if she will list those items valued at more than £25 stolen or lost from her Department since 1 May 1997; and if she will make a statement. [27748]

Mr. Denham: The information is not available. The Department does not separately maintain centralised records of individual items stolen.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security if she will list the conferences held by her Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27749]

Mr. Denham: The information is not available as it is not held centrally. Such information as is available is as follows.

Expenditure brought to account on Management Conferences for Departmental staff between 1 May and 31 December is £958,201.

Additionally expenditure brought to account on seminars for employers on National Insurance issues between 1 May and 31 December is £17,376.

Fraud

Mr. Swinney: To ask the Secretary of State for Social Security if she will make a statement on the basis on which estimates of the annual cost of benefit fraud are made. [27923]

Mr. Denham: The previous administration based estimates of the level of benefit fraud on the findings of the on-going programme of Benefit Reviews. Copies of published Benefit Reviews are available in the Library. The Government are currently examining the estimate of fraud in the light of further analysis of the results of the Benefit Review programme.

Income Support

Mr. Swinney: To ask the Secretary of State for Social Security if she will estimate the saving to the Exchequer from unclaimed income support in respect of pensioners; how much has been spent by her Department directly on advertising income support entitlement to the elderly; and if she will make a statement. [27894]

Mr. Keith Bradley: The Department's spending plans assume existing levels of take-up of benefits, taking into account any observed trends. Unclaimed benefit does not, therefore, represent a saving on published spending plans. Latest estimates are that between £670 million and £890 million of Income Support was unclaimed by around a million pensioners in 1995–96. We are determined to get help to this group, and have already commissioned research to find out why they do not make a claim. From April, we will be spending £15 million on a number of pilot projects to find the best way of encouraging them to make a claim.

In 1996–97, the Benefits Agency spent over £5 million on publicising all benefits. It is not possible to identify how much of that figure directly related to Income Support for the elderly.

Ministerial Meetings

Miss McIntosh: To ask the Secretary of State for Social Security if she will make a statement on the meetings of 17 December between her Minister and

(a) the Social Affairs Commissioner in Strasbourg and *(b)* Members of the Employment and Social Affairs Committee in the European Parliament. [27700]

Mr. Keith Bradley: I met Commissioner Flynn and, separately, Members of the Employment and Social Affairs Committee of the European Parliament as part of a series of bilateral contacts in preparation for the UK Presidency of the European Union. I used the opportunity to explain the UK's Presidency priorities in the Social Security field and to listen to the views of both Commissioner Flynn and MEPs about the UK's plans.

I explained that the priorities in the Social Security field would complement the key UK Presidency theme of employability and tackling unemployment. In particular, the UK Presidency would seek to reach agreement on the draft Directive on Supplementary Pensions aimed at protecting pension rights for employed and self-employed people who take up employment in another Member State. The UK would also work towards agreement on legislation and other action to modernise and improve the long-standing rules that coordinate the operation of Member States' statutory Social Security schemes for people moving between Member States.

Child Support Agency

Ms Keeble: To ask the Secretary of State for Social Security when the current study of the Child Support Agency literature will be complete; and when the revised material will be produced. [26212]

Mr. Keith Bradley: We expect the Child Support Agency to provide an efficient and effective service to all its clients.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Faith Boardman to Ms Sally Keeble, dated 4 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the current study of Child Support Agency literature.

The current study is examining the Agency's most frequently used literature. It is due to be completed by April 1998 when it will make recommendations on the future development and review of all Agency literature. To date, it has reviewed and simplified around 60 forms and leaflets in accordance with Plain English standards and 16 key forms have been awarded the Plain English Campaign's Crystal Mark. Some forms have also been amalgamated.

Offices are already using the new revised literature as stocks of existing literature become exhausted. It is not possible therefore to give specific dates when the new literature has been or will be used.

I hope this is helpful.

Disability Living Allowance

Mr. Burstow: To ask the Secretary of State for Social Security if she will list the numbers of people in respect of the Benefit Integrity Programme *(a)* assessed to date by postal questionnaire, *(b)* assessed to date by interview, *(c)* in *(a)* who have had their disability living allowance reduced, (d) in *(b)* who have had their disability living allowance reduced, (e) in *(c)* who have appealed against the reduction, (f) in *(d)* who have appealed against the reduction, (g) in *(e)* who have succeeded in their appeal and (h) in *(f)* who have succeeded in their appeal. [26511]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefits Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 4 February 1998:

The Secretary of State for Social Security has asked me to reply to recent Parliamentary Question regarding the numbers of people in respect of the Benefit Integrity Programme (BIP) *(a)* assessed to date by postal questionnaire, *(b)* assessed to date by interview, *(c)* in *(a)* who have had their disability living allowance reduced, *(e)* in *(c)* who have appealed against the reduction, *(f)* in *(d)* who have appealed against the reduction, *(g)* in *(e)* who have succeeded in their appeal and *(h)* in *(f)* who have succeeded in their appeal.

The number of people whose award of Disability Living Allowance (DLS) has been re-examined as part of BIP at 31 December is 40,615. Of these, 25,638 cases have been dealt with by postal enquiry and 7,515 have been visited. A further 7,462 cases where a short term award of DLA was approaching renewal, have bee dealt with by asking for further medical evidence to support the renewal application.

Of the cases dealt with by postal enquiry, 3,520 have had their benefit reduced, this includes 1,274 whose benefit has been stopped and of the cases dealt with by visit, 845 have had their benefit reduced, this includes 153 whose benefit has been stopped.

The first recourse of anyone who is dissatisfied with a decision to reduce the amount of their benefit is to request a review of that decision by a different Adjudication Officer. Data concerning reviews is not available until the review outcome is known so it is not possible to tell you how many people in each category have requested a review. However, of the 3,520 postal cases where benefit has been reduced/stopped, 783 have been reviewed of which 162 have been increased (119 of these have been increased back to—or higher than—the rate in payment before BIP postal enquiry). Of the 845 visit cases whose benefit has been reduced/stopped, 59 have been reviewed leading to 12 increases (9 of these have been increased back to the rate in payment before the BIP visit).

Anyone dissatisfied with the review decision is entitled to appeal to an Independent Tribunal. At 31 December, 311 Appeals have been received but no cases have been heard by the Independent Tribunal Service.

I hope you find the reply helpful.

Tribunal Appeals

Mr. Kidney: To ask the Secretary of State for Social Security what assistance is available to applicants for disability benefits for obtaining medical evidence in support of tribunal appeals. [25738]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. David Kidney, dated 4 January 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question regarding what assistance is available to applicants for disability benefits for obtaining evidence in support of tribunal appeals.

Claims for Disability Living Allowance (DLA) are decided by independent adjudicating authorities who are specially appointed under legislation for the purpose. They are responsible for deciding if the conditions for entitlement are satisfied.

Entitlement to DLA is primarily based upon the needs of a customer arising from their disability or illness rather than the diagnosis of a customer's illness or disability. The self assessment statement provided by a customer detailing their needs is therefore the principle factor in determination of a claim. The onus for providing this evidence lies with the customer. There has been a move away from the reliance of a medical assessment and more emphasis is placed upon a person's day to day care and mobility needs. The customer is considered best placed to know the practical effects of the disability.

In the majority of claims for DLA an Adjudication Officer (AO) can determine the application based upon the self assessment information provided. The AO may find that there is sufficient evidence on the balance of probability and make a decision in favour of, or against, the customer. An AO must however, request factual evidence from other sources, if this is required to make an accurate and fair decision. A customer has the opportunity to request a visit from an independent doctor on the initial application forms.

Similarly, in keeping with other decisions on DLA the emphasis on decisions made by Disability Appeal Tribunal's (DATs) is on the customer's own evidence of how their disability or illness affects them rather than a purely medical assessment. There may be some situations where further medical information may be the only way a DAT could reasonably reach a decision. For these cases procedures are in place whereby a medical examination can be undertaken or other medical information collected prior to the DAT hearing. It is also open for an appellant to produce any supportive evidence from carer's or other sources which can be presented to the tribunal.

I hope you find the reply helpful.

EDUCATION AND EMPLOYMENT

Education Spending

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will list the average amount spent per pupil in Shropshire relative to the national average for those of *(a)* primary and *(b)* secondary school age for each year from 1991–92 to 1996–97. [27104]

Mr. Byers: The table sets out the net institutional expenditure per pupil in LEA maintained pre-primary/primary schools and secondary schools from 1991–92 to 1996–97 for Shropshire LEA and England. Expenditure on pupils in GM schools is not included.

LEA maintained schools cost per pupil

	Pre-primary, primary		*Secondary*	
	Shropshire	*England*	*Shropshire*	*England*
1991–92	1,497	1,469	2,349	2,145
1992–93	1,590	1,583	2,509	2,256
1993–94	1,577	1,630	2,354	2,245
1994–95	1,605	1,661	2,413	2,270
1995–96	1,573	1,687	2,384	2,286
1996–97 Provisional	1,613	1,733	2,445	2,333

National Curriculum

Dr. Tonge: To ask the Secretary of State for Education and Employment what plans he has for introducing international development into the National Curriculum. [27172]

Ms Estelle Morris: There are already requirements and opportunities for pupils to study issues related to international development through the National Curriculum, particularly in geography and history. The Qualifications and Curriculum Authority is due to give formal advice this Spring on the scope and nature of possible revisions to the National Curriculum after 2000. Meanwhile, the new flexibility in the primary curriculum will give schools more opportunity to offer intentional development education if they wish.

Pupil:Teacher Ratio (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will estimate the pupil:teacher ratio in Shropshire for the *(a)* maintained nursery, *(b)* primary and *(c)* secondary sectors for (i) 1997–98 and (ii) 1998–99. [27103]

Mr. Byers: Information on pupil:teacher ratio estimates for individual Local Education Authorities is not available.

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment what was the pupil:teacher ratio for Shropshire for the *(a)* maintained nursery, *(b)* primary and *(c)* secondary sectors for each year since 1992. [27105]

Mr. Byers: The available information is shown in the table:

Pupil:teacher ratios in maintained nursery, primary and secondary schools in Shropshire
As at January in each year

Year	*Nursery schools*	*Primary schools*	*Secondary schools*[1]
1992	10.0	21.5	15.2
1993	15.0	22.0	15.6
1994	21.8	23.1	16.1
1995	22.1	23.3	16.2
1996	20.9	24.3	16.5
1997	21.3	24.4	16.5

[1] Excludes Sixth Form Colleges

Civil Servants

Mr. Duncan: To ask the Secretary of State for Education and Employment if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27458]

Dr. Howells: Since 1 May 1997, 3 officials at Director (broadly equivalent to the former grade 3) level in DfEE (including the Employment Service) have taken early retirement, none have taken official leave and none have

been dismissed. Two have moved to posts at Director level on promotion, 1 has returned to DfEE at this level having been on loan to another Department and 1 has returned to the Department at this level after a secondment to an outside organisation. No one at Director level has moved to another Department or been offered and rejected an alternative position, either within the Department or in another Department. None of the circumstances listed have applied to anyone at Director General (broadly equivalent to the former grade 2) level and above in DfEE since 1 May 1997 although further restructuring of the DfEE Board later this year is likely to involve 1 early retirement and 1 change of job.

Qualifications Curriculum Authority

Miss McIntosh: To ask the Secretary of State for Education and Employment if he will make a statement on the annual budget of the Qualifications Curriculum Authority. [25784]

Ms Estelle Morris: I refer the hon. Member to my reply on 1 December 1997, *Official Report*, column *11*. I expect the Authority to submit its Corporate Plan to my right hon. Friend, the Secretary of State, in the very near future. He will then determine the Authority's grant in aid. My Department has indicated to the Authority that a sum of around £53 million will be available.

Written Answers to Questions

Friday 6 February 1998

TREASURY

Paymaster General

Mr. Lilley: To ask the Chancellor of the Exchequer if the Paymaster General intends to take legal action against Business Age relating to the article about him on Friday 30 January. [28038]

Mr. Gordon Brown: This is not a matter for me.

Foreign Income Dividends

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer how many companies have paid foreign income dividends since 2 July 1997. [27720]

Mr. Geoffrey Robinson: About 500 companies have paid foreign income dividends (FIDs) since 2 July 1997. This includes companies without an overseas source of income of their own but who have received FIDs from companies in which they have an equity holding.

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if he will estimate the effect on revenue from ACT consequential on the abolition of foreign income dividends in July 1997. [27719]

Mr. Geoffrey Robinson: Since July 1997 when my right hon. Friend the Chancellor of the Exchequer announced the abolition of foreign income dividends (FIDs) in April 1999 and the ending of payable tax credits for pension funds and UK companies, FIDs have increased to cost about £1 billion a year in lower advance corporation tax (ACT). This loss will be subsumed in the Pre-Budget Report proposals for a modern system of corporation tax payments which include the abolition of ACT on dividends paid after 6 April 1999.

Small Firms

Mr. Whittingdale: To ask the Chancellor of the Exchequer (1) what was the total amount collected by smaller quoted companies on behalf of the Government through PAYE during 1997 or the most recent year for which figures are available; [27109]

(2) what contribution was made by smaller quoted companies in terms of *(a)* corporation tax paid, *(b)* employees' income tax paid and *(c)* national insurance contributions paid during 1997 or the most recent year for which figures are available. [27108]

Mr. Geoffrey Robinson: I regret that this information is not available.

Stock Exchange

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on the future of the London Stock Exchange's role as the competent authority for listing. [28633]

Mr. Darling: The London Stock Exchange (LSE) is currently, under the Financial Services Act 1986, the competent authority for listing in the United Kingdom. I have considered future arrangements against the background of our decision to have a single statutory regulator, the Financial Services Authority, for financial services.

I have concluded that the case for change at this stage is not made. The LSE is operating satisfactorily in creating and enforcing listing rules in a way which gives confidence to investors, while meeting the commercial needs of users. Before any change were made we would need to be sure that this was fully justified on the balance of the arguments, and that arrangements for satisfactory transition were in place.

Accordingly this will be a matter kept under review. Among the factors which may be relevant to any decision to transfer functions could be the institutional arrangements for tackling market abuse and the impact of increased competition in the UK's securities markets.

The new Bill to reform the 1986 Act will therefore name the LSE as competent authority. However, I also intend that the Bill will include a power for the Treasury to transfer the competent authority functions, in part or in whole, to another body by secondary legislation.

Tax Avoidance

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on the tax treatment of transactions in futures and options designed to produce a guaranteed return. [28677]

Dawn Primarolo: The Government have already announced their intention to act against leakages of tax from artificial avoidance devices. Last year's Finance Act included legislation designed to counter tax avoidance schemes which used options or futures to convert income into capital gains. But it did not cover every possible device.

The Inland Revenue have been instructed to prepare legislation for inclusion in the next Finance Bill which will counter, with effect from today, one class of avoidance devices which is not covered by the Finance Act 1997 and from which significant amounts of tax may be at risk. Details of the device concerned, and the proposed legislation, are included in an Inland Revenue Press Release which is published today.

ATTORNEY-GENERAL

Charity Commission

Dr. Desmond Turner: To ask the Attorney-General what assessment he has made of the scrutiny carried out by the Charity Commission of the actions of the trustees of the French Convalescent Home with regard to the sale of the home. [27358]

The Attorney-General: None: it is not for me to assess any scrutiny that may have been carried out by the Charity Commissioners into the actions of Charity trustees.

I do have a right of appeal against an Order of the Charity Commissioners establishing a scheme for a charity. In the case of the scheme concerning the French Convalescent Home in Brighton my assessment was that grounds on which the court could quash the scheme were not made out.

Dr. Desmond Turner: To ask the Attorney-General if he will make a statement on the extent to which trustees should be required to exercise duties and responsibilities before the Charity Commission exercises its discretion under the Charities Act 1993. [27359]

The Attorney-General: The Charity Commission, in pursuit of its statutory responsibility for promoting the effective use of charitable resources, makes guidance available to all charity trustees on the exercise of their duties. This explains that trustees must at all times act reasonably and prudently in matters relating to the charity and that they must always bear in mind the interests of the charity.

While charity trustees remain responsible for the administration of their charity within its existing trusts, the Commission has the power to establish a scheme for the future administration of a charity where it is clear that the charity's trusts have ceased to provide a suitable and effective method of using the available assets. It is the duty of the trustees to consider seeking such a scheme in those circumstances or where there are other difficulties in giving effect to the charity's original objectives.

HOUSE OF COMMONS

House of Commons Stationery

Mr. Ashton: To ask the Chairman of the Administration Committee if the Committee has yet reviewed the current regulations on use of House of Commons post paid envelopes and stationery referred to in Early Day Motion 597 (Conduct of the hon. Member for Bassetlaw and use of House of Commons post paid envelopes); and if she will make a statement. [28632]

Mrs. Roe: At its meeting on 27 January the Administration Committee reviewed the current regulations on House stationery and post paid envelopes, taking into consideration the points made in the hon. Gentleman's Early Day Motion.

The Committee accepted the implications contained in the Early Day Motion, that it was not the intention of the existing regulations that hon. Members should be prevented from using this stationery in order to write to each other on legitimate Parliamentary business; the Committee accepted also that the circumstances surrounding the hon. Gentleman's letter that he referred to, and that from the hon. Member for Worcester (Mr. Foster), which was also mentioned, were such that those letters should be properly regarded as having been sent on an essentially Parliamentary matter.

In order to clarify the existing rules on House stationery and post paid envelopes, the Committee has determined that paragraph 4 (Original House stationery) should be amended to read as follows:

"Original House stationery should not be used for circulars of any description, except those sent to other Members of the House in direct connection with a Members' Parliamentary duties, or as provided by the rules stated below";

and that Paragraph 8(d) (Post paid envelopes) be amended to read:

for circulars of any description excluding those referred to in paragraph 4 above, but including those in paragraph 7".

Madam Speaker has endorsed the Committee's recommendations, and the new regulations take immediate effect.

It may be opportune to remind all hon. Members of two points; firstly, that it is not permitted to use post paid envelopes for internal mail, and secondly, that there is no limit on the number of letters that an hon. Member may post in the internal mail.

With respect to the hon. Gentleman's final point, the Committee considers that if an hon. Member believes that House property or facilities are being misused by another hon. Member, then it is appropriate that the matter is brought to the attention of the relevant House authority. This Committee has no authority to insist that a complainant should make themselves known; however, the Committee does consider that, as a matter of common courtesy, a complainant should inform the hon. Member who is the source of such a complaint that the matter has been brought to the attention of the House authorities.

Cabinet Salaries

Mr. Redwood: To ask the President of the Council what plans the Government have to restore Cabinet salary differentials over junior Ministers; and over what timescale. [28193]

Mrs. Ann Taylor: The Government's position on ministerial salaries after 1 April 1999 will be announced nearer the time.

PRIME MINISTER

Overseas Visits

Mr. Redwood: To ask the Prime Minister what was the cost to public funds for travel and accommodation for the staff, Prime Minister and Mrs. Blair on their trip to Japan. [23477]

The Prime Minister *[holding answer 16 January 1998]:* Details of costs are not yet available.

Mr. Heathcoat-Amory: To ask the Prime Minister when he gave written permission to the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) to take Miss Geraldine Daly to an EU meeting in Luxembourg. [26248]

The Prime Minister *[holding answer 29 January 1998]:* It is not the practice to publish exchanges of ministerial correspondence.

Social Exclusion Unit

Mr. Stunell: To ask the Prime Minister what plans he has to appoint an independent representative of the housing professions to the Social Exclusion Unit; and if he will make a statement. [25786]

The Prime Minister: None. Members of the Social Exclusion Unit are not chosen to act as representatives of any particular field. Given the need to keep the Unit to a sensible size it is not possible to select from every relevant background. We have selected members with a wide range of experience, who will work proactively to draw in the views and expertise of people from other backgrounds, including housing.

HOME DEPARTMENT

Prisoner Transfers

Mr. McNamara: To ask the Secretary of State for the Home Department how many prisoners expressed an interest or applied for a transfer to the Republic of Ireland *(a)* between 1 November and 31 December 1996 and *(b)* in 1997; and how many of these transfers have been completed. [27408]

Ms Quin: Between 1 November and 31 December 1996, four prisoners held in England and Wales applied for transfer to the Republic of Ireland. In 1997, 39 prisoners applied for transfer to the Republic of Ireland. Six of these 43 prisoners have now been repatriated to prisons in the Republic.

Mr. McNamara: To ask the Secretary of State for the Home Department how many prisoners expressed an interest or applied for a transfer from the Republic of Ireland to the United Kingdom *(a)* between 1 November and 31 December 1996 and *(b)* in 1997; and how many of these transfers have been completed. [27411]

Ms Quin: The date on which prisoners seeking repatriation from the Republic of Ireland to England and Wales expressed an interest or applied for repatriation is not held by the Prison Service. However, since 1 November 1995, five prisoners have been repatriated from the Republic of Ireland to England and Wales.

Empty Property

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26677]

Mr. Straw *[holding answer 5 February 1998]:* My Department's estimate of the annual cost and total value of the empty properties (excluding empty homes) it owns for each of the financial years requested is as follows:

£000

	1995–96	*1996–97*	*1997–98 to date*	*1997–98 full year*
Total costs	925	914	227	254
Total value	6,081	6,045	4,480	4,480

These figures do not take account of the empty homes owned by my Department for which central records are not held. A meaningful estimate could therefore be made only at disproportionate cost. Progress in reducing the number of these is reported annually.

Police Expenditure

Mr. Tyrie: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 February 1998, *Official Report*, column *529*, on expenditure on police, by how much his proposals for the overall spending of police authorities for 1998–99 increase the proposed budget under the previous administration's spending plans. [27814]

Mr. Michael *[holding answer 5 February 1998]:* Under plans announced by the previous Administration in the 1997 Annual Report of the Department of the Environment (Cm 3607), police Total Standard Spend (TSS) in England was expected to be £6.576 billion in 1998–99. TSS is the level of revenue spending which the Government consider appropriate for police authorities to spend in aggregate. Comparable figures for Welsh police authorities were not made available.

Following publication of the Police Grant Report (England and Wales) 1998–99 (HC492), which was laid in the House on 2 February, and under the capping proposals for police authorities announced by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions on 2 December and re-stated on 2 February, the overall spending power of police authorities in England in 1998–99 will increase to around £6.788 billion.

Drugs (Education)

Mr. Clappison: To ask the Secretary of State for the Home Department what strategies he has put in place since 1 May 1997 (1) to support successful local projects involving police, local government, schools and businesses aimed at curbing the activities of dealers in illegal drugs; [26298]

(2) how many joint programmes to promote the education of young people as to the dangers of illegal drugs have been (i) undertaken and (ii) planned for since 1 May 1997 between his Department and *(a)* the Department for Education and Employment, *(b)* the Department of Health and *(c)* the President of the Council; [26301]

(3) how many programmes to promote the education of young people as to the dangers of illegal drugs his Department has initiated since 1 May 1997. [26269]

Mrs. Ann Taylor: I have been asked to reply.

Since 1 May the Government have supported a range of existing activities against dealers through, for example, the Home Office Drug Prevention Initiative.

The police service has always taken a leading role in the fight against drugs. To reinforce this the Home Secretary, on 4 November 1997, set as one of the key objectives for policing in 1998–99

"to target drug-related crime in partnership with other agencies".

The police have already forged working relationships with other agencies to counter drug misuse and drug-related crime; this will encourage even more co-operation.

DEFENCE

Transport Aircraft

Mr. Hancock: To ask the Secretary of State for Defence what are the nominal pay loads, ranges, speeds and cargo space dimensions for *(a)* C130, *(b)* FLA and *(c)* C-17 transport aircraft. [27507]

Mr. Spellar: Manufacturers' brochure figures for the aircraft in question are:

(a) C-130J-30

Design payload (2.5g manoeuvre limits)—16.3 Tonnes

Range at design payload (2.5g manoeuvre limits)—2,400 Nautical Miles

Cruise speed—0.52 Mach

Maximum cargo floor length (excluding ramp)—16.76m

Maximum cargo floor width—3.12m

Cargo hold height—2.74m.

(b) FLA

Design Payload (2.5g manoeuvre limits)—25.0 Tonnes

Range at design payload (2.5g manoeuvre limits)—2,100 Nautical Miles

Cruise speed—0.68 Mach

Maximum cargo floor length (excluding ramp)—17.25m

Maximum cargo floor width—4.00m

Cargo hold height—3.85m to 4.00m

(c) C-17

Design payload (2.5g manoeuvre limits)—55.4 Tonnes

Range at design payload (2.5g manoeuvre limits)—3,300 Nautical Miles

Cruise speed—0.74 Mach to 0.77 Mach

Maximum cargo floor length (excluding ramp)—20.78m

Maximum cargo floor width—5.49m

Cargo hold height—3.76m to 4.11m

Performance figures will have been based on detailed technical assumptions made by the individual manufacturers and will not be, in all respects, directly comparable. Additionally, aircraft payload/range performance will vary depending on a number of factors such as mission profile, fuel reserves, manoeuvring limits and atmospheric conditions.

Comparisons between aircraft types would normally take into account a much wider range of performance characteristics and other factors.

Radiological Weapons

Mr. Cousins: To ask the Secretary of State for Defence at which locations he is undertaking research into *(a)* laser, *(b)* x-ray and *(c)* other radiological weapon systems. [26944]

Mr. Spellar: The employment of laser weapons designed to cause permanent blindness in unenhanced vision is banned by Protocol IV to the UN Weaponry Convention, to which the UK is a signatory. The UK therefore does not carry out research into such weapons. However, research into other laser systems to counter enemy weapons and to define protection measures for our own forces is carried out by the Defence Evaluation and Research Agency at Farnborough, Fort Halstead, Portsdown, Malvern and Pershore.

The UK does not carry out any research into x-ray weapons, nor into weapon systems whose primary effect is radiological, although nuclear weapons research is undertaken at the Atomic Weapons Establishment at Aldermaston.

Minefields (Falkland Islands)

Mr. Key: To ask the Secretary of State for Defence what is his policy on the clearance of minefields in the Falkland Islands; and if he will make a statement. [28222]

Mr. Spellar: The Government are committed to meeting their obligations under the Ottawa Convention. They are currently considering how best to achieve this with regard to the mined areas on the Falkland Islands. Comprehensive clearance work on the minefields was stopped soon after the conflict following a number of serious incidents involving clearance personnel. While all but one British laid mines have been cleared a large number of Argentine laid mines remain. Currently the areas in which mines remain are marked and fenced off, to ensure that they are not a threat to the people living on the Islands.

The Gulf

Mr. Ben Chapman: To ask the Secretary of State for Defence what assessment he has made of the latest military situation in the Gulf. [28888]

Mr. George Robertson: Our aim is to secure a diplomatic solution to the current crisis and we continue to work to that end. However, in view of the continuing refusal of the Iraqi regime to comply fully with the requirements of the United Nations Security Council, I have reviewed the United Kingdom's military presence in the region and concluded that, as a further precautionary measure, we should deploy 8 Tornado GR1 aircraft, with support, to Kuwait. With the agreement of the Government of Kuwait, appropriate planning is in hand and the Tornados will deploy in the next few days.

SOCIAL SECURITY

Child Support Agency

Ms Keeble: To ask the Secretary of State for Social Security (1) what steps she is taking to ensure that absent

parents and parents with care are informed that they may have face-to-face interviews with Child Support Agency staff at local offices; [26207]

(2) how many face-to-face interviews were conducted with absent parents and parents with care during *(a)* 1995–96 and *(b)* 1996–97 at the Northampton and Wellingborough offices of the Child Support Agency and at the Corby and Kettering sub-offices; [26209]

(3) how many interviews with absent parents and parents with care were held during *(a)* 1995–96 and *(b)* 1996–97 in Child Support Agency offices by region; [26193]

(4) what plans she has to end the provision of face-to-face interviews for absent parents and parents with care at the local office of the Child Support Agency in Northampton. [26208]

Mr. Keith Bradley: Children are entitled to the financial and emotional support of both parents wherever they live. We are looking closely at all aspects of the child support scheme to see where improvements can be made. We aim to bring forward proposals by the Summer.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Mrs. Faith Boardman to Ms Sally Keeble, dated 5 February 1998:

I am replying to your Parliamentary Question to the Secretary of State for Social Security concerning interviews with parents, carried out by the Child Support Agency.

As part of its ongoing commitment to provide a high quality service to its customers, the Agency offers face to face interviews to both absent parents and parents with care.

The facility for face to face interviews is widely publicised by means of:

The Child Support Agency Charter.

The Maintenance Application pack and Maintenance Enquiry pack include notes for parents telling them that they can contact an Agency local office if they want advice or further information.

Parents contacting the Child Support Agency National Enquiry Line are advised of the facility for face to face interviews, where appropriate.

The total number of interviews held in 1995–96 was 152,797. A more detailed breakdown was not collated for that year. In 1996–97 interviews were held. The difference reflects customer demand and the increasing popularity of direct contact by means of the telephone. We do not record separately details of the numbers of interviews with absent parents and parents with care respectively. Figures are not available for each Agency office, but are available by Agency Field Division. The specific offices you have enquired about form part of the Anglia & East Midlands Field Division. The breakdown by Agency Field Division was as follows:

Central North: 7,127

West Midlands: 5,335

London: 6,455

South East: 7,974

North East: 8,839

Scotland: 15,614

Central South: 5,241

South West: 7,883

North West: 11,428

Wales: 13,066

Anglia & East Midlands: 6,293

Yorks & Lindsey: 9,694

These figures are collated to measure performance against the Agency's Charter Standard to see callers within 10 minutes of arrival when an appointment has been made. Prior to December 1996, the standard was 20 minutes, and was met in over 99 per cent. of cases. This continues to be the case, despite the standard being tightened.

We recently revised the organisation of our operations to examine how we could improve the cost effectiveness and efficiency of the Agency. We have concluded that while we need to maintain a geographical presence to provide a direct interface with our public and to present appeals and court cases, the processing desk work which does not involve face-to-face contact with customers can be done much more efficiently and cost effectively in our large centres, thus releasing resources to deal with backlogs and rising workloads.

Although we are still engaged in a detailed analysis, it is clear that the size of the field network will reduce significantly over the next three to four years as we transfer the processing work to the centres. The remaining field resources will then be focused specifically on improved face-to-face contact with customers, often in conjunction with other Agencies. We expect the availability and amount of local face-to-face contact to increase as a result. This is originally the area on which field staff were intended to concentrate at the start of the Agency; processing work was undertaken as a short-term measure to help the Agency deal with the number of applications it received in the first two years. The average number of interviews held per member of field staff in the whole of 1996–7 was approximately 36. By moving processing work to our centres, staff will be able to increase this average and extend our face-to-face contact with customers.

In cases where the business can best be achieved by interview (e.g. self-employed cases), the Agency is looking at ways to develop the maintenance assessment process to meet this need. A recent initiative in Plymouth tested a new approach which involved specialist liaison between assessment officers in our large centres and field officers. This produced positive results; agreements to pay maintenance were increased and the need to improve punitive interim maintenance assessments was vastly reduced.

It is clear from our experience that an interview is not always the most effective way of meeting our customers needs, and the telephone can offer a quicker, more satisfactory alternative. The Agency has begun employing staff to work a wider more flexible range of working patterns over six days of the week to improve the telephone service offered. This will give customers more opportunity to contact the Agency at times convenient to them.

Our objective is to provide an efficient accurate service which is more responsive to the variety of needs of our customers, and which offers them access and information in a customer-friendly form. This will increase the flow of maintenance and, where appropriate, enabling parents with care to move from welfare to work.

I hope this is helpful.

Family Credit Helpline

Mr. Chisholm: To ask the Secretary of State for Social Security (1) how many telephone inquiries have been handled by the family credit helpline in each month since January 1996; [25638]

(2) what method the family credit unit has of recording how many callers failed to get through to the family credit helpline; and how many unsuccessful attempts were made to call the helpline in each month since January 1996. [25635]

Mr. Keith Bradley: The administration of Family Credit is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Malcolm Chisholm, dated 5 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many telephone enquiries the Family Credit (FC) Helpline has answered in each month since January 1996; and what method the FC unit has of recording how many callers failed to get through to the FC helpline; and how many unsuccessful attempts were made to call the helpline in each month since January 1996.

The FC Unit uses an Automated Call Distribution (ACD) system. Calls are automatically placed on a queuing system where the caller who has waited longest is answered by the first line to become free in the loop.

The computerised ACD monitors and calculates daily statistics to show total calls answered and lost. However, statistics are then collated and held on a weekly basis.

The information requested has therefore been provided for 4 and 5 week months and is shown at Annex 1 and 2 attached.

I hope that you find this reply useful.

Annex 1: Number of telephone calls to the Family Credit Helpline

Month	*Calls answered* 1996	1997
January	326,113	[1]258,373
February	260,832	229,166
March	[1]207,195	220,617
April	175,733	220,081
May	[1]184,141	[1]272,705
June	206,452	219,717
July	159,389	216,640
August	[1]169,037	[1]267,862
September	274,699	242,266
October	235,438	[1]272,019
November	[1]279,191	248,786
December	156,665	183,933

[1] Months which contain details for 5 weeks.
Figures are provisional and subject to change.

Annex 2: Number of unsuccessful telephone calls to the Family Credit Helpline

Month	*Calls unanswered* 1996	1997
January	54,467	[1]90,771
February	57,586	43,401
March	[1]22,651	54,771
April	54,311	86,683
May	[1]61,342	[1]114,113
June	25,089	[1]117,392
July	15,410	105,485
August	[1]9,827	[1]128,010
September	87,049	115,065
October	77,530	[1]130,724
November	[1]68,951	92,945
December	21,134	84,385

[1] Months which contain details for 5 weeks
Figures are provisional and subject to change.

Jobseeker's Allowance

Mr. Pond: To ask the Secretary of State for Social Security what plans she has to change the number of waiting days for jobseeker's allowance. [28887]

Mr. Keith Bradley: In the Welfare State review which the Prime Minister has set up, the Government will be considering the issue of waiting days in Jobseeker's Allowance. As it is part of the review, the Government will not therefore be proceeding with the previous proposal to extend the number of waiting days in Jobseeker's Allowance.

Age Discrimination

Mr. Steinberg: To ask the Secretary of State for Social Security what plans she has to prohibit discrimination in *(a)* employment and *(b)* other fields on the grounds of age. [26273]

Mr. Andrew Smith: I have been asked to reply.

The Government deplore unjustified age discrimination and are committed to ensuring that all people are treated fairly, whatever their age. The Government are actively considering how best to tackle issues affecting older people and, at this stage, have no plans to legislate against age discrimination. However, I plan to consult on developing an effective Code of Practice on age discrimination in employment to promote fair recruitment and selection practices. This Department does not have responsibility for the second part of this question.

TRADE AND INDUSTRY

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the cost of buildings refurbishment carried out by her Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will make a statement. [26597]

Mrs. Beckett *[holding answer 5 February 1998]:* The amounts for my Department and its Agencies (excluding refurbishments funded by landlords) are as follows:

Year	£
1995–96	11,638,000
1996–97	7,400,000
1997–98 to date	3,304,000
1997–98 full year estimate	4,691,000

Export Credits Guarantee Department

Mr. Redwood: To ask the President of the Board of Trade when the last ECGD risk assessments were made for Singapore; and what changes were made to the premium rates as a result. [27858]

Mrs. Beckett *[holding answer 5 February 1998]:* The last formal ECGD risk assessment for Singapore was made in February 1993. As a result, premium rates were reduced. The precise amount will vary according to the terms of support for individual transactions.

Mr. Redwood: To ask the President of the Board of Trade if the latest Hawk jet order was granted ECGD cover before the December 1997 re-assessment of Indonesian risk. [27859]

Mrs. Beckett *[holding answer 5 February 1998]:* Yes.

Energy Group plc (Nomura Bid)

Mr. Vaz: To ask the President of the Board of Trade what representations she has received on the bid by Nomura International for the Energy Group plc, with particular reference to matters relating to documentation. [28236]

Mr. Nigel Griffiths: Nomura International has announced publicly that it is in talks with The Energy Group which may lead to a bid for The Energy Group. I have seen the Early-Day Motion No. 710 on a possible bid tabled by my hon. Friends the Members for Norwich, North (Dr. Gibson) and for Harrow, West (Mr. Thomas).

Mr. Corbyn: To ask the President of the Board of Trade, pursuant to her answer of 22 January 1998, *Official Report*, column *656*, how much has been paid out by the Export Credits Guarantee Department to British defence contractors in default of payment for defence exports to Malaysia in each year since 1990. [27424]

Mrs. Beckett *[holding answer 4 February 1998]:* No claims have been paid in respect of exports of defence equipment to Malaysia since 1990.

Mr. Corbyn: To ask the President of the Board of Trade, pursuant to her answer of 22 January 1998, *Official Report*, column *656*, how much has been paid out by the Export Credits Guarantee Department to British defence contractors in default of payment for defence exports to South Korea in each year since 1990. [27427]

Mrs. Beckett *[holding answer 4 February 1998]:* No claims have been paid in respect of exports of defence equipment to South Korea since 1990.

Mr. Corbyn: To ask the President of the Board of Trade, pursuant to her answer of 22 January 1998, *Official Report*, column *656*, how much has been paid out by the Export Credits Guarantee Department to British defence contractors in default of payment for defence exports to Singapore in each year since 1990. [27428]

Mrs. Beckett *[holding answer 4 February 1998]:* No claims have been made in respect of exports of defence equipment to Singapore since 1990.

Mr. Corbyn: To ask the President of the Board of Trade, pursuant to her answer of 22 January 1998, *Official Report*, column *656*, how much has been paid out by the Export Credits Guarantee Department to British defence contractors in default of payment for defence exports to Thailand in each year since 1990. [27426]

Mrs. Beckett *[holding answer 4 February 1998]:* No claims have been made in respect of exports of defence equipment to Thailand since 1990.

Mr. Corbyn: To ask the President of the Board of Trade, pursuant to her answer of 22 January 1998, *Official Report*, column *656*, how much has been paid out by the Export Credits Guarantee Department to British defence contractors in default of payment for defence exports to China in each year since 1990. [27425]

Mrs. Beckett *[holding answer 4 February 1998]:* No claims have been paid in respect of exports of defence equipment to China since 1990.

Chemical Weapons Act

Mr. Hill: To ask the President of the Board of Trade if she will make a statement about the operation of the Chemical Weapons Act 1996. [27986]

Mrs. Beckett: As required by the Act, a report on its implementation during 1997 has been placed in the Libraries of both Houses.

Power Lines

Mr. Hoyle: To ask the President of the Board of Trade what plans he has to ensure that annual inspections of 33kV power lines are carried out by electricity companies. [27496]

Mr. Battle: Regulation 24 of the Electricity Supply Regulations 1988 (as amended) (SI 1988 No. 1057) states the "The Supplier shall take all reasonably practicable steps to inspect his installations and works to ensure compliance with these regulations".

In carrying out these inspections they will have regard to various regulations which cover overhead lines and the height of conductors, anti-climbing guards and safety signs, sky wires and insulators and general design requirements for sufficiency for purpose.

Therefore, companies inspect lines at different frequencies dependent on several factors including the voltages involved and the risk of unauthorised climbing and interference.

I have no plans at present to change these arrangements.

Electrical Goods

Miss McIntosh: To ask the President of the Board of Trade how many representations her Department has received from independent electrical retailers and trade bodies in respect of the Government's competition policy. [27684]

Mr. Nigel Griffiths: My Department has received representations from some 160 independent electrical retailers and trade bodies, which have written a total of around 260 letters, concerning my right hon. Friend the President of the Board of Trade's proposals on domestic electrical goods

Bananas

Dr. Gibson: To ask the President of the Board of Trade what steps she plans to take to assist the marketing of a Fair Trade labelled banana in the United Kingdom. [24822]

Mrs. Roche *[holding answer 23 January 1998]:* The Department for International Development is currently considering the possibility of some assistance for the marketing of "Fair Trade" bananas in the United Kingdom. In general, Fair Trade labels are a market response to consumer demand, and industry is in the best position to consider the commercial desirability of such labels. Any assistance offered by the Government would have to be compatible with the United Kingdom's obligation under World Trade Organisation agreements.

Nuclear Fuel

Mr. Llew Smith: To ask the President of the Board of Trade what quantities of plutonium separated from Swedish spent fuel have been reprocessed to date at Sellafield; and when this fuel was reprocessed. [27142]

Mr. Battle: All 140tU of Swedish fuel contracted for reprocessing in the Thorp baseload was reprocessed during 1997. Details of plutonium separated during reprocessing contracts are commercially confidential between BNFL and its customers.

Information relating to the UK's holdings of separated plutonium, including Pu belonging to overseas customers, is published annually. A copy of the latest figures, covering such holdings as at 31 December 1996, was placed in the Library of the House on 2 December 1997.

Mr. Llew Smith: To ask the President of the Board of Trade how many contracts, covering what quantities or mixed-oxide nuclear fuel, have been signed to date to make use of the MOX demonstration facility at Sellafield. [27166]

Mr. Battle: BNFL has signed contracts for its MOX demonstration facility with electric power companies in Switzerland, Germany and Japan. The details of these contracts are commercially confidential between BNFL and its customers.

Wealth Warnings

Mr. Whittingdale: To ask the President of the Board of Trade what representations she has received about the removal of wealth warnings from radio advertisements relating to financial services products and consumer credit; and if she will make a statement. [27107]

Mr. Nigel Griffiths: None, however I will publish a consultation paper on simplification and clarification of some aspects of the Consumer Credit Act 1974 this month. This will include a proposal on wealth warnings.

AGRICULTURE, FISHERIES AND FOOD

Food Lubricants

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list for each year since 1987 the number of incidents where monitoring has shown that safe levels of lubricant in food processing have been exceeded; [27957]

(2) if he will list those lubricants licensed for direct contact with food; [27958]

(3) if he will make a statement on the criteria that apply to *(a)* direct contact and *(b)* non-direct contact food lubricants in respect of animal fat content; [27959]

(4) if he will list those lubricants *(a)* licensed for use and *(b)* known to be used in the food industry; [27960]

(5) if he will make a statement about the *(a)* licensing, *(b)* safety and *(c)* toxicity of food lubricants. [27961]

Mr. Rooker: The Government do not operate a product approval or licensing system for lubricants used by the food industry. All lubricants which contain mineral hydrocarbons are controlled, under the Mineral Hydrocarbons in Food Regulations 1966 (SI No. 1966/1073 as amended). These Regulations generally prohibit the direct or indirect use of mineral hydrocarbons in food, but recognise that contact between lubricants and food during processing is sometimes unavoidable. Food is therefore permitted to contain a very limited quantity of mineral hydrocarbon, as specified in the Regulations, arising as a result of such contact.

In the case of all other lubricants, public protection is afforded by the Food Safety Act 1990 which makes it an offence to sell food which is (i) injurious to health, (ii) not of the nature, substance or quality demanded, (iii) unfit for human consumption, or (iv) misleadingly or falsely labelled. Enforcement of the Act and the Regulations is the responsibility of local authorities.

Green Pound Compensation

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food what steps he will take to ensure that additional payments are made to farmers who will receive less green pound compensation under the scheme of 3 February 1998 than under the scheme of 22 December 1997; and if he will make a statement. [28263]

Mr. Rooker: While I recognise that the effective distribution of the aid package announced on 3 February is slightly different from that which would have resulted from the implementation of the package announced on 22 December, I would emphasise that the vast majority of the revised package will still be paid to livestock farmers in the hills and uplands. There are no plans to make any other additional payments to supplement the payments made via this package to producers in the hills.

Mr. Swinney: To ask the Minister of Agriculture, Fisheries and Food if he will estimate how many farmers in *(a)* Scotland, *(b)* England, *(c)* Wales and *(d)* Northern Ireland will receive (i) additional, (ii) lower and (iii) the same level of compensation under the package announced on 3 February 1998 compared to the package of 22 December 1997; how many of these will lose (1) more than £5,000, (2) between £1,000 and £5,000 and (3) less than £1,000; and if he will make a statement. [28262]

Mr. Rooker: The analysis requested cannot be undertaken without making hypothetical assumptions about the rates of payment which might have been set for the 1998 Hill Livestock Compensatory Allowances Scheme consequential to my right hon. Friend's statement of 22 December. In the UK as a whole the revised package will provide for payments to lowland sheep farmers who would not otherwise have benefited and for higher payments to lowland suckler cow farmers. Sheep and cattle farmers in the Less Favoured Areas will receive about 10 per cent. less of the total £85 million in the revised package.

Tuberculosis (Cattle)

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will list by county *(a)* the number of dairy herds, *(b)* the number of tuberculosis herd tests in 1997 and *(c)* the target intended for testing herds. [28032]

Mr. Rooker: Census data show holdings on which there are dairy herds. Some holdings may have more than one dairy herd and this will not be reflected in the figures at *(a)* below. For England the data relate to June 1996; for Wales they also relate to June 1996 and to Government Office Regions, not counties. Census data for Scotland relate to June 1997.

TB herd tests at *(b)* include tests carried out on all cattle herds, beef and dairy. A further breakdown is not available. Figures are available by county but not for the Government Office Regions in Wales.

County	*(a) Holdings with dairy cows*	*(b) TB herd tests*
Northumberland	166	10
Tyne and Wear	18	0
Durham (ex Darlington)	285	292 (Durham)
Cleveland and Darlington	63	42 (Cleveland)
Cumbria	2,061	1,014
Lancashire	1,430	548
Cheshire	1,428	453
Greater Manchester	194	118
Merseyside	31	12
North Yorkshire	1,678	725
East Riding of Yorkshire and North Lincolnshire (Humberside)	150	204
West Yorkshire	371	316
South Yorkshire	199	111
Derbyshire	949	440
Nottinghamshire	165	152
Lincolnshire	189	178
Leicestershire and Rutland (Leicestershire)	460	172
Northamptonshire	152	109
Staffordshire	1,362	723
Shropshire	1,140	756
Hereford and Worcester	650	1,453
West Midlands	44	30
Warwickshire	281	118
Norfolk	216	232
Suffolk	148	144
Cambridgeshire	51	101
Bedfordshire	52	38
Hertfordshire	78	66
Essex	123	128
Greater London	24	15
Surrey	116	77
Kent	188	149
East Sussex	202	194
West Sussex	205	94
Hampshire	306	215
Isle of Wight	80	3
Oxfordshire	228	146
Buckinghamshire	182	135
Berkshire	85	55
Gloucestershire	546	1,455
North Somerset and South Gloucestershire	436	775 (Avon)
Wiltshire	733	900
Somerset	1,422	1,031
Dorset	884	498
Devon	2,532	3,563
Cornwall and Isles of Scilly	1,495	3,490
Aberdeen	137	381
Angus	25	122
Argyll	130	249
Ayr	573	415
Banff	32	178
Berwick	28	70
Bute	50	47
Caithness	28	126
Clackmannan	[1]—	5
Dumfries	323	236
Dumbarton	40	38
East Lothian	8	27
Fife	78	113
Inverness	65	113
Kincardine	34	54
Kinross	11	36
Kirkcudbright	162	161
Lanark	316	186
Midlothian	28	41
Moray	30	75
Nairn	11	15
Orkney	61	190
Peebles	10	29
Perth	50	215
Renfrew	85	71
Ross and Cromarty	54	69
Roxburgh	16	87
Selkirk	[1]—	22
Shetland	21	60
Stirling	77	72
Sutherland	18	34
West Lothian	37	28
Wigtown	239	154
North East Wales	894	—
Powys	528	—
South Wales	546	—
North West Wales	411	—
Ceredigon	644	—
Pembrokeshire	886	—
Carmarthenshire	1,261	—
Powys	—	671
Gwynedd	—	589
Clwyd	—	542
West Glamorgan	—	85
Mid Glamorgan	—	94
South Glamorgan	—	44
Gwent	—	713
Dyfed	—	1,747

[1] denotes data withheld due to small numbers

In most areas of Great Britain, cattle herds are tested every four years. However, in areas or herds where there is a higher risk of disease, the testing frequency is increased, and may be as frequent as annually.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what was the cost of compensation payments to farmers for cattle infected with tuberculosis in each of the last five years. [28030]

Mr. Rooker: Compensation paid in Great Britain in respect of animals slaughtered as TB reactors or contacts was as follows:

1993—£2.18 million

1994—£2.02 million

1995—£1.99 million

1996—£2.28 million

1997—£2.22 million.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will list by county the total number of herds affected by tuberculosis outbreaks in 1997, separately identifying those where no previous outbreak had been recorded for 10 years. [28029]

Mr. Rooker: The information listed reflects the number of herds which have been confirmed as being affected by tuberculosis in 1997. The figures are not complete, since we do not yet have laboratory culture

confirmations for all herds which were suspected of having bovine tuberculosis in 1997. The figures include those herds which continued to be affected (during at least part of 1997) with confirmed disease from previous years and those newly affected in 1997.

In the time available, it has not been possible to identify those herds in which no previous outbreak has been recorded for 10 years, but I will write to the hon. Member with the information when it is available.

County	*1997 total confirmed TB herd breakdowns*
Northumberland	7
Durham	0
Cumbria	1
Cheshire	4
Merseyside	0
West Yorkshire	1
Humberside	0
Nottinghamshire	1
Leicestershire	2
Staffordshire	35
Hereford and Worcester	198
Warwickshire	1
Suffolk	0
Bedfordshire	0
Essex	3
Surrey	0
East Sussex	10
Hampshire	0
Oxfordshire	1
Berkshire	0
Wiltshire	84
Somerset	63
Devon	251
Isles of Scilly	0
Powys	29
Clwyd	0
Mid Glamorgan	3
Gwent	139
Tyne and Wear	0
Cleveland	0
Lancashire	1
Greater Manchester	0
North Yorkshire	0
South Yorkshire	0
Derbyshire	5
Lincolnshire	2
Northamptonshire	3
Shropshire	6
West Midlands	0
Norfolk	1
Cambridgeshire	0
Hertford	0
Greater London	0
Kent	0
West Sussex	1
Isle of Wight	0
Buckinghamshire	1
Gloucestershire	230
Avon	60
Dorset	33
Cornwall	283
Gwynedd	2
West Glamorgan	5
South Glamorgan	0
Dyfed	92
Aberdeenshire	8
Kincardine	1
Orkney	0
Caithness	2
Inverness-shire	1
Ross and Cromarty	0
Angus	1
Dumbartonshire	1
Kinross	0
Perthshire	0
Stirling	0
Dumfriesshire	4
East Lothian	1
Lanarkshire	1
Midlothian	0
Wigtown	4
Selkirk	0
Banffshire	1
Moray	0
Argyll	1
Shetland	0
Nairn	0
Sutherland	0
Clackmannan	0
Fife	0
Ayrshire	4
Bute	2
Berwickshire	0
Dumbartonshire	0
Kirkcudbright	6
Renfrew	0
Peebles	1
Roxburgh	0
West Lothian	0

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what estimates he has made of the cost of implementing the recommendations contained in the Krebs Report on badgers and bovine TB. [28028]

Mr. Rooker: The Government have indicated that they are disposed to accept the recommendations of the Krebs Report on TB in cattle and badgers subject to further consideration of the public expenditure, legal and practical implications. We are consulting on how the recommendations should be implemented. The cost implications are potentially substantial. We are currently assessing these.

Poultry Feed

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what steps he proposes to take to assist poultry farmers in respect of increases in costs arising from the ban on the use of mammalian meat and bone meal in poultry feed. [28031]

Mr. Rooker: It is appreciated that the March 1996 extension of the ban on the feeding of mammalian meat and bonemeal to all farmed livestock, including poultry, has meant that producers have faced increased feed costs. It is, however, a long standing principle of public policy that the Government do not compensate for financial loss resulting from legislation.

Green Top Milk

Mr. Nicholls: To ask the Minister of Agriculture, Fisheries and Food for what reasons he has postponed the

implementation of the prohibition of green top milk; what is the nature of his review of green top milk; and if he will make a statement. [27963]

Mr. Rooker: The consultation period on the proposal to ban the sale of raw cows' drinking milk has been extended by three weeks to 24 February 1998, at the request of producers, so that they would have longer to make their views known. At the end of the consultation, we will consider all the responses and all other factors, including the risk to public health, before deciding how to proceed.

Beef

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food how many consignments of beef from the United Kingdom have been rejected as a result of the meat being over 30 months old since 1 August 1996. [25503]

Dr. John Cunningham *[holding answer 27 February 1998]:* None. The only beef exports from the UK which are permitted at present are the re-export of imported material. Such consignments must conform with Community standards for placing meat on the market and any national rules in the receiving country. There are no Community requirements in respect of age of meat nor are we aware of any national rules.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish a list of measures which his Ministry has required to be implemented in order to safeguard the public's health since BSE was first identified in the United Kingdom. [25252]

Dr. John Cunningham *[holding answer 26 January 1998]:* A list of measures taken to protect public health since BSE was first identified in November 1986, is given in the most recent publication of the BSE Progress Report which was placed in the Library of the House on 23 July 1997. This covered the period up to the end of June 1997. Subsequent measures are as follows:

Date	*Legislation*
1 August 1997	The Bovine and Bovines Products (Despatch Prohibition and Production Restriction) Regulations 1997 (SI 1997/1905), revoke and replace the Bovine Products (Production and Despatch) Regulations 1997. Regulations fully implement the requirements of Decision 96/239/EC, as amended by Decision 96/362/EC, on emergency measures to protect against BSE.
21 September 1997	The Fresh Meat (Hygiene and Inspection) (Amendment) Regulations 1997 amend the 1995 Regulations, remove the provision for the slaughter of private kill animals, thereby ensuring that all red meat animals killed in slaughterhouses for human consumption are subject to full meat inspection.
21 September 1997	The Animal By-products (Identification) (Amendment) Regulations 1997 (SI 1997/2073) amends 1995 Regulations, adding a category to the animal by-product definition to include meat from a bovine animal presented for slaughter for human consumption and subsequently found to be from an animal over 30 months old.
24 October 1997	BSE (No. 2)(Amendment) Order 1997 (SI 1997/2387) amends provisions of the BSE (No. 2) Order 1996 in respect of exposed animals, to allow certain notices to be served by an Inspector of the Minister, as well as by a veterinary inspector.
16 December 1997	The Beef Bones Regulations 1997 (SI 1997/2959) regulate the sale of bone-in-beef derived from bovine animals aged over six months at slaughter.
1 January 1998	The Specified Risk Material Order 1997 (SI 1997/2964) replaces the existing SBM Order and the Heads of Sheep and Goats Order and introduces controls on specified risk material on the lines of those in Commission Decision 97/534.
December 1997 and 1 January 1998	The Specified Risk Material Regulations 1997 (SI 1997/2965) provides for controls on specified risk material, continuing the provisions on food in the SBM Order 1997 and the Heads of Sheep and Goats Order 1996.
1 January 1998	The Specified Risk Material (Amendment) Regulations 1997 (SI 1997/3062) amend regulations 7 and 19 of the SRM Regulations 1997.

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food (1) if he will make a statement on the measures taken by his Department in respect of the enforcement of the ban on imports of beef from European Union member states which do not comply with United Kingdom standards on the removal of specified risk materials with particular reference to *(a)* the extent of reliance on the authorities in exporting countries to indicate that the necessary certification is satisfactory and *(b)* the application of spot checks at the point of final destruction; [25442]

(2) if he will assess the advantages of banning all beef imports from countries where the removal of specified risk materials is not a legal requirement. [25443]

Dr. John Cunningham: The Specified Risk Material Order 1997 requires a number of imported animal products for food or feed use to be accompanied by certification confirming that they do not contain and were not derived from specified risk material (SRM). The required certification must be completed by the official veterinary service in the country of origin. Commercial documentation is not acceptable irrespective of whether the authorities in the country of origin have indicated that it is satisfactory.

All consignments of animal products imported directly into the United Kingdom from outside the European Union (EU) are subject to checks at designated Border Inspection Posts (BIPs), including checks on the certification relating to specified risk materials. Single Market rules only permit random spot-checks at destination on animal products traded within the Community. Consistent with those rules, a daily sample of randomly selected consignments arriving from or via

other EU member states are subject to documentary checks by Ministry officials for conformity with the new unilateral controls relating to specified risk material.

The imposition of a ban on the import of beef, rather than specified risk materials, from certain other countries which do not have specified risk controls would be contrary to Community law. In introducing the ban on SRM imports, the UK is relying on a provision which permits importing Member States to take "interim protective measures" on serious public or animal health grounds. Particularly since this provision is an exception to the usual single market rules and the harmonised regime applying to beef, action taken under it must be no more than is necessary to protect health, and must be proportionate to the risks involved. Since beef itself is not a risk, banning its import cannot be justified.

Mr. Livsey: To ask the Minister of Agriculture, Fisheries and Food when the feeding of meat and bonemeal to cattle in ruminant rations was made illegal in the United States; and if he will estimate the total tonnage of beef imported into the United Kingdom from the USA, between the date of the implementation of the feed ban in the UK and that in the USA. [27065]

Mr. Rooker: The United States' Food and Drug Administration prohibited the use of protein derived from mammals in ruminant animal feed from 4 October 1997. Official Overseas Trade Statistics for imports from the USA of beef, beef preparations and beef offal from June 1988, when the original prohibition on the feeding of ruminant protein to ruminants in the UK came into effect, until October 1997 are set out in the following table.

UK imports of bovine meat, meat preparations and offal from the USA: June 1988 to October 1997

	1988	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
January	—	1,806	127	191	243	157	225	311	367	227
February	—	402	4	65	61	133	178	289	418	327
March	—	79	24	19	79	229	188	385	445	123
April	—	19	60	77	188	173	225	261	382	207
May	—	25	5	5	73	231	221	417	709	118
June	2,166	13	43	39	142	310	167	145	528	138
July	2,166	24	53	39	85	149	99	388	297	68
August	2,649	24	23	3	102	146	200	357	212	157
September	2,673	3	37	6	139	140	197	319	145	135
October	2,644	111	90	33	201	194	383	470	213	151
November	3,327	17	109	108	235	186	258	450	137	—
December	3,834	62	169	20	278	210	427	491	140	—

Note:
1996 and 1997 data are provisional and subject to amendment
Source:
Business and Trade Statistics Limited
Units: Tonnes
Data prepared by Stats (C&F) C, ESG

Mr. Ieuan Wyn Jones: To ask the Minister of Agriculture, Fisheries and Food what recent measures he has taken to end the European ban on United Kingdom beef. [27023]

Mr. Rooker: The Commission has approved a draft Decision, based on UK proposals for an Export Certified Herds Scheme, to permit exports of deboned beef from Northern Ireland. The Standing Veterinary Committee is examining the proposal and is expected to vote on it this month. This major step forward is the result of months of constructive dialogue with the Commission.

In October 1997 the UK submitted proposals for a scheme to export beef from cattle born after 1 August 1996 (the Date Based Export Scheme). The Scientific Steering Committee gave a positive response to the principle of a Date Based Export Scheme on 9 December. Following further discussion with the Commission a formal response was submitted on 29 January and we await the Commission's views.

Registered Herds

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food if he will list the herds registered with the beef assurance scheme on a county basis. [26837]

Dr. John Cunningham *[holding answer 4 February 1998]:* The herds registered under the Beef Assurance Scheme are as follows (listed on a county basis):

County	*Herds*
Avon	2
Berkshire	1
Cambridgeshire	1
Cornwall	10
Cumbria	1
Devon	8
Dorset	1
Durham	2
Dyfed	4
Essex	2
Gloucestershire	1
Grampian	1
Gwent	1
Gwynedd	3
Hampshire	2
Highland	3
Kent	1
Lancashire	1
Leicestershire	2
Lincolnshire	2
Norfolk	2
North Yorkshire	6
Nottinghamshire	1
Orkney	1
Pembrokeshire	1

County	Herds
Powys	1
Shropshire	1
Somerset	2
South Glamorgan	1
Staffordshire	1
Suffolk	2
Surrey	2
Tayside	3
Warwickshire	1
West Glamorgan	1
West Midlands	1
West Sussex	2
West Yorkshire	1
Wiltshire	1
Worcestershire	2

SCOTLAND

School Spending

Mr. Gorrie: To ask the Secretary of State for Scotland what was the expenditure per pupil on (i) text and library books and (ii) educational tools, equipment and materials in each of the present council areas in (1) 1995–96 and (2) 1996–97 in *(a)* primary schools and *(b)* secondary schools. [24953]

Mr. Wilson: Details of expenditure on schools for financial year 1996–97 are not yet available. The information for 1995–96, under the council areas then applicable, is given in the following table which has been compiled from local authority financial returns. There can be variations in the recording of expenditure under these two headings. It is, therefore, possible that some expenditure on books may be included under expenditure on equipment or vice versa.

Expenditure per pupil on text and library books and on educational tools, equipment and materials

£ (outturn prices)

Year 1995–96	Primary		Secondary	
Region	Books	Equipment	Books	Equipment
Borders	0.00	52.39	0.00	152.73
Central	0.69	34.32	2.65	90.92
Dumfries and Galloway	13.49	57.87	8.51	121.30
Fife	24.88	4.88	67.13	24.97
Grampian	0.00	61.01	0.00	135.61
Highland	32.23	26.48	54.89	40.52
Lothian	19.85	40.87	12.20	80.89
Strathclyde	2.09	49.18	4.70	91.56
Tayside	12.81	32.37	9.55	67.31
Orkney	0.00	66.52	0.00	100.07
Shetland	0.00	92.30	0.00	178.47
Western Isles	32.07	71.78	50.35	83.92

Notes:

1. Not all education authorities distinguish on a consistent basis between the two headings.

2. Where expenditure under one of the headings is shown as £0.00 it should be assumed that the expenditure has been allocated to the other heading.

Glasgow Regeneration Alliance

Mr. David Marshall: To ask the Secretary of State for Scotland what plans he has to assist the Glasgow Regeneration Alliance; and if he will make a statement. [25131]

Mr. Dewar: The Glasgow Regeneration Alliance brings together all the key agencies concerned with the long term regeneration of Glasgow. Making the most of the city's many opportunities while regenerating its most deprived communities will require a comprehensive long term strategy for Glasgow. I have held discussions with the Alliance partners about how The Scottish Office can best support the Alliance in preparing and implementing such a strategy.

I have agreed that The Scottish Office should now formally join the Alliance, to work with the partners to make the most of Glasgow's opportunities. As a demonstration of commitment to this partnership approach, I am announcing today the offer of direct financial support to the Alliance of £500,000 for 1998–99, to help with the employment of staff and other resources to develop and implement the strategy for the city. Senior officials have been appointed to serve on the Board and Directors' Group. Finally, I am making arrangements for The Scottish Office to handle issues concerning Glasgow in a more co-ordinated way when they cut across Departmental boundaries. I am confident that these measures will assist the Alliance in its immediate task of preparing a comprehensive plan for the renewal of the city, and in its longer-term objective of regenerating Glasgow.

Cairn Gorm Funicular Railway

Mr. Alan Clark: To ask the Secretary of State for Scotland what opportunities for scrutiny of the final decision on the Cairn Gorm funicular railway project will be available to *(a)* the Edinburgh Parliament, *(b)* the Westminster Parliament and *(c)* the European Environment Commission. [25882]

Mr. Wilson: The final decision on whether to proceed with the Cairn Gorm funicular railway project rests with the Cairn Gorm Chairlift Company. That decision will in turn depend upon the decisions of those public sector organisations from which a financial contribution to the project has been sought, including Highlands and Islands Enterprise and the European Commission. There are well-established procedures to ensure the accountability of these organisations for the decisions they take.

Mr. Alan Clark: To ask the Secretary of State for Scotland what assessment he has made of the effect on the provision of EC funding to the Cairn Gorm funicular railway of its alleged incompatibility with community environmental guidelines. [25881]

Mr. Dewar: The local members of the Highlands and Islands Partnership were fully aware, when they expressed their recommendation for the award of European Structural Funds for the Cairn Gorm funicular railway, of the need for resolution of questions about the project's compatibility with EC environmental legislation being fully resolved by the European Commission. In accepting the Partnership's advice on the award, I have taken the view that resolution of those questions can be achieved

within a timescale compatible with that for drawing upon EC funds under the current Objective 1 programme for the Highlands and Islands.

Mr. Alan Clark: To ask the Secretary of State for Scotland whether the projected Cairn Gorm funicular railway is to be regarded as a reserved category under the Scotland Bill. [25880]

Mr. McLeish: The development and operation of the Cairn Gorm funicular railway by private promoters touches on several aspects of central Government functions. In practice, most of those aspects are likely to be dealt with prior to the provisions of the Scotland Bill coming into effect. However, the aspects associated with the environmental impact, the planning considerations and the public sector financial support for the project would in general be devolved responsibilities under the proposals in the Scotland Bill; but health and safety at work aspects would be reserved matters.

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26640]

Mr. Dewar *[holding answer 5 February 1998]:* Expenditure by my Department and its agencies on external consultants in 1995–96 and 1996–97 was as follows:

Year	£
1995–96	5,440,000
1996–97	3,520,000

Information is not yet available centrally on expenditure in 1997–98.

Expenditure on external consultants by non-departmental public bodies could be obtained only at disproportionate cost.

The Scottish Office follows the guidance given in the August 1994 report of the Cabinet Office Efficiency Scrutiny on the use of External Consultants. External consultants are engaged only when internal resources are not available; best procurement practices are followed to ensure that value for money is obtained; and all consultancy assignments are subject to post-contract reviews. Not all consultancy projects lend themselves to analysis in terms of resultant savings, but I am satisfied that the intelligent and selective use of consultants has delivered worthwhile solutions and benefits for The Scottish Office in recent years.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27768]

Mr. Dewar *[holding answer 5 February 1998]:* A variety of items are periodically reported missing. Security procedures in The Scottish Office, its Agencies and Associated Departments remain under constant review and revised procedures introduced as necessary. The following items valued at more than £25 have been formally recorded since May 1997 as losses due to theft.

Month	*Item*	*Value (£)*
May	Laptop Computer	1,727
July	Personal Computer	1,100
	Printer	500
	Disk Drive	200
	Hard Disk	179
	Agricultural Netting	3,000
August	Microwave Oven	200
	Multimedia Speakers	65
	Mobile Phone	33
	Laptop Computer (2)	3,500
	Park Bench	400
September	PC Trackball	106
	Answerphone	60
	Modem	170
	Laptop Computer and Printer	1,949
	Dictation Machine	350
October	PC Motherboard	70
	Modem	132
	PC CD(2)	280
	Pager	80
	Car	1,275
	Laptop Computer	1,500
	Agricultural Netting	2,000
	Trailer	1,800
November	Printer	250
	Laptop Computer	3,000
	Modem	100
	Laptop Computer	2,500
	Modem	200
December	Car	3,975
	PC Keyboard	41
	Carpet Tiles	100
	Numerator Stamp	60
	Soldering Iron	93
January 1998	Dictaphone	42
	Electronic Labelmaker	151

Civil Servants

Mr. Duncan: To ask the Secretary of State for Scotland if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27456]

Mr. Dewar *[holding answer 5 February 1998]:* Since 1 May 1997, no civil servants in my Department at the equivalent of the former Grade 3 or above have taken early retirement or official leave, been dismissed, moved to another Department or been offered or rejected an alternative position, either within the Department or another Department. Three have changed jobs within the Department.

Representative Office (Brussels)

Miss McIntosh: To ask the Secretary of State for Scotland what is the projected annual budget of the Scottish representative office in Brussels; and under whose instructions it will operate. [27518]

Mr. Macdonald *[holding answer 5 February 1998]:* The Scottish Executive will decide whether it wishes to have a representative office in Brussels. The Executive would decide the budget for any such office, taking into account such factors as location and functions; and they would be responsible for its operation.

Parliamentary Question

Mr. Home Robertson: To ask the Secretary of State for Scotland when he expects to reply to the question tabled on 17 December from the hon. Member for East Lothian relating to Bankton House. [27962]

Mr. Macdonald: I refer my hon. Friend to the answer I gave him on 4 February 1998, *Official Report*, column *670*.

WALES

St. David's Day

Mr. Flynn: To ask the Secretary of State for Wales if he will take steps to have St. David's Day declared a bank holiday in Wales. [28033]

Mr. Ron Davies: I have nothing further to add to the answer I gave my hon. Friend on 31 July 1997, *Official Report*, columns *421–22*.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Local Government Finance

Mr. Rammell: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of progress on the Housing Capital Receipts Initiative for 1997–98 and 1998–99; and when he will inform local authorities of their allocations will be for 1999–2000. [26732]

Mr. Raynsford: We have notified all authorities that wish to receive resources under the Capital Receipts Initiative of their allocations of Supplementary Credit Approvals for both 1997/98 and 1998/99. £174 million in credit approvals will be issued in 1997/98 and £569 million in 1998/99. These additional resources will be targeted on housing and housing related regeneration schemes. Guidance issued on 2 October, which sets out how the Initiative will be taken forward, has been deposited in the Library of the House of Commons.

A decision about the role and the future funding of our Capital Receipts Initiative will be taken in the context of our Comprehensive Spending Review. The Review process is scheduled to come to a conclusion in the Spring, and the conclusions will be reflected in our future spending plans.

Mr. Keetch: To ask the Secretary of State for the Environment, Transport and the Regions what account is taken of the number of blind people living within a local authority area in the setting of its SSA; and if he will make a statement. [27348]

Mr. Raynsford: The calculation of most SSA elements takes account of numbers of people, and blind people are included in the figures. The need to spend on specific services for blind people is taken into account in the calculation of the Other Social Services SSA.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 12 English local authorities, in each class, with the highest 1997–98 budget requirement over standard spending assessment in (i) cash and (ii) percentage terms. [28256]

Mr. Raynsford: I have today placed in the Library of the House a table showing the information requested.

New Housing

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the impact of new housing developments on the supply of water from existing reservoirs and aquifers; [27164]

(2) what assessment he has made of the impact of new housing developments on the existing sewage disposal and treatment infrastructure. [27152]

Angela Eagle: It is for water companies to provide the sewage disposal infrastructure and water supply required to support new housing developments. The Department's planning guidance requires local authorities to consult with all infrastructure interests, such as water companies, when drawing up their development plans.

Empty and Under-used Property

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the annual cost to (i) his Department, (ii) his Department's agencies and non-departmental public bodies and (iii) the Common User Estate, of their empty and under-utilised properties for *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and if he will make a statement. [26401]

Angela Eagle *[holding answer 3 February 1998]:* The answer is as follows:

£000

	1995–96	*1996–97*	*1997–98*	*1998–99*
Department[1]	2,012	4,442	4,868	5,749
Executive Agencies	1,924	3,205	3,562	2,799

[1] Including Executive Agencies.

We do not hold central records for non-departmental public bodies or the common user estate, which was managed by Property Holdings prior to its abolition on 1 April 1996.

My Department seeks to identify and dispose of surplus or under used accommodation as soon as practicable.

Driving Instructors

Mr. Barnes: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce changes in the procedures used by the Driving Standards Agency on the use of check-tests on driving instructors to ensure that in cases where more than one check is required these are undertaken by separate inspectors who operate independently. [27051]

Ms Glenda Jackson *[holding answer 4 February 1998]:* Check-test arrangements for driving instructors help them identify and overcome any weaknesses before enforcement action is taken. Following an unsatisfactory check-test, the examiner offers an instructor a briefing and the opportunity to take remedial training to rectify the faults identified. The same examiner conducts a second check-test after an interval; usually three to six months. If this second check-test proves unsatisfactory, a third check-test is conducted by a more senior examiner, who is given no details about the reasons for failure on the two preceding test. Only if this third check-test is unsatisfactory are removal proceedings started.

There are no current plans to change these check-test procedures. However, my Department has recently commissioned a research project to look at the way driving instructors are trained and tested. We will look carefully at any conclusions, including those relevant to conducting check-tests, when the findings are available in two to three years time.

Traffic Calming

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what is the most recent road research evidence evaluated by his Department on the impact of traffic calming measures, with particular reference to road humps, on road deaths and injuries in *(a)* roads subject to calming and *(b)* surrounding road systems. [27474]

Ms Glenda Jackson: The Transport Research Laboratory conducted a review of traffic calming schemes in 20 mph zones and published their findings in September 1996 (TRL Report 215). Road hump type measures (round top humps, flat top humps, raised junction tables and speed cushions) amounted to 96 per cent. of the measures installed. The research found that injury accidents were reduced by around 60 per cent. and child injury accidents by 67 per cent. It was also found that there was no apparent overall accident migration on to surrounding roads.

Driving Licences (Diabetics)

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Wakefield (Mr. Hinchliffe) of 1 December 1997, *Official Report*, column *48*, on driving licences for insulin dependent diabetics, if he will establish a compensation scheme for those insulin dependent diabetics who were previously employed as drivers of vehicles in Category C1. [26191]

Ms Glenda Jackson *[holding answer 4 February 1998]:* The Government sympathise with insulin-treated diabetics who lose their jobs as drivers as a result of losing their entitlement to drive category C1 vehicles following the change in legislation. However, it is not the practice to provide compensation in such circumstances, and legislative authority would need to be obtained.

Drink Driving

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many drivers involved in a car accident had a blood alcohol reading of between 50mg and 80mg per 100ml in the last 12 months for which figures are available. [27486]

Ms Glenda Jackson: This information is not available. Records of the blood or breath alcohol reading of a driver involved in an accident are not normally kept in cases where the level is below the legal limit, which is 80mg of alcohol per 100ml of blood.

The consultation paper *Combating drink driving: next steps* reviews the available data on drink-drive accidents and estimates the likely effect of a reduction in the legal blood alcohol limit. Copies have been placed in the Library.

Council Tax

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 30 English local authorities with the *(a)* best and *(b)* worst council tax collection rates, (i) as a percentage of council tax due, and (ii) in cash terms for the latest available year. [28255]

Mr. Raynsford: I have today placed in the Library of the House a table showing the 30 English Local Authorities with the best and worst Council Tax collection rates based on Council Tax receipts 1996–97 as a percentage of Council Tax due 1996–97. It is not meaningful to present the information in terms of cash collected as this depends on the size of the taxbase of the Authority.

Local Authority Staffing

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 30 English local authorities, in each class, with the *(a)* highest and *(b)* lowest (i) actual staffing levels and (ii) staffing levels per thousand of population. [28252]

Mr. Raynsford: I have today placed the information in the Library of the House. As most classes have more than 60 authorities, the information provided lists all authorities, sorted by actual staffing levels and staff per thousand of population.

The levels of employment in individual authorities are not directly comparable because of variations in population structure, social characteristics and the extent to which they use private firms and contractors or act as agents for other authorities.

Local Authority Debt

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 12 English local authorities, in each class, with *(a)* the greatest outstanding debt and *(b)* the greatest outstanding debt per head of population. [28251]

Mr. Raynsford: I have today placed the information in the Library of the House. It should be noted that authorities with high levels of debt are generally those which have undertaken capital investment and that longer term borrowing to finance capital expenditure is regulated by Government through the issue of credit approvals.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 12 English local authorities, in each class, with the greatest *(a)* increase and *(b)* decrease in (i) actual and (ii) percentage terms in their standard spending assessment for the coming financial year due to the change in treatment of debt outstanding in 1990. [28250]

Mr. Raynsford: Tables showing the increase in 1998–99 SSA due to the change in the treatment of debt outstanding in 1990, for each class of local authority, sorted by *(a)* actual change and *(b)* the change in percentage terms, have been placed in the Library.

Police Authorities

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the changes in *(a)* percentage and *(b)* actual terms in capping levels for the English police authorities in the next financial year. [28258]

Mr. Raynsford: This information is available in Table 1 of the paper entitled "Limitation of Council Tax and Precepts 1998–99" and forms part of the local government finance settlement package, dated 2 February. Copies are available in the Library of the House.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the changes in *(a)* percentage and *(b)* actual terms in standard spending assessment for the English police authorities in the next financial year. [28257]

Mr. Raynsford: A table showing these figures has been placed in the House of Commons Library.

Empty Housing

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 30 English local authorities with the highest number of empty council houses (i) as a percentage of the total owned and (ii) in total. [28253]

Mr. Raynsford: Local authorities in England report the numbers of their vacant dwellings at 1 April each year in their annual Housing Investment Programme (HIPI) returns. A total of 81,220 dwellings (2.4 per cent of the dwellings owned) were reported as vacant on 1 April 1997. Within this total, some 49,920 (1.5 per cent dwellings) were management vacants, i.e. dwellings available for letting immediately or after minor repairs. I will write to the hon. Member shortly with the detailed information requested.

London Government

Mr. Fabricant: To ask the Secretary of State for the Environment, Transport and the Regions what meetings Ministers and officials have held with members of the "Yes" campaign for a Mayor of London. [28190]

Mr. Raynsford: Ministers and officials have had many meetings with different London organisations and individuals, some of which may be members of the "Yes" campaign. None of these meetings have been about the "Yes" campaign for the Greater London Authority.

Mr. Fabricant: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government funding for the "Yes" campaign for a Mayor of London. [28192]

Mr. Raynsford: The Government have made clear that state funding will not be provided for either "Yes" or "No" campaigns.

Housing (Portsmouth)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many units of social housing have been built in the Portsmouth City Council area in each of the last five years. [27546]

Mr. Raynsford: The table shows figures of housebuilding completions (i.e. new build only) as reported to the Department by Portsmouth City Council and the National House Building Council:

Portsmouth City Council: Social housing new build: Completions

Numbers of dwellings

	Registered Social Landlords: Housing associations	*Local authority*
1993	69	0
1994	164	0
1995	127	0
1996	67	0
1997	0	0

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many properties formerly owned by Government Departments have been made available to *(a)* the council and *(b)* housing associations in the Portsmouth City Council area. [27551]

Mr. Raynsford: This information is not held centrally.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing waiting list of the Portsmouth City Council; and what were the equivalent figures at the same time in each of the last five years. [27552]

Mr. Raynsford: Local authorities in England report the numbers of households on their housing register/waiting list (excluding existing tenants awaiting a transfer) at 1 April each year in their annual Housing Investment Programme (HIP1) returns. The data reported by Portsmouth City Council for 1997 and the previous 5 years are as follows:

1992: 4,089

1993: 3,828

1994: 3,524

1995: 3,604

1996: 3,952

1997: 4,504.

Local authorities have different practices for compiling and managing their housing register/waiting lists which mean that simple comparisons between authorities can be misleading. Authorities compilation practices may change and this can also affect comparisons over time.

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions how many people are on the housing transfer list of the Portsmouth City Council; and what were the equivalent figures at the same time in each of the last five years. [27897]

Mr. Raynsford: The information requested is not collected centrally.

Homelessness (Portsmouth)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the total number of registered homeless people in the Portsmouth City Council area; [27547]

(2) how many people have been accepted on to the homeless register of Portsmouth City Council in each of the last five years. [27548]

Mr. Raynsford: The table provides the available data on the numbers of households accepted as homeless and in priority need under the homelessness provisions of the 1985 and 1996 Housing Acts in Portsmouth for the calendar years 1992 to 1996 and the first 9 months of 1997.

Year	*Homelessness acceptances*
1992	647
1993	408
1994	377
1995	368
1996	494
1997[1]	314

[1] data for the first 3 quarters only

Under Part VI of the Housing Act 1996 authorities must establish and maintain a housing register for the purpose of allocating their housing accommodation but there is no statutory obligation for local housing authorities to hold a register of homeless applicants. Accommodation secured as a discharge of a homelessness duty need not be a tenancy allocated under Part VI of the 1996 Act.

HEALTH

Long-term Care

Mr. Fabricant: To ask the Secretary of State for Health what is the date of publication for the White Paper on Long-term Care. [28217]

Mr. Boateng: There is no White Paper on long-term care in preparation. A Royal Commission on the funding of long-term care for elderly people was announced on 4 December 1997 and has been asked to report within 12 months. As regards a long-term care charter, I refer the hon. Member to the reply I gave to the hon. Member for Sutton and Cheam (Mr. Burstow) on 28 November 1997, *Official Report*, columns *686–87*.

Utting Report

Mr. Fabricant: To ask the Secretary of State for Health what is the date of publication for the Utting Report. [28218]

Mr. Boateng: Sir William Utting's report "People Like Us" was published on 19 November 1997. Copies are available in the Library.

"Our Healthier Nation"

Mr. Fabricant: To ask the Secretary of State for Health what is the date of publication for the Green Paper, "Our Healthier Nation". [28214]

Mr. Boateng: We launched the Green Paper "Our Healthier Nation" with a statement in the House yesterday afternoon.

Multiple Sclerosis

Mr. Corbett: To ask the Secretary of State for Health what plans he has to issue guidance on the standards of care for patients with multiple sclerosis. [28118]

Mr. Boateng: We have no plans to issue guidance on the standards of care for patients with multiple sclerosis at this time.

The Multiple Sclerosis Society issued a standards of care document in March 1997 called "But is it any good?" which health authorities may find useful when they are discussing what health services to commission in their areas for people who have multiple sclerosis.

Homelessness

Mr. Corbyn: To ask the Secretary of State for Health what information on the needs of *(a)* rough sleepers, *(b)* the homeless and *(c)* bed and breakfast and hostel residents is used in the calculation of the needs of each health district. [27371]

Mr. Boateng *[holding answer 5 February 1998]:* The health authority weighted capitation formula indirectly accounts for the officially homeless in temporary accommodation through the indicators of health and socio-economic status used in the acute and psychiatric indices. However, it is accepted that the national weighted capitation formula does not adequately capture the needs of rough sleepers. On the advice of the Resource Allocation Group, an adjustment is made to health authority targets outside the formula and was introduced in 1996–97.

The rough sleepers adjustment weights the number of rough sleepers in a health authority, based on the 1991 Census count of rough sleepers, by a per capita cost for rough sleepers, derived from work carried out in the Thames health authorities.

Full details of the adjustment are set out in the 1996–97 Health Authority Revenue Cash Limits Exposition Book, copies of which are available in the Library.

Drugs (Education)

Mr. Clappison: To ask the Secretary of State for Health (1) how many programmes for the education of

young people as to the dangers of illegal drugs he has *(a)* implemented and *(b)* planned which were not in existence on 1 May 1997; [26275]

(2) how much spending his Department has *(a)* incurred and *(b)* planned for on the education of young people as to the dangers of illegal drugs which was not planned for on 1 May 1997. [26303]

Mrs. Ann Taylor: I have been asked to reply.

I refer the hon. Gentleman to the answer I gave today.

LORD CHANCELLOR'S DEPARTMENT

Correspondence

Mr. Edward Davey: To ask the Parliamentary Secretary, Lord Chancellor's Department when he intends to reply to the letter from the hon. Member for Kingston and Surbiton dated 31 October 1997 concerning the case of Regina *v.* Kelly and Thompson; and if he will make a statement on the reason for the delay in replying. [28035]

Mr. Hoon: My Department has received no letter from the hon. Member dated 31 October. We did, however, receive a letter dated 23 October from the hon. Member concerning the case of Regina *v.* Kelly and Thompson. This letter was received on 27 October. The hon. Member was informed by letter of 14 November that the issues raised in his letter are the responsibility of the Home Office and that his correspondence had therefore been transferred to that Department. I understand the Home Office will reply in due course.

Civil Servants

Mr. Duncan: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by grade the number of officials in his Department at grade 3 or above who have *(a)* taken early retirement, *(b)* taken official leave, *(c)* been dismissed, *(d)* changed jobs within the Department, *(e)* moved to another Department and *(f)* been offered and rejected an alternative position (i) within the Department and (ii) in another Department since 1 May. [27459]

Mr. Hoon: In the period since 1 May 1997, the relevant information on members of the Senior Civil Service in this Department at levels equivalent to grade 3 and above is as follows:

(a) no early retirements

(b) no official leave taken (other than normal annual or sick leave)

(c) no dismissals

(d) two changes of job within the Department (including one appointment to this level); and one fixed-term appointment from outside the Department

(e) no moves to another Department

(f) no positions offered and rejected, either within the Department or in another Department

Mr. Forth: To ask the Parliamentary Secretary, Lord Chancellor's Department how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26933]

Mr. Hoon: In the period since 1 May 1997, the relevant information for members of the Senior Civil Service in this Department at levels equivalent to grade 3 and above is as follows:

(a) no resignations

(b) no retirements before pensionable age

(c) one move to different responsibilities

There have also been two appointments within this cadre (including one fixed-term appointment) of individuals who did not previously have responsibilites at this level. In all three cases, the individuals are responsible to the Lord Chancellor.

Magistrates

Mr. Ruane: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the political profile of magistrates benches in England. [26846]

Mr. Hoon: On the latest information available, the political profiles of benches in England, listed under Commissions of the Peace, is shown in a table placed in the Library. The figures do not include those areas for which the Chancellor of the Duchy of Lancaster has responsibility. In many instances, the recorded political allegiance of magistrates will be that declared during the appointment process and may not, necessarily, reflect present views.

FOREIGN AND COMMONWEALTH AFFAIRS

Multilateral Agreement (On Investment)

Ms Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has for public consultation on the OECD's multilateral agreement on investment; and if he will make a statement. [27113]

Mrs. Beckett: I have been asked to reply.

There is an ongoing process of consultation on the MAI including with business representatives, the TUC, professional bodies, non-governmental organisations and other interested parties.

Defence Exports

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what defence exports to *(a)* Malaysia, *(b)* Thailand, *(c)* Indonesia and *(d)* Singapore have been from ECGD cover in each of the last five years; what were the terms of the guarantees; what was the equipment for; and if he will make a statement. [27173]

Mrs. Beckett: I have been asked to reply.

The Value of ECGD cover provided in support of defence business with the named markets in each of the last five years was as follows:

£ million

	Malaysia	Thailand	Indonesia	Singapore
1992–93	436	0	399	0
1993–94	25	0	8	69
1994–95	0	22	114	0
1995–96	0	0	419	28
1996–97	0	0	143	0
1997–98[1]	0	25	1	0

[1] to 31 December

The guarantees were all on cash terms except in the case of business with Indonesia for which five years credit was supported.

In all cases the equipment was for the use of the armed forces of the named countries.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what policies he proposes to implement to make the Government's arms policy more transparent and accountable; what external advice he has received; and if he will make a statement. [27882]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary announced on 28 July new criteria to be used in considering licence applications for the export of conventional weapons. At the same time, he committed the Government to report annually on the state of strategic export controls and their applications, so as to ensure full transparency and accountability to Parliament. Work is in hand to implement this commitment and an announcement will be made in due course. The work has not involved any formal external advice.

Departmental Publicity

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25176]

Mr. Robin Cook *[holding answer 23 January 1998]*: My Department has incurred no such costs, other than on those occasions overseas when facilities for press conferences have had to be hired commercially. Such costs are kept to a minimum.

Euro Information Centres

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs how many euro information centres operate in the United Kingdom; what was their operational budget for 1997; and what role Her Majesty's Government has in respect of preparing the contents of the material distributed. [27378]

Mr. Doug Henderson: There are 26 European Information Centres (EICs) in the UK. An overall figure for the EICs' operating budget is not readily available, since they receive funding from a variety of sources, including charges for some of their services. But in 1997 each UK EIC received 20,000 ecu of funding from DG XXIII of the European Commission. We are involved in planning the EICs' overall strategy in the UK, which centres on providing the business community (especially SMEs) with information and expert advice on operating in Europe. But we do not have a direct role in the preparation of the material they distribute, much of which comes from their own Europe-wide network.

Taiwan

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he plans to hold to encourage the development of diplomatic relations with Taiwan, Republic of China. [27634]

Mr. Fatchett: None. We do, however, promote the UK's flourishing trade, investment and cultural links with Taiwan.

Ukraine

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of the Ukraine on its policy of carrying out executions. [27632]

Mr. Doug Henderson: My hon. Friend the Parliamentary Under-Secretary of State for International Development raised the question of the death penalty in Ukraine during a meeting in Kiev in November 1997 with the Ukrainian Minister of Justice. The British Embassy in Kiev regularly makes known our concern about the issue to the Ukrainian authorities.

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of the Ukraine on the matter of human rights. [27491]

Mr. Doug Henderson: Human rights issues were discussed with Ukraine at ministerial level during the meeting of my hon. Friend the Parliamentary Under-Secretary of State for International Development with the Ukrainian Minister of Justice in Kiev in November 1997. The British Embassy in Kiev maintains a close interest in human rights issues.

Kenya

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he plans to have with the Government of Kenya to help that country develop its electoral system. [27633]

Mr. Tony Lloyd: In advance of the elections last December, the UK, with other donors, pressed for political reforms, many of which were adopted. We support the early creation of a Constitutional Review Commission, representative of diverse sections of Kenyan society, to make recommendations on further Constitutional reforms, some of which may well deal with the electoral process. We have made clear that a commitment on the part of the Kenyan Government to address this challenge within an open and democratic framework will affect our ability to offer help and advice.

Gibraltar

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the priorities of the British Presidency of the Council of Ministers in respect of Gibraltar. [27639]

Mr. Doug Henderson: Our priority as EU Presidency will be to work for the Union's common benefit, on Gibraltar-related as on other issues. As the UK Member State, we shall of course also continue to represent Gibraltar's interests across the whole range of EU business, fully consulting the Government of Gibraltar as appropriate.

European Treaties

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the names of any treaties, as defined by the Vienna Convention, agreed to by the United Kingdom and enforced under the powers contained in the European Communities Act 1972, section 2(2)(a). [27888]

Mr. Doug Henderson: The powers provided by section 2(2)(a) of the European Communities Act 1972 enable the exercise or implementation of certain rights or obligations of the United Kingdom which derive from the treaties defined in section 1(2) of the Act. These treaties include, in particular, the Treaties establishing the three Communities, all the accession treaties, the Single European Act and parts of the Maastricht Treaty.

In practice, section 2(2)(a) is mostly used to implement in the United Kingdom European Community directives.

Nigeria

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to his French counterparts on the admission of Nigeria to la Francophonie. [27824]

Mr. Tony Lloyd: Nigeria is not a member of la Francophonie and we have made no representations.

Amsterdam Summit

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons his criticism of the note keeping at Amsterdam was directed at the presidency rather than the General Secretariat of the Council. [27890]

Mr. Doug Henderson: The General Secretariat of the Council acts in support of the Presidency in the administration of European Councils. It is the Presidency, therefore, who bear overall responsibility for the conduct and management of European Councils.

Schengen Agreement

Mr. Wilkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if material pertaining to the discussions on the voting procedure on opting into the Schengen Area by opt out states will be listed in the new register of Council documents. [27891]

Mr. Doug Henderson: No. There are no Council documents pertaining to these discussions.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer to the hon. Member for Wrexham (Dr. Marek) of 25 November 1997, *Official Report*, column 755, when the agreement was reached that an amendment to Schengen opt-in procedures should be submitted in writing; if that agreement applied only to Schengen amendments; to whom the amendment would be submitted; and on what evidence he stated that no document was submitted. [28221]

Mr. Doug Henderson: In discussion at Amsterdam of possible changes to draft Article 4 of the Protocol integrating the Schengen Acquis into the Framework of the European Union, the Presidency agreed that any Spanish amendment to this Article would be circulated in writing. No such amendment was circulated.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer to the hon. Member for Wrexham (Dr. Marek) of 25 November 1997, *Official Report*, column 754, for what reason it was agreed that an amendment to Schengen opt-in procedures could only be accepted if submitted in writing; and for what reason the subsequent change to the treaty did not follow this procedure. [28220]

Mr. Doug Henderson: Circulation of a written proposal for an amendment would have been the most appropriate way of establishing whether there was agreement to change the voting procedures in draft Article 4 of the Protocol integrating the Schengen Acquis into the Framework of the European Union.

However, the subsequent changes reflected an understanding between the Dutch Presidency and Spain.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 30 January 1998, *Official Report*, column *440*, if his Department has seen the documentary evidence submitted to the investigation on the circumstances surrounding the opt-in of Schengen applicant states. [28219]

Mr. Doug Henderson: Any investigation of this kind would have been a matter for the then Dutch Presidency.

Friends of the Presidency Group

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the nature and format of the Friends of the Presidency Group; when that body was founded; who were its members on 27 June; and what is its present make-up and mandate. [28194]

Mr. Doug Henderson: In the context of the Intergovernmental Conference, the term "Friends of the Presidency" referred not to a formal group of representatives of member states but to informal, ad hoc meetings of officials convened to assist the work of the group of Personal Representatives. Such meetings took place on a number of occasions during the Intergovernmental Conference. The meeting on 27 June was attended by officials from the FCO and the United Kingdom Permanent Representation.

Falkland Islands

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions Ministers or

officials have had with the Government of Argentina about clearance of mines in the Falkland Islands; and if he will make a statement. [28223]

Mr. Tony Lloyd: The matter was last discussed by Ministers at a meeting between my right hon. Friend the Foreign Secretary and Dr. di Tella in November 1997, and by officials at a routine meeting earlier this week. The question of mine clearance in the Falkland Islands is complicated because of technical, practical and environmental reasons (largely due to the soil conditions in which these mines were laid).

EDUCATION AND EMPLOYMENT

Out-of-school Clubs

Mr. Ivan Henderson: To ask the Secretary of State for Education and Employment how many additional out-of-school childcare clubs have been started since he announced the Lottery-financed initiative to provide them. [28259]

Mr. Alan Howarth: The New Opportunities Fund will provide £220 million for out-of-school childcare schemes between 1999 and 2003. We do not expect the Fund to invite bids until early 1999. However, the Out-of-School Childcare Initiative (OSCI) has so far created 5,278 new childcare places in this financial year (1 April to 28 December 1997) and for 1998–99 we have more than doubled OSCI funding (from £4.1 million to £10.1 million) which we expect to create a further 20,000 new places.

Cinema Access

Mr. Oaten: To ask the Secretary of State for Education and Employment (1) what guidelines his Department *(a)* issued before the Disability Discrimination Act 1995 and *(b)* has issued since the passing of the Act concerning the access by disabled people to cinemas; [28247]

(2) what information his Department has distributed to cinemas concerning the requirements placed upon them by the Disability Discrimination Act 1995, and the timescale within which those requirements must be satisfied; [28248]

(3) what consultations his Department has undertaken on the Health and Safety aspects of the Disability Discrimination Act 1995 as far as access to cinemas is concerned. [28249]

Mr. Alan Howarth: Guidance on access by disabled people to public places has been available from a number of sources, including the Government, for some time. Information which focuses specifically on disabled people's access to cinemas has not been produced by the Government, although the Cinema Exhibitors' Association has produced guidance for its members both on employing disabled people and welcoming them as consumers.

The Code of Practice for the Elimination of Discrimination in the Field of Employment (price £9.95), *Guidance on Matters to be Taken into Account in Determining Questions Relating to the Definition of Disability* (price £7.50) *and the Code of Practice—Rights of Access—Goods, Facilities, Services and premises* (price £6.00) are available from the Stationery Office.

Prior to the introduction of the Disability Discrimination Act (DDA) 1.6 million service providers were sent a leaflet advising them that they had responsibilities under the Act and encouraging them to obtain further information from the DDA Information Line. To support this exercise there was an extensive national press advertising campaign.

The DDA Information Line continues to provide a range of free information concerning the requirements of the DDA. It can be contacted by telephone on 0345 622633, by textphone on 0345 622644 or by writing to DDA Information, Freepost MIDO2164, Stratford-upon-Avon, CV37 9BR. A press campaign is underway to remind service providers, employers, and disabled people of this service.

The DDA's relationship with health and safety questions was considered during public consultations preceding the drafting of the legislation, in the White Paper *Ending Discrimination against Disabled People* which resulted from those consultations and during the National Disability Council's consultations over the goods, facilities and services code of practice. The code makes clear that the Act does not require a service provider to do anything which would endanger the health or safety of any person, including that of a disabled person. It goes on to state that spurious health and safety reasons will provide no defence to an allegation of discrimination and that, for example, the fire regulations should not be used as an excuse to place unnecessary restrictions on disabled people. The code also explains that it is for the management of the establishment concerned, in conjunction with the licensing authority, to make any special provision needed. Paragraph 5.7 states that "Every opportunity should be taken, as far as practicable, to enable disabled people to use cinemas, theatres, leisure centres and other entertainment venues".

The Government are considering the timetable for implementing the remaining rights of access—the duties placed on service providers to carry out reasonable adjustments to improve access to services—and will announce their decision in due course. Further consultations over a revised code of practice and new regulations will follow. I will ensure that the Cinema Exhibitors' Association is invited to contribute to these consultations.

Funding Schools

Mr. McLoughlin: To ask the Secretary of State for Education and Employment if he will list the amount of increase in the standard spending assessment of each local authority in 1998–99 for primary and secondary schools. [25336]

Mr. Byers *[holding answer 26 January 1998]:* The following table shows the increase in cash and percentage terms in the provisional primary and secondary standard spending assessments for all authorities in 1998–99. The figures for authorities subject to reorganisation in 1998 are based on what they would have received if local government reorganisation had taken place a year earlier.

Provisional education SSAs for 1998–99

	(£ million)		change (£ million)		change (percentage)	
	Primary	*Secondary*	*Primary*	*Secondary*	*Primary*	*Secondary*
Barking and Dagenham	34.343	31.248	2.402	1.501	7.5	5.0
Barnet	50.039	53.036	3.643	2.734	7.9	5.4
Barnsley	37.218	36.276	2.379	1.723	6.8	5.0
Bath & North East Somerset	22.254	26.617	1.391	1.432	6.7	5.7
Bedfordshire	63.721	63.383	4.175	3.423	7.0	5.7
Bexley	41.571	42.175	3.088	3.472	8.0	9.0
Birmingham	207.037	197.118	11.528	10.455	5.9	5.6
Blackburn	30.233	29.154	1.780	1.147	6.3	4.1
Blackpool	22.911	20.095	1.694	1.569	8.0	8.5
Bolton	48.211	48.086	2.852	2.937	6.3	6.5
Bournemouth	20.541	23.287	1.211	1.482	6.3	6.8
Bracknell Forest	17.903	15.754	1.211	0.715	7.3	4.8
Bradford	94.180	90.823	4.633	3.502	5.2	4.0
Brent	48.592	43.960	2.236	1.826	4.8	4.3
Brighton and Hove	34.003	31.465	2.566	1.774	8.2	6.0
Bromley	47.466	48.673	3.363	3.111	7.6	6.8
Buckinghamshire	74.014	76.024	5.066	3.835	7.3	5.3
Bury	29.705	30.666	1.829	1.711	6.6	5.9
Calderdale	34.414	34.990	1.796	1.650	5.5	4.9
Cambridgeshire	79.445	74.986	5.149	3.161	6.9	4.4
Camden	27.679	34.555	1.469	1.468	5.6	4.4
Cheshire	101.827	108.587	5.698	6.287	5.9	6.1
City of Bristol	59.981	46.543	3.074	2.577	5.4	5.9
City of Kingston-upon-Hull	50.458	45.623	2.703	2.455	5.7	5.7
City of London	0.532	0.028	0.013	-0.030	2.5	-52.2
Cornwall	76.072	79.505	4.122	3.983	5.7	5.3
Coventry	54.991	53.087	3.002	3.119	5.8	6.2
Croydon	61.293	51.809	5.029	3.548	8.9	7.4
Cumbria	76.034	80.255	4.527	3.712	6.3	4.8
Darlington	16.677	16.239	1.003	0.741	6.4	4.8
Derby	40.127	38.450	2.353	1.921	6.2	5.3
Derbyshire	109.832	109.663	7.785	5.202	7.6	5.0
Devon	99.461	97.596	7.249	7.034	7.9	7.8
Doncaster	54.580	55.083	3.104	3.242	6.0	6.3
Dorset	52.472	55.049	3.644	3.055	7.5	5.9
Dudley	49.283	51.854	3.028	3.344	6.5	6.9
Durham	81.027	84.280	4.737	3.607	6.2	4.5
Ealing	53.608	45.165	3.824	2.332	7.7	5.4
East Riding of Yorkshire	46.625	50.393	3.328	3.079	7.7	6.5
East Sussex	70.928	70.113	5.048	4.073	7.7	6.2
Enfield	52.486	54.420	3.909	2.882	8.0	5.6
Essex	209.143	216.672	14.907	12.186	7.7	6.0
Gateshead	31.900	30.827	1.745	1.584	5.8	5.4
Gloucestershire	83.301	86.648	4.955	5.081	6.3	6.2
Greenwich	50.813	48.001	2.903	1.619	6.1	3.5
Hackney	46.096	33.961	2.384	1.048	5.5	3.2
Halton	24.499	24.565	1.383	0.703	6.0	2.9
Hammersmith and Fulham	23.448	22.335	1.294	1.583	5.8	7.6
Hampshire	190.341	185.202	12.786	9.586	7.2	5.5
Haringey	46.746	36.394	2.481	1.896	5.6	5.5
Harrow	35.157	32.828	2.013	1.574	6.1	5.0
Hartlepool	17.301	18.072	0.835	1.226	5.1	7.3
Havering	40.235	42.012	2.464	2.161	6.5	5.4
Herefordshire	26.112	24.830	1.808	1.605	7.4	6.9
Hertfordshire	172.471	177.499	14.120	10.739	8.9	6.4
Hillingdon	43.261	41.060	3.324	2.353	8.3	6.1
Hounslow	38.689	43.071	1.643	1.688	4.4	4.1
Isle of Wight Council	20.313	21.717	1.344	1.577	7.1	7.8
Isles of Scilly	0.532	0.566	0.053	0.053	11.0	10.4
Islington	39.866	32.347	2.319	1.724	6.2	5.6
Kensington and Chelsea	15.876	12.062	1.748	1.168	12.4	10.7
Kent	214.686	218.364	16.044	12.096	8.1	5.9
Kingston upon Thames	20.565	20.398	1.455	0.952	7.6	4.9
Kirklees	67.457	66.036	4.324	3.194	6.8	5.1
Knowsley	36.981	32.534	1.485	1.950	4.2	6.4
Lambeth	50.946	33.146	3.032	2.599	6.3	8.5
Lancashire	191.178	195.486	12.293	11.155	6.9	6.1
Leeds	117.668	114.252	7.726	6.136	7.0	5.7
Leicester	56.289	54.557	2.441	2.113	4.5	4.0
Leicestershire	89.321	91.006	6.311	4.755	7.6	5.5
Lewisham	54.394	44.805	4.191	3.830	8.3	9.3
Lincolnshire	96.393	102.488	6.371	5.722	7.1	5.9
Liverpool	94.675	95.214	5.408	6.683	6.1	7.5
Luton	38.254	35.349	2.153	1.590	6.0	4.7
Manchester	90.354	78.304	4.765	5.300	5.6	7.3
Medway Towns	46.774	46.442	2.361	1.998	5.8	4.5
Merton	27.404	25.584	1.548	1.635	6.0	6.8
Middlesbrough	29.894	27.441	1.058	1.548	3.7	6.0
Milton Keynes	37.702	36.611	2.274	1.694	6.4	4.9
Newbury	22.674	25.575	1.361	1.656	6.4	6.9
Newcastle upon Tyne	43.319	43.013	2.278	2.501	5.6	6.2

Provisional education SSAs for 1998–99

	(£ million)		change (£ million)		change (percentage)	
	Primary	*Secondary*	*Primary*	*Secondary*	*Primary*	*Secondary*
Newham	65.231	60.573	4.706	4.333	7.8	7.7
Norfolk	112.649	116.410	7.026	5.499	6.7	5.0
North East Lincolnshire	30.543	31.318	1.659	1.834	5.7	6.2
North Lincolnshire	26.087	28.989	1.412	1.388	5.7	5.0
North Somerset	25.800	28.071	1.556	1.642	6.4	6.2
North Tyneside	31.296	30.988	1.813	1.395	6.1	4.7
North Yorkshire	83.479	90.271	5.753	5.462	7.4	6.4
Northamptonshire	102.616	100.187	6.737	5.373	7.0	5.7
Northumberland	48.440	52.891	2.304	2.297	5.0	4.5
Nottingham City	53.320	41.388	3.119	2.114	6.2	5.4
Nottinghamshire	115.866	123.269	7.282	6.083	6.7	5.2
Oldham	43.164	46.841	2.091	2.175	5.1	4.9
Oxfordshire	88.962	86.323	6.897	4.180	8.4	5.1
Peterborough	29.874	32.768	1.810	1.239	6.4	3.9
Plymouth	40.335	43.693	1.998	2.084	5.2	5.0
Poole	18.923	19.885	1.213	0.967	6.9	5.1
Portsmouth	31.497	28.232	2.076	2.050	7.1	7.8
Reading	21.218	15.918	1.256	1.288	6.3	8.8
Redbridge	42.398	44.834	3.329	2.379	8.5	5.6
Redcar and Cleveland	26.870	29.833	1.245	1.642	4.9	5.8
Richmond upon Thames	21.688	22.464	1.565	0.987	7.8	4.6
Rochdale	40.852	37.931	2.593	2.079	6.8	5.8
Rotherham	44.657	49.873	2.659	2.017	6.3	4.2
Rutland	4.683	5.577	0.112	0.176	2.5	3.3
Salford	41.870	37.343	2.468	2.205	6.3	6.3
Sandwell	56.053	55.224	3.380	2.761	6.4	5.3
Sefton	48.021	50.903	3.140	2.652	7.0	5.5
Sheffield	81.186	76.443	5.468	4.592	7.2	6.4
Shropshire	41.207	42.793	2.485	2.119	6.4	5.2
Slough	23.579	22.432	1.719	1.451	7.9	6.9
Solihull	34.856	37.755	2.151	2.441	6.6	6.9
Somerset	73.128	70.803	5.134	3.764	7.6	5.6
South Gloucestershire	37.868	35.408	2.927	1.796	8.4	5.3
South Tyneside	28.266	29.452	1.405	2.094	5.2	7.7
Southampton	36.195	35.641	2.194	3.133	6.5	9.6
Southend	26.397	27.340	2.028	2.185	8.3	8.7
Southwark	55.923	40.677	3.317	2.296	6.3	6.0
St. Helens	30.862	31.743	2.011	1.677	7.0	5.6
Staffordshire	126.922	131.514	8.006	6.509	6.7	5.2
Stockport	44.566	43.887	2.897	2.732	7.0	6.6
Stockton-on-Tees	32.998	35.320	1.754	1.513	5.6	4.5
Stoke on Trent	42.716	41.225	2.236	2.516	5.5	6.5
Suffolk	99.786	99.261	6.748	5.096	7.3	5.4
Sunderland	52.708	55.038	2.585	2.647	5.2	5.1
Surrey	145.622	140.345	11.302	6.668	8.4	5.0
Sutton	28.547	32.424	2.198	2.192	8.3	7.3
Swindon	31.211	29.038	2.074	2.013	7.1	7.4
Tameside	39.664	40.650	2.134	2.410	5.7	6.3
The Wrekin	27.616	27.728	1.742	1.754	6.7	6.8
Thurrock	26.500	24.207	1.989	1.433	8.1	6.3
Torbay	18.227	20.782	1.265	1.212	7.5	6.2
Tower Hamlets	57.960	57.048	2.616	4.827	4.7	9.2
Trafford	34.265	37.590	1.827	1.968	5.6	5.5
Wakefield	53.145	53.822	3.246	3.513	6.5	7.0
Walsall	47.286	51.521	2.130	2.692	4.7	5.5
Waltham Forest	46.710	42.109	3.387	2.106	7.8	5.3
Wandsworth	39.088	33.535	1.559	1.025	4.2	3.2
Warrington	31.138	32.199	1.981	1.593	6.8	5.2
Warwickshire	75.895	76.090	4.801	4.586	6.8	6.4
West Sussex	108.008	110.059	8.893	5.630	9.0	5.4
Westminster	22.872	25.018	1.642	0.958	7.7	4.0
Wigan	50.959	54.690	2.727	2.720	5.7	5.2
Wiltshire	64.017	62.599	4.289	3.539	7.2	6.0
Windsor & Maidenhead	18.831	22.005	1.270	1.135	7.2	5.4
Wirral	57.958	59.995	3.027	3.174	5.5	5.6
Wokingham	23.330	23.338	1.671	1.240	7.7	5.6
Wolverhampton	45.539	41.967	2.717	2.081	6.3	5.2
Worcestershire	78.580	80.979	4.581	3.446	6.2	4.4
York	24.978	24.051	1.639	1.170	7.0	5.1
England	8,220.300	8,135.900	521.200	443.000	6.8	5.8

Notes:

Education SSAs are made up of five sub-blocks—Primary, Secondary, Post-16, Under fives and Other. The national increase across all five sub-blocks sums to £1,017 million. The primary and secondary SSA figures in this table exclude funding nationally for under-fives, sixth forms and other education services provided by authorities which are unrelated to schools.

Non-career Civil Servants

Mr. Burns: To ask the Secretary of State for Education and Employment how many non-career civil servants have been appointed to his Department since 1 May 1997. [25856]

Dr. Howells: A non-career civil servant is someone appointed other than on a permanent contract, for example fixed term appointments and casuals. The number of people appointed to posts in the DfEE on fixed term contracts or as casuals since 1 May 1997 is 300.

University Funding

Mr. Flight: To ask the Secretary of State for Education and Employment if he will make a statement on his plans to reallocate resources for universities in England and Wales, with particular reference to the funding of Oxford and Cambridge universities. [25408]

Dr. Howells: The allocation of resources for universities in England is a matter for the Higher Education Funding Council for England, subject to guidance from the Department. A copy of the guidance letter for 1998–99 is in the Library.

Separately we have asked the Funding Council to advise on the mechanisms for setting future funding for universities and colleges at Oxford and Cambridge. We received their report in late November and are still considering their advice.

Schools (Expenditure)

Mr. Gill: To ask the Secretary of State for Education and Employment (1) what is the forecast per capita expenditure for pupils in *(a)* primary schools and *(b)* secondary schools in Shropshire in 1998–99; [24425]

(2) what is the forecast per capita expenditure for pupils in *(a)* primary schools and *(b)* secondary schools in the London Borough of Southwark in 1998–99; [24426]

(3) what is the current per capita expenditure for pupils in *(a)* primary and *(b)* secondary schools in the London Borough of Southwark; [24427]

(4) what is the current per capita expenditure for pupils in *(a)* primary schools and *(b)* secondary schools in Shropshire. [24428]

Mr. Blunkett: Schools do not receive per capita funding directly from the Government, but local education authorities receive resources through the SSA system. The table sets out the provisional primary and secondary SSA per pupil for Southwark and Shropshire in 1998–99 and the equivalent final figures for 1997–98. The latter figure for Shropshire is based on what it would have received if local government reorganisation had taken place a year earlier.

£

	1997–98 Primary	*1997–98 Secondary*	*1998–99 Primary*	*1998–99 Secondary*	*Increase Primary*	*Increase Secondary*
Southwark	3,029	4,030	3,197	4,191	168	161
Shropshire	2,000	2,612	2,100	2,727	100	115

Notes:

The above figures are calculated on the basis of the primary and secondary components of the education standard spending assessments, as defined in the Local Government Finance Report (England) 1997–98 and the draft Report for 1998–99, divided by pupils aged 5–10 and 11–15 respectively, as defined in the reports.

These figures reflect the differing socio-economic makeup of the two authorities. I am discussing the consequences of its financial settlement for 1998–99 with Shropshire county council. The SSA methodology for 1999–2000 is under review.

New Deal

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many employers have signed contractual agreements to provide places under the New Deal arrangements which became effective on 1 January. [23534]

Mr. Andrew Smith: 597 Employer Agreements have been signed nationally and locally.

Lifelong Learning

Mr. Fabricant: To ask the Secretary of State for Education and Employment what is the date of publication of the White Paper on Lifelong Learning. [28215]

Dr. Howells: My right hon. Friend the Secretary of State for Education and Employment plans to publish a consultation paper on lifelong learning on 25 February, together with our responses to the reports from the Committee of Inquiry into Higher Education and the Further Education Funding Council's Widening Participation Committee.

Employment Training

Mr. Rooney: To ask the Secretary of State for Education and Employment if he will *(a)* provide a breakdown of expenditure (i) in cash terms and (ii) at July 1997 prices and *(b)* indicate the number of starts for (1) restart interviews, (2) 1–2-1, (3) jobfinder interviews, (4) the job interview guarantee scheme, (5) employment training, (6) training for work, (7) learning for work, (8) workskill, (9) community programme, (10) employment action, (11) the national insurance contributions holiday, (12) the enterprise allowance scheme and (13) the business start up scheme since 1987. [25560]

Dr. Howells *[holding answer 26 February 1998]:* The information requested is given in the following tables. Jobfinder interviews and Workskill pilots both commenced operation in the current financial year, therefore actual starts and expenditure will not be available until after the year end.

Expenditure in cash terms—Great Britain £ million

	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Restart Interviews	32.5	33.3	24.4	24.8	34.9	55.0	47.9	58.3	53.1	51.0
1–2–1	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	0.5	5.8	11.3
Job Interview Guarantee Scheme	[6]—	[6]—	[6]—	[6]—	0.9	10.4	20.4	22.3	22.4	21.7
Employment Training	[6]—	[3]619.8	[1]1,117.7	1,076.4	[1]737.4	[3]629.5	[6]—	[6]—	[6]—	[6]—
Training for Work	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[2]760.2	[2]692.7	[2]501.7	[2]459.9
Learning for Work	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[2]12.0	[2]8.2	[6]—	[6]—
Community Programme	1,085.4	671.8	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
Employment Action	[6]—	[6]—	[6]—	[6]—	[1]16.3	[1]137.3	[6]—	[6]—	[6]—	[6]—
National Insurance Contributions Holiday	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—	[5]0.7
Enterprise Allowance Scheme	200.7	196.7	170.9	133.1	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
Business Start Up Scheme	[6]—	[6]—	[6]—	[6]—	[1]161.8	[1]62.0	[1]82.0	[1]63.8	[6]—	[6]—

[1] England/Wales.
[2] England only.
[3] Includes expenditure on adult training predecessor programmes.
[4] England/Scotland.
[5] Provisional outturn. Employers have 6 years in which to claim the holiday.
[6] Scheme not in operation.

Notes:
Employment Training 1990–91 includes Garden Festival.
Training for Work expenditure for 1996–97 is latest provisional outturn.
Business Start Up (BSU) expenditure for 1991–92 is not available. Figure shown relates to Business Enterprise Scheme, which consisted of EAS, BSU and Business Enterprise Training.
Cash information is not available for Restart for 1987–88 to 1991–92. The figures provided are 1992–93 information reduced downwards by GDP deflators.
1–2–1 assumes the planning average number of interviews per client.

Expenditure at 1997 Prices—Great Britain £ million

	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Restart Interviews	48.9	47.0	32.2	30.3	40.2	61.3	51.4	61.6	54.6	51.0
1–2–1	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	0.5	5.9	11.3
Job Interview Guarantee Scheme	[4]—	[4]—	[4]—	[4]—	1.0	11.5	21.9	23.5	23.0	21.7
Employment Training	[4]—	[3]899.3	[1]1,515.8	1,351.5	[1]870.4	[2]713.1	[4]—	[4]—	[4]—	[4]—
Training for Work	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[2]836.8	[2]751.2	[2]529.5	[2]472.3
Learning for Work	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[2]13.2	[2]8.9	[4]—	[4]—
Community Programme	1,680.2	974.6	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—
Employment Action	[4]—	[4]—	[4]—	[4]—	[1]19.2	[1]155.5	[4]—	[4]—	[4]—	[4]—
Enterprise Allowance Scheme	310.7	285.4	231.8	167.1	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—
Business Start Up Scheme	[4]—	[4]—	[4]—	[4]—	[1]191.0	[2]70.2	[2]90.3	[2]69.2	[4]—	[4]—

[1] England/Wales.
[2] England only.
[3] Includes Adult Training.
[4] Scheme not in operation.

Notes:
Cash expenditure has been translated to constant 1997 prices by using GDP deflators.
Training for Work expenditure for 1996–97 is latest provisional outturn.
Business Start Up (BSU) expenditure for 1991–92 is not available. Figure shown relates to Business Enterprise Scheme, which consisted of EAS, BSU and Business Enterprise Training.

Number of starts—Great Britain 000s

	1987–88	1988–89	1989–90	1990–91	1991–92	1992–93	1993–94	1994–95	1995–96	1996–97
Restart Interview	2,300	2,200	1,500	1,400	1,850	2,818	2,324	3,759	3,272	3,206
1–2–1	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	45	405	1,140
Job Interview Guarantee Scheme	[1]—	[1]—	[1]—	[1]—	134	119	412	450	377	216
Employment Training	[1]—	239	431	389	293	291	[1]—	[1]—	[1]—	[1]—
Training for Work	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	339	320	254	229
Learning for Work	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	9	0.7	[1]—	[1]—
Community Programme	269	84	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Employment Action	[1]—	[1]—	[1]—	[1]—	[1]—	22	67	[1]—	[1]—	[1]—
National Insurance Contributions Holiday	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	4
Enterprise Allowance Scheme	106	99	78	60	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Business Start Up Scheme	[1]—	[1]—	[1]—	[1]—	50	41	41	30	[1]—	[1]—

[1] Scheme not in operation.

Class Sizes

Mr. Letwin: To ask the Secretary of State for Education and Employment what steps he has taken to expedite the collation of statistics relating to the reduction of class sizes for five, six and seven-year-olds. [26147]

Mr. Byers: Information on class sizes in January each year is collected from maintained primary schools as part of the annual Schools' Census. Since January 1996, the Department has collected data for primary classes by Key Stage and since January 1998, we have collected data by Year Group for Key Stage One classes to monitor reductions in class sizes for these Year Groups.

Civil Servants

Mr. Rhodri Morgan: To ask the Secretary of State for Education and Employment what proportion of Civil Service staff of grade 5 and above within his Department *(a)* have spent their entire civil service career within his Department or its predecessor departments, *(b)* have had secondments to (i) the private sector and (ii) other departments and *(c)* have come from other departments. [26032]

Dr. Howells *[holding answer 28 January 1998]:* 28 per cent. of the 163 Civil Service staff at Divisional Manager (broadly equivalent to the former Grade 5) level and above in DfEE have spent their entire civil service career in DfEE (including the former Department for Education and the former Department of Employment Group). 7 per cent. have had secondments to the private sector during their career in DfEE and its former constituent parts; a further 23 per cent. had private sector experience before joining DfEE. 26 per cent. have been loaned or seconded from DfEE to other departments. 28 per cent. moved to DfEE from another department, 4 per cent. joining the DfEE at Senior Civil Service level.

Mr. Forth: To ask the Secretary of State for Education and Employment how many civil servants in his Department at grade 3 or above have *(a)* resigned, *(b)* retired before pensionable age and *(c)* moved to different responsibilities within the Department since 1 May 1997; if he will indicate the Ministers to whom each was responsible; and if he will make a statement. [26920]

Dr. Howells: Since 1 May 1997, one civil servant at Director (broadly equivalent to the former Grade 3) level and above in DfEE has resigned, three have retired before pensionable age, two have moved to posts at Director level on promotion, one has returned to DfEE at this level having been on loan to another department and one has returned to the Department at this level after a secondment to an outside organisation. The civil servants concerned were responsible to a range of DfEE Ministers in their various posts.

NVQs

Mr. Hoyle: To ask the Secretary of State for Education and Employment what plans he has to raise the standard of NVQs through stricter testing and examination of those taking them. [26493]

Dr. Howells: These are matters for the Qualifications and Curriculum Authority. Revised criteria for NVQs, which include arrangements for independent assessment, are to be brought before the QCA Authority meeting in March. The Department is supporting additional external verification of NVQs by awarding bodies to help in assuring standards of assessment.

Job Details

Mr. Fearn: To ask the Secretary of State for Education and Employment to what extent job details are made available *(a)* in Braille and *(b)* on audio tape at job centres. [26815]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Ronnie Fearn, dated 6 February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question of 30 January, concerning the extent to which job details are made available in Braille and audio tape at Jobcentres.

The Employment Service does not normally make job details available in Braille or audiotape formats. However, where jobseekers do have impaired vision there are a number of other ways in which we can and do assist.

Where a jobseeker is visually impaired, arrangements can be made for the jobseeker to be accompanied around the Jobcentre's vacancy display boards and details read out by a member of staff. In addition we may make an appointment for the jobseeker at which a member of staff will identify and discuss suitable vacancies held on our Labour Market System computer. Also, the Jobseeker will be regularly invited to discuss their job search activity with their adviser. We also provide vacancy information by phone where this would be helpful.

I hope this is helpful.

Training Bodies

Mr. Hoyle: To ask the Secretary of State for Education and Employment what plans he has to increase the accountability of TECs and training agencies for their spending. [26494]

Dr. Howells: We believe the arrangements we have put in place, including through the TEC contract, provide a sound basis for accounting for public funds spent through TECs. We will, however, keep these arrangements under review to ensure they are working effectively.

Student Tuition Fees

Mr. Oaten: To ask the Secretary of State for Education and Employment how many students will start on post A-level courses this year which are not regarded as the start of a higher education course for the purposes of the payment of tuition fees in 1998; and, of these, how many will be art foundation course students. [26506]

Dr. Howells *[holding answer 30 January 1998]:* We estimate that there will be around 35,000 students starting courses in 1998 who will, for the purposes of mandatory awards and student loans, be treated as 'existing' students and will not, therefore, have to pay tuition fee contributions for the duration of their course.

Students starting a higher education course in 1998–99 who were art foundation course students in 1997–98 will be classed as new entrants and, subject to means-testing, will have to contribute to tuition fees.

Unemployment

Mr. Stinchcombe: To ask the Secretary of State for Education and Employment if he will make a statement on his Department's proposals to tackle unemployment *(a)* in the age groups (i) 25 to 35 and (ii) 16 to 18 years and *(b)* amongst the short-term youth unemployed. [26765]

Mr. Andrew Smith: Employment opportunity for all means providing people with the knowledge and skills to find work. That is why this Government are investing in education and skills, so that people can start off their working life with the basic skills required for a lifetime of work, and can learn through life, remaining employable as the labour market changes.

In order to improve the employment prospects of 16–18 year olds, we want to encourage as many as possible to stay on in education and training to gain the skills and qualifications which will equip them for the world of work. Our Investing in Young People strategy will achieve this, through a range of measures in schools, colleges and in work-based training. Action is also being taken through New Start to tackle disaffection among young people at the transitional school to work stage and to improve participation in learning.

We will continue to attach great importance to improving the quality of work based training for young people. 16–18 year olds will have priority for training opportunities, including Modern Apprenticeships and the National Traineeships.

The New Deal for young people targets help on people aged 18–24 who have been unemployed and claiming Jobseekers' Allowance (JSA) for six months or more. However, some 18–24 year old JSA claimants who are, for a variety of reasons, likely to experience particular difficulty in finding work will be able to choose to join the New Deal early (i.e. before reaching six months' unemployment).

We have announced our intention to develop pilots to extend the New Deal for those aged 25 and over, unemployed between 1 and 2 years. Fuller details will be announced when we have worked up proposals.

We are also looking at practical and innovative approaches to the problem of long-term unemployment among the over 25s. This is why we are investing £33 million in prototype Employment Zones in Plymouth, Liverpool, South Teesside, Glasgow and North West Wales. By making current sources of help and funding more coherent, Employment Zones will benefit long-term unemployed people and their communities.

Part-time Students

Helen Jones: To ask the Secretary of State for Education and Employment what plans he has to encourage higher education institutions to review their teaching year in order to meet the needs of part-time students. [26800]

Dr. Howells *[holding answer 3 February 1998]:* The Higher Education Funding Council for England is taking a number of initiatives to encourage institutions to be flexible in meeting the needs of both full-time and part-time students. These include pilot schemes for extending the academic year and awarding a funding premium for students on courses of 45 weeks and over. We welcome these initiatives and expect to see more progress in this important area in the future.

Education Action Zones

Mr. Fabricant: To ask the Secretary of State for Education and Employment if he will list each education action zone established since 1 May. [28191]

Mr. Byers: No Education Action Zones have been established. Early in January I invited schools, local education authorities, businesses and others to come forward with applications. These will need to show how an Education Action Zone could help them to find imaginative solutions to raise standards.

The deadline for returning these is 20 March 1998, and I intend to announce the results in June.

Drugs (Education)

Mr. Clappison: To ask the Secretary of State for Education and Employment (1) how many programmes for the education of young people on the dangers of illegal drugs he has implemented or made plans for and which were not in existence on 1 May 1997; [26306]

(2) how much spending his Department has *(a)* incurred and *(b)* planned for the education of young people as to the dangers of illegal drugs which was not planned for on 1 May 1997. [26302]

Mrs. Ann Taylor: I have been asked to reply.

I refer the hon. Gentleman to the answer I gave today at column *860*.

Special Educational Needs

Mr. Fabricant: To ask the Secretary of State for Education and Employment what is the date of publication for the White Paper on Special Educational Needs. [28216]

Mrs. Browning: To ask the Secretary of State for Education and Employment when he expects to announce the conclusions of the consultation on special educational needs. [27826]

Ms Estelle Morris: We are at present considering the many thoughtful comments on the Green Paper, *Excellence for all children: meeting special educational needs*. In the light of those responses, and taking account of advice from the National Advisory Group on SEN, we expect to announce an action programme—whether through a White Paper or in some other format—in the early summer.

New Deal

Ms Atherton: To ask the Secretary of State for Education and Employment what arrangements have been put in place for New Deal participants to raise individual and collective problems they are facing. [25628]

Mr. Andrew Smith: Each young person, entering the Gateway period of the New Deal for 18 to 24 year olds, will have a personal adviser designated to them. The personal adviser will support the young person throughout their time on New Deal, identifying their individual needs and referring them to organisations that can help resolve any particular problems that they have. When the young person is on one of the options, the employer or training provider will also ensure that additional personal support is given by a tutor, supervisor or other colleague. Some young people may also choose to take advantage of the mentoring support that will be available. If individual participants wish to raise problems confidentially, they can call a free 'hotline' number, 0800 16 33 39, and ask their concerns to be investigated. National and local focus groups will also periodically canvass the views of young people who have participated in New Deal.

PRESIDENT OF THE COUNCIL

Drugs (Education)

Mr. Clappison: To ask the President of the Council (1) how many programmes for the education of young people as to the dangers of illegal drugs she has *(a)* implemented and *(b)* planned; and which of these were not in existence on 1 May 1997; [26254]

(2) Council how much spending she has *(a)* incurred and *(b)* planned for on the education of young people as to the dangers of illegal drugs which was not planned for on 1 May 1997. [26304]

Mrs. Ann Taylor: Since 1 May the Government have supported a range of existing drug education programmes, through, for example, the Department for Education and Employment's Standards Fund; the Department of Health's contract with the Health Education Authority to provide a drugs information campaign; and the Home Office Drug Prevention Initiative. May of these are extensions to or variations of previous programmes. Other work is financed through the £2 million Drugs Challenge Fund which was extended for another year.

One of the Government's manifesto commitments was to task a UK Anti-Drugs Co-ordinator with reviewing and re-evaluating all aspects of the Government's action against drugs, including drug education for young people. Keith Hellawell took up his position as the UK Anti-Drugs Co-ordinator on 5 January and is now conducting this review, which includes a Comprehensive Spending Review of all resources currently allocated to anti-drugs activity. The Government will publish their new strategy in the Spring. All future anti-drugs activity and expenditure by the Government will then be developed in accordance with this strategy.

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Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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47w

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